

Stenographic Transcript
Before the

COMMITTEE ON
ARMED SERVICES

UNITED STATES SENATE

Nominations

Wednesday, June 16, 2021

Washington, D.C.

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1 NOMINATIONS - KRASS, JONES, RATNER, SKELLY, BERGER

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Wednesday, June 16, 2021

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U.S. Senate

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Committee on Armed Services

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Washington, D.C.

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9 The committee met, pursuant to notice, at 10:00 a.m. in

10 Room SH-216, Hart Senate Office Building, Hon. Jack Reed,

11 chairman of the committee, presiding.

12 Committee Members Present: Senators Reed, Gillibrand,

13 Blumenthal, Hirono, Kaine, King, Warren, Duckworth, Rosen,

14 Kelly, Inhofe, Fischer, Cotton, Rounds, Ernst, Tillis,

15 Scott, Hawley, and Tuberville.

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

3 Chairman Reed: I would like to call the hearing to
4 order. The committee meets this morning to consider several
5 nominees for positions in the Department of Defense. I
6 recognize that these nominations cover a wide range of
7 positions, so the discussion today may be broad. But given
8 the large number of nominees we need to confirm, we are
9 slating them as soon as the nomination is ready for a
10 hearing rather than by related positions. So please bear
11 with us.

12 Today we will consider the nominations of Ms. Caroline
13 Krass to be General Counsel of the Department of Defense;
14 Ms. Gina Ortiz Jones to be Under Secretary of the Air Force;
15 Dr. Ely Ratner to be Assistant Secretary of Defense for
16 Indo-Pacific Security Affairs; Ms. Shawn Skelly to be
17 Assistant Secretary of Defense for Readiness; and Ms.
18 Meredith Berger to be Assistant Secretary of the Navy for
19 Energy, Installations, and Environment. I thank the
20 nominees for their service to the United States and their
21 willingness to assume these important roles.

22 I would also like to welcome the guests and family
23 members who are here today. Ms. Krass, I welcome your
24 husband, William, and son, James, and I thank Senator Bennet
25 for joining us to introduce you, and he will be here shortly.

1 Ms. Ortiz Jones, I welcome your mother, Victorino, and
2 sister, Christi, and thank Senator Duckworth for her
3 introduction via Webex. And Dr. Ratner, I welcome your
4 wife, Jennifer, and mother, Esther.

5 I know each of the nominees have family members who
6 would have liked to have been here but due to pandemic
7 restrictions they are proudly watching from home.

8 Ms. Krass, you are nominated to be General Counsel of
9 the Department of Defense. In addition to your current role
10 as the Senior Vice President and General Counsel at AIG in
11 New York, I would note your extreme experience as a senior
12 national security lawyer in the Obama and Bush
13 administrations, including roles as General Counsel of the
14 CIA, Acting Assistant Attorney General, and multiple legal
15 counsel positions for the White House, National Security
16 Council, and Department of Justice.

17 If confirmed, you will serve as the principal legal
18 advisor to the Secretary of Defense and guide the legal
19 framework under which the Department operates. In the
20 immediate future, it will be your responsibility to assist
21 the Secretary of Defense in addressing extremism in the
22 military, and implementing the administration's
23 recommendations regarding prevention and response to sexual
24 assault and harassment, based on the work of the Independent
25 Review Commission and the Congress. You will also be

1 charged with coordinating the Department's legislative
2 program and improving its process for legislative proposals,
3 which, unfortunately, too often miss the deadlines required
4 by this committee. I would ask that you share with the
5 committee today how you will approach these duties.

6 Ms. Ortiz Jones, you have been nominated to serve as
7 the Under Secretary of the Air Force. Your experience as an
8 Air Force officer, DIA analyst, and advisor to the U.S.
9 Trade Representative during the Obama administration will
10 serve you well in this role.

11 If confirmed, you will be faced with a number of
12 pressing challenges for the Air Force. The next Under
13 Secretary will need to run the day-to-day operations of the
14 Department while simultaneously taking steps to build up the
15 acquisition workforce and acquisition system to expand the
16 size of the Air Force. You will also need to improve the
17 falling retention rate of pilots and maintainers, a
18 situation that may very well get worse before it gets
19 better. All of these duties will be further complicated as
20 you aim to regain and maintain high levels of readiness in
21 the aftermath of the COVID-19 pandemic.

22 Dr. Ratner, you currently serve as Special Assistant to
23 the Secretary of Defense and Director of the Department's
24 China Task Force. If confirmed as Assistant Secretary of
25 Defense for Indo-Pacific Security Affairs, you will

1 undertake the immense responsibility of guiding the
2 Department's efforts in the most strategically important
3 region of the world. I trust that your expertise gained
4 through senior roles with then Vice President Biden, the
5 State Department, the Senate Foreign Relations Committee,
6 and the Center for New American Security will inform your
7 future role.

8 Last week the DoD China Task Force, which you led,
9 completed its work, and Secretary Austin initiated several
10 efforts to better focus the Department's strategy to address
11 the challenge from China. I hope you will share with the
12 committee the key findings of the task force and the
13 deficiencies that the Department must improve. If
14 confirmed, your purview will also include Southwest and
15 Central Asia, and I would ask that you outline how the
16 Department will conduct counterterrorism operations in
17 Afghanistan through an over-the-horizon presence.

18 Ms. Skelly, you have been nominated to be Assistant
19 Secretary of Defense for Readiness. With over 20 years in
20 uniform as a Naval Flight Officer, and a distinguished
21 civilian career with senior roles at the Department of
22 Defense and Department of Transportation, and as the
23 Commissioner on the National Commission on Military and
24 National Public Service, your understandings of the duties
25 demanded of this position will be critical.

1 There are several readiness concerns that will require
2 your attention should you be confirmed. Among them,
3 accurate, timely readiness reporting is a constantly
4 evolving process. This committee has historically used the
5 NDAA to compel DoD report, but there is an argument that
6 readiness reporting needs to adapt further to account for a
7 deeper picture of readiness instead of simply listening
8 availability. Operational safety across the Services also
9 must be improved. We have sustained far too much self-
10 inflected damage from training mistakes and recklessness,
11 and I would ask that you explain how the Department can get
12 the most out of training opportunities while ensuring
13 maintenance and safety gaps are fixed.

14 Finally, Ms. Berger, you have been nominated to be
15 Assistant Secretary of the Navy for Energy, Installations,
16 and Environment. In addition to your current work at
17 Microsoft, I would not your prior experience in this subject
18 area as the Deputy Chief of Staff for the Department of the
19 Navy and as a policy advisor at the EPA during the Obama
20 administration. You will be responsible for managing the
21 Navy's physical footprint. Within that, you will need to
22 address several issues that have come to this committee's
23 attention, including the replacement of the existing AF3
24 firefighting foam and the reformation of the Military
25 Housing Privatization Initiative, which has yet to be

1 implemented with respect to various components of the Tenant
2 Bill of Rights.

3 Additionally, in the last few years, the Navy has
4 seemingly abandoned its pursuit of hybrid electric drives
5 and certain classes of ships, despite documented fuel
6 savings of roughly 37 percent. I would ask that you address
7 this issue as well as how you would approach restoring Navy
8 labs, which continue to struggle to secure sufficient
9 funding for demolition, modernization, and new construction
10 of facilities.

11 Thank you again to the nominees. We all look forward
12 to your testimony.

13 Now let me now recognize the ranking member, Senator
14 Inhofe.

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

3 Senator Inhofe: Thank you, Mr. Chairman. I echo your
4 comments and thank our nominees for being here, for the time
5 and effort that you have spent helping our nation, and this
6 would be a great continuation.

7 Our top military leaders have told us over and over
8 again that we are probably likely in the most dangerous
9 position we have been in. I believe we are. I believe we
10 are. I quite often say I look back wistfully at the days of
11 the Cold War. Things were predictable then. They are not
12 predictable any longer now.

13 That is why I continue to highlight the national
14 defense roadmap to we have right here, and I want to make a
15 request now of each one of you. I suspect you probably
16 already read this, but do it again. And that is why I am
17 very much concerned with the budget that is recommended in
18 here for our military is considerably more than the budget
19 that the President is proposing at the present time. So our
20 competitors are not letting up at all, and just last week
21 General Milley told us, in this committee, that combined,
22 Russia and China budgets far exceed ours. This is something
23 we have not been dealing with in the past.

24 I would just elaborate one more time, like the chairman
25 did. First of all, Dr. Ratner, Secretary Austin has praised

1 your efforts for leading the China Task Force. You have
2 great expertise in that area. Ms. Berger, you are charged
3 with overseeing the Navy housing. Housing has been probably
4 the most labor-intensive addressing this thing for the last
5 3 or 4 years, so you have got your work cut out for you
6 there. Ms. Krass, we would like to hear how you are going
7 to advise the Secretary of Defense in addressing DoD's
8 number one pacing challenge, which is China. Ms. Ortiz
9 Jones, you will need to balance the readiness of your
10 modernization of the Air Force while also handling the space
11 obligations. And Ms. Skelly, you are going to have to end
12 up carrying out duties with an inadequate budget, so that is
13 going to be a difficult thing. We want to hear how you are
14 going to be able to do that, and we look forward to the
15 testimony of each one of you.

16 Thank you, Mr. Chairman.

17 Chairman Reed: Thank you very much, Senator Inhofe.
18 Now I will ask a series of questions which are required of
19 all civilian nominees. Simply answer appropriately after
20 the question.

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

23 Ms. Krass: Yes.

24 Ms. Ortiz Jones: Yes.

25 Mr. Ratner: Yes.

1 Ms. Skelly: Yes.

2 Ms. Berger: Yes.

3 Chairman Reed: Have you assumed any duties or taken
4 any actions that would appear to presume the outcome of the
5 confirmation process?

6 Ms. Krass: No.

7 Ms. Ortiz Jones: No.

8 Mr. Ratner: No.

9 Ms. Skelly: No.

10 Ms. Berger: No.

11 Chairman Reed: Exercising our legislative and
12 oversight responsibility makes it important that this
13 committee, its subcommittees, and other appropriate
14 committees of Congress receive testimony, briefings,
15 reports, records, and other information from the Executive
16 branch on a timely basis. Do you agree, if confirmed, to
17 appear and testify before this committee when requested?

18 Ms. Krass: Yes.

19 Ms. Ortiz Jones: Yes.

20 Mr. Ratner: Yes.

21 Ms. Skelly: Yes.

22 Ms. Berger: Yes.

23 Chairman Reed: Do you agree to provide records,
24 documents, and electronic communications in a timely manner
25 when requested by this committee, its subcommittees, or

1 other appropriate committees of Congress, and to consult
2 with the requestor regarding the basis for any good-faith
3 delay or denial in providing such records?

4 Ms. Krass: Yes.

5 Ms. Ortiz Jones: Yes.

6 Mr. Ratner: Yes.

7 Ms. Skelly: Yes.

8 Ms. Berger: Yes.

9 Chairman Reed: Will you ensure that your staff
10 complies with deadlines established by this committee for
11 the production of reports, records, and other information,
12 including timely responding to hearing questions for the
13 record?

14 Ms. Krass: Yes.

15 Ms. Ortiz Jones: Yes.

16 Mr. Ratner: Yes.

17 Ms. Skelly: Yes.

18 Ms. Berger: Yes.

19 Chairman Reed: Will you cooperate in providing
20 witnesses and briefers in response to congressional
21 requests?

22 Ms. Krass: Yes.

23 Ms. Ortiz Jones: Yes.

24 Mr. Ratner: Yes.

25 Ms. Skelly: Yes.

1 Ms. Berger: Yes.

2 Chairman Reed: Will those witnesses and briefers be
3 protected from reprisal for their testimony or briefings?

4 Ms. Krass: Yes.

5 Ms. Ortiz Jones: Yes.

6 Mr. Ratner: Yes.

7 Ms. Skelly: Yes.

8 Ms. Berger: Yes.

9 Chairman Reed: Thank you. I understand that Senator
10 Duckworth is on Webex, and she is going to introduce Ms.
11 Ortiz Jones, so I would recognize Senator Duckworth for her
12 introduction, and then we will begin the testimony of the
13 witness. We are still waiting for Senator Bennett for Ms.
14 Krass.

15 Senator Duckworth?

16 Senator Duckworth: Thank you, Mr. Chairman. I
17 apologize that I am not there in person. I am actually on
18 campus at a mark-up in the Commerce Committee. That is not
19 an indication of my enthusiasm for Ms. Ortiz Jones. I think
20 she is fabulous.

21 So thank you so much for the opportunity to introduce
22 President Biden's nominee to serve as the next Under
23 Secretary of the Air Force. Gina Ortiz Jones is a former
24 Air Force captain and a veteran of the Iraq war. She is a
25 first-generation Filipino American and a member of the LGBTQ

1 community. But most of all, Gina is a dynamic leader who is
2 dedicated to serving her country.

3 I am here today to introduce Gina because I am
4 confident in her ability to steer the Department of the Air
5 Force through a time of significant change with agility,
6 determination, inspiration, and steadfast commitment to
7 mission accomplishment. It will not be an easy job. If she
8 is confirmed, Gina will be tasked with organizing, training,
9 equipping, and providing for the welfare of nearly 700,000
10 active-duty Guard and reserve servicemembers, civilians, and
11 their families worldwide, alongside the Secretary of the Air
12 Force. She will have to do so during a time when the
13 Department of the Air Force is rapidly modernizing to
14 operate more effectively in the Indo-Pacific region and to
15 lead in the space domain, while maintaining enduring
16 strategic capabilities. All of these missions are vital to
17 our national security. The Air Force needs leadership to
18 help it navigate these challenges.

19 Gina's experiences have helped shape her into the
20 leader that she is today. The daughter of an immigrant
21 single mom, she attended Boston University on an Air Force
22 ROTC scholarship, earning a bachelor's degree in East Asian
23 studies and a master's degree in economics. She served on
24 active duty in the Air Force as an intelligence officer,
25 deploying to Iraq before returning to Texas to care for her

1 mother during a time of illness.

2 Gina's path to the Air Force mirrors that of many
3 currently serving airmen. Her experience in Iraq has given
4 her a personal understanding of the toll that deployments
5 take on servicemembers and their families. And given that
6 she was commissioned while the so-called "Don't Ask, Don't
7 Tell" policy was still in effect, Gina knows what it is like
8 to see a military that is not welcoming to her, and yet
9 still want to serve her nation anyway. It is difficult to
10 think of anyone better suited to lead the members of the
11 Department of the Air Force with understanding and
12 compassion.

13 After leaving active duty, Gina continued her career as
14 an analyst, both at U.S.-Africa Command and at the DIA, the
15 Defense Intelligence Agency, where her portfolio included
16 operations in Latin America. Gina also worked in the Office
17 of the U.S. Trade Representative, and received another
18 master's degree in global and international studies, as well
19 as a master's of military arts and science from the U.S.
20 Army School of Advanced Military Studies.

21 With all that experience, it is safe to say that Gina
22 understands the challenges and opportunities that we face
23 globally, and know how our military fits into that picture.

24 I would say just one more thing about Gina's
25 qualifications. When she disagreed with how she saw the

1 government being run, she did not just sit back and decide
2 that it was someone else's problem. She left a promising
3 career in the intelligence community, took a risk, and ran
4 for office herself, because she believed in playing a part
5 to help her community.

6 Gina's desire to be part of the solution and
7 willingness to play an active role in shaping the future of
8 America speaks volumes about her commitment to her community
9 and to her country. This long history of engaged public
10 service gives me confidence that if confirmed to be Under
11 Secretary of the Air Force, Gina Ortiz Jones would not just
12 be a trailblazer and an inspiring figure, though she is both
13 of those things, she will also be an experienced, level-
14 headed, and agile service leader who is capable of helping
15 to shape the Department of the Air Force that America needs.

16 Thank you, Mr. Chairman.

17 Chairman Reed: Thank you, Senator Duckworth, and now
18 let me first commend Senator Bennet for his exquisite
19 timing, like clockwork, and ask him to introduce Ms. Krass.

20 Senator Bennet: Thank you very much, Mr. Chairman, and
21 thank you to you and the ranking member to allowing me to
22 join you this morning and introduce Caroline Krass,
23 President Biden's nominee to serve as the General Counsel of
24 the Department of Defense. Caroline and I are long-time
25 friends. We have known each other since law school, where

1 she arrived as a Phi Beta Kappa from Stanford. I could
2 barely keep up with her then, and it turns out she was just
3 getting started, Mr. Chairman.

4 Pick a job that would qualify someone to serve as
5 General Counsel for the Department of Defense and there is a
6 good chance Caroline Krass has done it. She has clerked at
7 the U.S. Court of Appeals for the D.C. Circuit. She worked
8 as a lawyer for the Treasury Department and the State
9 Department. She served as Special Counsel to the President
10 for National Security, a Deputy Legal Advisor to the
11 National Security Council, Acting Assistant Attorney General
12 at the Office of Legal Counsel at the Department of Justice,
13 and as a prosecutor.

14 And in 2014, the Senate confirmed her in an
15 overwhelming bipartisan vote as General Counsel for the CIA,
16 the first woman confirmed to that role. During her 3 years
17 as the CIA's top legal advisor, Ms. Krass oversaw more than
18 150 attorneys, working on highly sensitive legal and policy
19 issues, from operational matters to cybersecurity to
20 privacy.

21 Over more than two decades of public service, Ms. Krass
22 earned accolades from across the political spectrum and
23 received a number of awards for her work, including the
24 Department of Justice's highest award for an attorney, and a
25 medal from the Department of Defense for outstanding

1 service.

2 After leaving government, Ms. Krass built a
3 distinguished career in the private sector, where she has
4 led a global team of lawyers to navigate complex legal
5 issues from privacy to innovation. Her colleagues in
6 business have gone out of their way to praise her, quote,
7 "proven expertise" and described her as an outstanding legal
8 talent. I could not agree more.

9 Across her career, Ms. Krass developed a reputation for
10 a brilliant legal mind, her tireless work ethic, and
11 unflinching integrity. I observed these qualities when I
12 first met her in law school many years ago, and they are
13 exactly what she will need for this important and tough new
14 role.

15 As my colleagues on this committee appreciate the
16 intersection of national security and the law has no
17 shortage of difficult, weighty questions, many with the
18 gravest of consequences, I trust Caroline to make the right
19 call. She has the experience, the character, and the
20 judgment. She is a true public servant in the truest sense
21 of both of those words, and she believes as I do that
22 America's national security goes hand in hand with our
23 commitment to American values, including privacy, respect
24 for human rights, and the rule of law.

25 Ms. Krass has my complete and enthusiastic support, and

1 I urge the committee to advance her nomination with another
2 overwhelming bipartisan vote.

3 Thank you, Mr. Chairman.

4 Chairman Reed: Thank you, Senator Bennet. And let me
5 remind the witnesses your written statements are part of the
6 record. I will recognize Ms. Krass and then we will go down
7 in order.

8 Ms. Krass, your statement, please.

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1 STATEMENT OF HONORABLE CAROLINE KRASS, NOMINEE TO BE
2 GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

3 Ms. Krass: Thank you, Mr. Chairman, Senator Inhofe,
4 and distinguished members of the committee, and thank you
5 very much to Senator Bennet for the kind introduction. It
6 is an honor to appear before you today as the President's
7 nominee to be the General Counsel of the Department of
8 Defense. I am deeply grateful to both President Biden and
9 Secretary Austin for their trust and confidence in me, and
10 to the committee for considering my nomination.

11 I would not be here today without the love and respect
12 of my husband, William, who has been by my side for more
13 than 30 years, and my daughter, Emma, and son, James. I am
14 proud to be able to introduce you to William and to James.

15 I want to thank each of you on the committee and your
16 staff members for the time you have devoted to the
17 confirmation process. I am inspired by the bipartisan
18 nature of this committee, which is consistent with my own
19 experience of serving for over 23 years as an Executive
20 branch lawyer in administrations of both parties. I am
21 eager to return to government service and to continue to
22 foster the critically important and cooperative relationship
23 between this committee and the Department of Defense. I
24 strongly believe that it is the General Counsel's duty to
25 ensure that the Armed Services Committees are kept properly

1 informed to further their own oversight responsibilities.

2 If confirmed, I believe that my prior experience will
3 serve me well in providing sound and clear legal advice to
4 Secretary Austin and the Department's leadership team. As
5 General Counsel of the CIA, my responsibilities included
6 ensuring compliance with all applicable law. I also spent
7 over a decade at the Office of Legal Counsel at the
8 Department of Justice, where I had the opportunity to
9 provide legal advice on a wide range of difficult legal
10 issues to many government agencies, including the Department
11 of Defense.

12 Over the course of my career, including two tours at
13 the National Security Council, I have developed productive
14 and collegial relationships with lawyers throughout the
15 national security community, including among the career
16 civil service. Those relationships will heighten my
17 effectiveness at assisting the men and women of the U.S.
18 Armed Forces, together with the civilian DoD personnel, in
19 protecting our nation's security.

20 Finally, I have been fortunate to work with many of the
21 lawyers in the Department's Office of General Counsel and
22 Chairman's Legal, and I have been impressed by their
23 dedication to the rule of law. It would be a privilege to
24 lead the office, building not only on the leadership
25 experience I gained as CIA General Counsel and at OLC, but

1 also my more recent experience leading a global team as an
2 in-house General Counsel in the private sector.

3 Thank you again for your consideration, and I look
4 forward to answering your questions.

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

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Chairman Reed: Thank you very much. Ms. Ortiz Jones.

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1 STATEMENT OF GINA ORTIZ JONES, NOMINEE TO BE UNDER
2 SECRETARY OF THE AIR FORCE

3 Ms. Ortiz Jones: Good morning, Chairman Reed, Ranking
4 Member Inhofe, and distinguished members of the committee.
5 I am deeply honored to come before you today as President
6 Biden's nominee for Under Secretary of the Air Force. I am
7 grateful for your consideration of my nomination, and thank
8 you to Senator Duckworth for the kind introduction.

9 Today, I am joined by my mother Victorina Medenilla
10 Ortiz, and my sister, Christi. My mother immigrated to the
11 United States 43 years ago from the Philippines. She raised
12 my sister and me by herself, and she reminded us every day
13 of our responsibility to give back to a country that had
14 given us so much. It is why I served, and why my sister,
15 Christi, proudly serves in the U.S. Navy to this day. I am
16 thankful for my mother and sister's unwavering love and
17 support. I want to thank my partner, Ana, for her
18 unconditional love, endless patience, and constant
19 encouragement.

20 Perfecto Medenilla Ortiz, my uncle, is not here today,
21 but his example and service also helped me be here today.
22 In 1967, he enlisted in the U.S. Navy from the Philippines
23 and served as a steward, one of the few ratings open to
24 Filipinos at the time. Undeterred, he signed up, because he
25 too wanted his chance at the American dream.

1 My own service started with a 4-year Air Force ROTC
2 scholarship that took me from San Antonio, Texas, to Boston
3 University. I was honored to wear our nation's cloth.
4 However, similar to my uncle's limited career opportunities
5 because of his ethnicity, my experience in the Air Force was
6 hindered by the "Don't Ask, Don't Tell" policy. Yet I, too,
7 remained undeterred because of my desire to serve our
8 country. That experience cemented my resolve to ensure
9 anyone ready and able to serve can do so to their full
10 potential, and accordingly, our country's fullest potential.

11 If confirmed, that tenet will guide my service. That
12 is what our airmen and guardians deserve, that is what the
13 American people entrusting us with their sons and daughters
14 should expect, and that is what the challenges and
15 opportunities we face as a country require.

16 The Air Force and Space Force are at the forefront of
17 our nation's ability to meet those challenges and
18 opportunities. If confirmed, I will work with Department of
19 the Air Force leaders to ensure the total force is ready to
20 deter, and if needed, win our nation's wars. Great power
21 competition requires we fully harness the total force's
22 talents and courageously invest in modernization efforts
23 that best equip our men and women for the threats they will
24 face.

25 If confirmed, as the Department of the Air Force's

1 Chief Management Officer, I will lead guided by our need to
2 attain and maintain air and space dominance, and our
3 collective responsibility to foster an environment where
4 airmen and guardians can serve without the fear of sexual
5 harassment, sexual assault, and other behaviors that
6 threaten our readiness.

7 If confirmed, I will focus on preparing the total force
8 for emerging challenges, from the Arctic to cyberspace,
9 while ensuring the Department's unique value proposition to
10 the country, its contributions to the nuclear triad, are
11 ironclad.

12 Finally, great power competition requires we compete
13 for the nation's top talent. To that end, if confirmed, I
14 will work across the Department to eradicate extremist
15 behaviors that are antithetical to one's solemn oath to the
16 Constitution and degrade our ability to recruit and retain
17 our nation's finest talent.

18 I have been honored to serve our country in a number of
19 ways, as an Air Force Intelligence Officer deployed to Iraq
20 supporting close air support missions, to advising on
21 military operations on three continents, to serving in the
22 Executive Office of the President protecting American
23 intellectual property and guarding against threats posed by
24 foreign investments. I have seen a range of threats to our
25 country's economic and national security. But, as

1 importantly, I have seen the indispensability of American
2 leadership. That leadership immeasurably rests on the
3 service and sacrifices of those within the Department of the
4 Air Force, from the airmen and guardians, to the civilians,
5 to their loved ones who make their service possible. It
6 would be an honor to help lead the total force.

7 Thank you for your consideration, and I look forward to
8 your questions.

9 [The prepared statement of Ms. Ortiz Jones follows:]

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1 Chairman Reed: Thank you very much. Now let me now
2 recognize Dr. Ratner.

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1 STATEMENT OF DR. ELY RATNER, NOMINEE TO BE ASSISTANT
2 SECRETARY OF DEFENSE FOR INDO-PACIFIC SECURITY AFFAIRS

3 Mr. Ratner: Good morning. Chairman Reed, Ranking
4 Member Inhofe, and distinguished members of the committee,
5 it is an honor to appear before you this morning as
6 President Biden's nominee for Assistant Secretary of Defense
7 for Indo-Pacific Affairs.

8 I want to thank President Biden for nominating me for
9 this position, and Secretary Austin and Deputy Secretary
10 Hicks for their confidence in me. I had the privilege of
11 working for both Senator Biden and Vice President Biden, and
12 I am grateful now for the opportunity to serve in the Biden-
13 Harris administration. As a former Professional Staff Member
14 on the Senate Foreign Relations Committee, it is also a
15 distinct privilege to return to the Senate today in this
16 capacity.

17 Most importantly, I want to thank my family, including
18 my parents, Joseph and Esther, and my brother, Aaron, as
19 well as my amazing wife, Jennifer, and our two boys, Ian and
20 Finn, for their incredible love and support.

21 Mr. Chairman, if confirmed, my top priority will be
22 positioning the Department of Defense to compete more
23 effectively with China. 'I have spent the better part of the
24 last two decades working on this challenge inside and
25 outside of government, and strongly agree with the

1 assessment in President Biden's Interim National Security
2 Strategic Guidance that China is "the only competitor
3 capable of combining its economic, diplomatic, military, and
4 technological power to mount a sustained challenge to a
5 stable and open international system." If confirmed, I
6 would be honored to support Secretary Austin and Deputy
7 Secretary Hicks in their mission to prioritize China as the
8 Department's number one pacing challenge.

9 To that end, since January, I have served as the
10 Director of the DoD China Task Force. Secretary Austin
11 charged the Task Force with conducting an assessment of
12 China-related activities and providing recommendations for
13 the way forward. Based on those recommendations, the
14 Secretary issued an internal directive on June 9, that
15 initiated a series of efforts to better align the Department
16 with the stated prioritization of China.

17 During the course of the China Task Force, I consulted
18 regularly with Congress and was encouraged by the bipartisan
19 commitment to renewing American competitiveness and rising
20 to the China challenge. I firmly believe that a strong
21 bipartisan consensus on China is a strategic imperative for
22 the United States. If confirmed, I would look forward to
23 continued consultation and collaboration with members of
24 this committee, on both sides of the aisle.

25 Even as we prepare to prevail in future conflicts, it

1 is critical to underscore, as Secretary Austin said
2 recently, that "the cornerstone of America's defense is
3 still deterrence." Military conflict with China is by no
4 means inevitable. If confirmed, I would aim to support the
5 development of new operational concepts, force posture, and
6 emerging capabilities to prevent and deter such a conflict
7 for future generations. In this regard, I appreciate the
8 Committee's leadership on the Pacific Deterrence Initiative,
9 and would look forward to working with you to continue
10 implementing this important effort.

11 The Indo-Pacific region rightly serves as the
12 Department's priority theater. We must continue pursuing a
13 free and open Indo-Pacific, while investing in our network
14 of allies and partners throughout the region, including
15 Taiwan. If confirmed, I would support the administration's
16 approach to North Korea, and affirm our alliance commitments
17 to Japan and South Korea, including to maintain peace and
18 stability on the Korean Peninsula.

19 Our alliances with Australia, the Philippines, and
20 Thailand, as well as our defense partnerships with India and
21 Singapore, among many others, are also critically important.
22 So too is our commitment to ASEAN and the region's
23 multilateral institutions as we tackle the breadth of
24 traditional and non-traditional security challenges in the
25 Indo-Pacific, including extremism and climate change.

1 Meanwhile, we should continue pursuing defense relations
2 with China to develop crisis communications and risk
3 reduction mechanisms.

4 If confirmed, I would also focus on the immediate
5 objective of executing a safe, deliberate, and orderly
6 retrograde from Afghanistan. We must also retain
7 counterterrorism capabilities to disrupt any threats to the
8 U.S. homeland, support the Afghan Special Immigrant Visa
9 program, and protect the progress achieved for Afghan women
10 and girls. If confirmed, I would work with this committee
11 to advance our shared goals for the future of Afghanistan
12 and the region.

13 I want to conclude by thanking the members of this
14 committee for your bipartisan support for our
15 servicemembers, their families, the civilian workforce, and
16 our national defense. Thank you for considering my
17 nomination and I look forward to your questions.

18 [The prepared statement of Mr. Ratner follows:]
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1 Chairman Reed: Thank you. Ms. Skelly, please.
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1 STATEMENT OF SHAWN SKELLY, NOMINEE TO BE ASSISTANT
2 SECRETARY OF DEFENSE FOR READINESS

3 Ms. Skelly: Good morning, Chairman Reed, Ranking
4 Member Inhofe, and members of the committee. It is an honor
5 to appear before you today as the President's nominee for
6 the position of Assistant Secretary of Defense for
7 Readiness.

8 I am here today through the love and support of more
9 people than I could adequately account for -- family,
10 friends, mentors, and former colleagues -- but above all I
11 must thank my own family, Beth and Michael.

12 The Department of Defense has been central to my
13 professional life, starting at 17, when I received a Navy
14 ROTC scholarship and the opportunity to pursue my young
15 dreams of flying off of aircraft carriers, which I was so
16 fortunate to be able to do. My understanding of service was
17 first instilled by my father, a proud former enlisted Marine
18 and New York City police officer, and it has only deepened
19 in the nearly four decades since I first swore an oath to
20 support and defend the Constitution. If confirmed, I would
21 be honored to bring my career's experience of service,
22 dedication to mission, and steadfast belief in the
23 incredible capabilities of our uniformed servicemembers and
24 civil servants who defend our nation to my performance of
25 the responsibilities of the Assistant Secretary of Defense

1 for Readiness.

2 I am simultaneously humbled and inspired by the role
3 that the Assistant Secretary of Defense for Readiness plays
4 in supporting the Secretary of Defense and the Under
5 Secretary of Defense for Personnel and Readiness, shaping
6 the strategic decision making of the Department through the
7 continual assessment of its ability to meet the requirements
8 articulated by the President and the Secretary in both the
9 present day and the future, and helping to inform critical
10 resourcing decisions. As a retired Naval Flight Officer,
11 the importance of the Department's safety and Professional
12 Military Education programs and the manner in which they
13 support readiness of the total force are deeply ingrained in
14 me, and if confirmed, I will ensure they receive the
15 priority and focus they deserve.

16 Again, I am honored to be here before you and I look
17 forward to your questions. Thank you.

18 [The prepared statement of Ms. Skelly follows:]
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1 Chairman Reed: Thank you, Ms. Skelly. Ms. Berger,
2 please.

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1 STATEMENT OF MEREDITH BERGER, NOMINEE TO BE ASSISTANT
2 SECRETARY OF THE NAVY FOR ENERGY, INSTALLATIONS, AND
3 ENVIRONMENT

4 Ms. Berger: Thank you. Chairman Reed, Ranking Member
5 Inhofe, and distinguished members of the committee, it is my
6 honor to be before you today to be considered for the role
7 of Assistant Secretary of the Navy for Energy,
8 Installations, and Environment. I am humbled by the
9 confidence President Biden, Vice President Harris, Secretary
10 Austin, and Deputy Secretary Hicks have placed in me through
11 this nomination, and I am grateful to my family, friends,
12 and colleagues. They have shown me kindness, they have
13 challenged my thinking, and they have given me opportunities
14 to advance and contribute first and foremost in public
15 service, and importantly in the private sector and civil
16 society.

17 I am honored to be considered for this position. I
18 recognize the urgency and the dynamic nature of the critical
19 responsibilities that fall under this office, and I am
20 driven by the mission of supporting the great women and men
21 who are the marines, sailors, civilians, and their families.
22 They are the Department of the Navy, and they do the brave
23 work of defending this nation.

24 I grew up in Florida. I understood well and early the
25 significance of the environment and our resources. They

1 support how we live and where we operate. There is an
2 interdependence there; we are part of an ecosystem.

3 That became very clear to me working for the State of
4 Florida when the Deepwater Horizon oil spill occurred in
5 2010. The Department of the Navy had the lead on the
6 Federal response, and it was the five Gulf States that felt
7 the impacts. This disaster caused us to think hard about
8 the environmental, economic, national security, and safety
9 implications of our energy choices. We realized that
10 singular reliance on certain resources and practices can be
11 a vulnerability.

12 A decade later, the Colonial Pipeline ransomware attack
13 reinforces these considerations and heightens the urgency of
14 information, cyber, and operational security.

15 Our energy resources and our environment are critical
16 infrastructure for our national security. These things
17 shape where and how the Navy and Marine Corps live, train,
18 and operate. These things are critical to our military
19 readiness.

20 We face threats, both natural and manmade, a
21 competitive energy market, and a changing climate that
22 impacts our installations and stresses our operational
23 readiness. It is imperative that we act as cognizant
24 operators in this ecosystem. We must focus on our
25 resilience.

1 If confirmed, I am eager to bring my experience across
2 sectors, curiosity, collaborative nature, and perspective to
3 the job, and I will work hard every day to ensure that we
4 continue to have the greatest Navy and Marine Corps the
5 world has ever known.

6 Thank you for your time and consideration today, and I
7 look forward to the conversation.

8 [The prepared statement of Ms. Berger follows:]

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1 Chairman Reed: Thank you very much, Ms. Berger.
2 Senator Inhofe must attend a critical meeting in
3 Environmental and Public Works Committee, and as such I
4 asked him to go first, and then I will resume.

5 Senator Inhofe: Mr. Chairman, thank you very much, and
6 I will return as soon as that mission is over.

7 Dr. Ratner, Admiral Davidson, the previous Commander of
8 INDOPACOM, testified, quote, "The greatest danger the United
9 States and our allies face in the region is the erosion of
10 conventional deterrence of China." The current commander,
11 Aquilino, also agreed with that. Do you agree with that?

12 Mr. Ratner: Yes, Senator.

13 Senator Inhofe: Is there anything that comes to your
14 mind that you want to do to correct that problem?

15 Mr. Ratner: Senator, I think it is imperative that the
16 Department move with greater focus and urgency to bolster
17 deterrence in the Western Pacific.

18 Senator Inhofe: Very good. Now, Ms. Berger, I want to
19 devote most of the time to you, because of a unique
20 situation that is taking place right now. Last week, the
21 Department of Justice announced that two former Balfour
22 Beatty employees pled guilty to major fraud against the
23 United States and conspiracy to commit wire fraud.
24 According to the latest charging documents, which have also
25 been reported in the press, the Balfour Beatty Regional Vice

1 President is also involved. So at this time we do not know
2 how far up this problem, this conspiracy, actually goes.

3 This committee led the charge with the reforms back in
4 fiscal year 2020 NDAA. We were busy, all of us, busy during
5 that time, and concerned about it. Quite frankly,
6 confession is good for the soul, and I remember when I first
7 heard about this. The first finding of inadequate housing
8 and the problems that we had started with Tinker Air Force
9 Base, and so I assumed it was problem unique to my state of
10 Oklahoma, only to find this was widespread and it was
11 underway. But this is something that is actually very, very
12 significant, and affects thousands, not hundreds but
13 thousands, of our people that are in inadequate housing.
14 And we jumped on it right away, had several meetings, but it
15 is still ongoing.

16 So, Ms. Berger, given the recent criminal charges
17 showing that not all privatization housing companies have
18 the best of interest in our servicemembers and their
19 families, with that in mind how do you intend for this not
20 to happen again under your watch, not only for privatized
21 housing but for barracks and dorms as well. Keeping in mind
22 we have a lot of good, privatized housing successes that are
23 out there. We know who they are and we know where the
24 deficiencies are. So what would be your first thought on
25 that issue?

1 Are you there?

2 Ms. Berger: Yes. I did not hit my microphone to
3 start.

4 Senator Inhofe: Oh.

5 Ms. Berger: Senator Inhofe, thank you for the
6 attention that you have put towards our military families
7 and their housing. First, our people are our greatest asset
8 and we are entrusting our people to these housing structure
9 through the agreements that we have with the privatized
10 housing companies. And, in addition, those people's
11 greatest assets are their families. And so this is a big
12 amount of trust that we are putting in the housing
13 structures that we have.

14 And as you have noted, there are some good examples
15 where this has been successful, but more importantly and
16 more urgently, there are instances where this has failed,
17 and it has failed our military members.

18 And so first I would wait to see, and continue to see
19 the judicial process play out and see what final
20 determinations are made there, but additionally use the
21 surveys, the housing on installation advisors and advocates
22 who are there, and then also take the opportunity, if
23 confirmed, myself, to be able to go meet with families, meet
24 face-to-face with the housing company representatives, and
25 ensure that we are holding them to a higher standard. If

1 confirmed, I need to make sure that we are doing the best
2 that we can for our military families, and that would be
3 what I would do first and foremost.

4 Senator Inhofe: Okay. That is very good. I cannot
5 remember any particular issue that has drawn more attention
6 or had more hearing than we have had on that. And we made
7 great progress and great testimonials, and I would suggest
8 that before you start in that you get the transcripts of
9 those meetings. In fact, I am going to ask that you will do
10 that before taking duty. Can you handle that one?

11 Ms. Berger: Yes, Senator. I would be very glad to
12 review all of those.

13 Senator Inhofe: Very good. Thank you, Mr. Chairman,
14 for your help.

15 Chairman Reed: Thank you, Senator Inhofe. Dr. Ratner,
16 I know you have concentrated over the last several weeks and
17 months intensively on China, but my sense is the first
18 crisis you will face is Afghanistan. Our forces will be out
19 of there probably within less than 30 days. That will
20 contribute to, I think, further aggression by the Taliban.
21 So I know these are preliminary ideas that you are forming,
22 but how will we be able to continue to support the Afghan
23 Security Forces and government? How do we literally deliver
24 the money and the resources they need and make sure that it
25 is spent for its purpose?

1 Mr. Ratner: Senator, thank you. It is an incredibly
2 important issue. Obviously, if confirmed, I am going to
3 support the President's agenda of pursuing a deliberate,
4 safe, and orderly retrograde. But to your question about
5 what happens after American forces are gone, it is just
6 going to be incredibly important that we continue to support
7 the Afghan Security Forces there, and I understand that, if
8 confirmed, my office would be in charge of overseeing the
9 delivery of some of that assistance, and would ensure that
10 it would do so with great scrutiny, and maintain
11 transparency with Congress in that regard.

12 Moreover, as I understand it, the administration is
13 underway trying to develop, or working to develop an over-
14 the-horizon counterterrorism capability, and if confirmed,
15 would support those efforts as much as I could.

16 Chairman Reed: Again, I think we are in a period of
17 time where the Taliban sees, tactically and strategically,
18 the advantage of not engaging U.S. forces and allowing us to
19 leave. I think that perspective shifts dramatically after
20 we leave, and their efforts against the Afghan government
21 will increase. So again, we have to do, collectively, not
22 just Executive but also Congress, we have to ensure we have
23 SIV visas for those who served with us, and I would urge you
24 to keep us informed, because this could be an hour-to-hour
25 situation as we go forward. But thank you for your

1 commitment to transparency and to keeping a close watch on
2 this issue.

3 Ms. Krass, we understand that the legal opinions that
4 the General Counsel issues are usually confidential and
5 privileged, but you committed, when you assumed the
6 responsibilities as the CIA General Counsel, that you would
7 share with us the legal framework, not the specific opinions
8 but the legal framework. Will you make the same commitment
9 with respect to Department of Defense?

10 Ms. Krass: Yes, Senator, I will.

11 Chairman Reed: Thank you very much. It is very
12 important for us to understand what the legal authority is,
13 respecting the confidentiality of specific opinions, so
14 thank you for that.

15 Also, as you indicated in your testimony and that we
16 have heard from Secretary Austin personally, he has ordered
17 a review of extremist activity within the Department of
18 Defense. We all, I think, understand how that contradicts
19 the constitutional oath that servicemembers take. But how
20 do you balance also the First Amendment rights of individual
21 service men and women with respect to some of their views
22 and some of their activity? Would you give us an idea of
23 how we would approach that?

24 Ms. Krass: Yes, Senator. If confirmed, I would
25 absolutely look at any proposals. I know that Secretary

1 Austin has set up the Countering Extremism Working Group,
2 and one of the questions that they are looking at is how to
3 refine the definition of extremism, which is an issue that
4 needs to make sure that it is ideologically neutral and that
5 First Amendment rights are protected, as well as good order
6 and discipline being furthered. And so were I to be
7 confirmed, I would study those issues and provide my best
8 advice to the Secretary.

9 Chairman Reed: Thank you very much.

10 Ms. Ortiz Jones, one of the great issues we are facing
11 now in the Air Force, particularly facing it, is
12 modernization versus balancing current requirements. Do you
13 have a sense of how you would make that judgment or what
14 factors you would consider?

15 Ms. Ortiz Jones: Senator, having worked in
16 intelligence community for a long time we always have to
17 understand the nature of the threat, and that goes to our
18 understanding of our challenger's intent and capabilities.
19 That gives us the best understanding of the threat that we
20 will face. And so meeting and addressing those threats then
21 would allow us to assess where our capabilities allow us to
22 best do so. Across time, however, understanding we have got
23 current requirements but also need the best posture for what
24 we are likely to face, especially against a tier one
25 competitor.

1 Chairman Reed: Thank you very much. I think the
2 emphasis on evaluating threats first is a very principled
3 and thoughtful way to begin. That is usually the best
4 approach.

5 Thank you all. Now let me now recognize Senator
6 Rounds.

7 Senator Rounds: Thank you, Mr. Chairman. First let me
8 begin by saying thank you to all of you for your continued
9 service to our country.

10 Ms. Krass, most recently there has been a number of
11 cyber incursions into some of our more critical
12 infrastructure. There has been an attempt made to improve
13 our cyber capabilities over a period of years. I know that
14 in 2019, the National Defense Authorization Act, we
15 specifically changed offensive cyber operations so that they
16 would be considered as traditional military activity.

17 If we do not control the cyber domain, just as if we do
18 not control the domain or space or air, land, or sea, then
19 our other domains are clearly at risk. Can you share with
20 me your thoughts as to the importance of continuing to be
21 able to allow our cyber warriors the ability to provide
22 offensive capabilities in response to these cyberattacks
23 that our critical infrastructure finds itself faced with?

24 Ms. Krass: Senator, I completely agree with you about
25 the challenge that cyber presents to us, as a country and

1 our critical infrastructure, and it is very important that
2 the Department of Defense has the appropriate authorities to
3 act. As you referred to, I read the clarifications that
4 have been in, I think, two NDAAs, about what is traditional
5 military activity, thereby meaning that as exempt from the
6 definition of a covert action. And were I to be confirmed,
7 I would want to study the issue further to see if any
8 additional authorities are needed, but my understanding is
9 that that was a very good way forward for the Department of
10 Defense.

11 Senator Rounds: Well, let me just ask, just briefly.
12 Have you been able to review yet -- and I am not sure that
13 you have -- with regard to the presidential directives? At
14 one point, under a previous administration, there was a
15 Presidential Policy Directive 20, which was replaced by
16 National Security Policy Memorandum 13. Are you familiar
17 with the changes that were made, recognizing that this is an
18 unclassified discussion?

19 Ms. Krass: Senator, I have not. In my current role
20 outside of the government I have not had a chance to see
21 that directive, but were I to be confirmed I would certainly
22 want to take a look at it.

23 Senator Rounds: Thank you. I think it is very
24 important to note that the coordination, but still with a
25 clear path forward to being able to provide immediate

1 offensive cyber capabilities to our warfighting teams is
2 critical, and most certainly you will have a role to play in
3 making certain that they stay within the guidelines but are
4 not having their hands tied.

5 Ms. Krass: Yes. Senator, I agree. That would
6 definitely be part of my role, were I to be confirmed.

7 Senator Rounds: Thank you. Ms. Jones, I appreciated
8 the opportunity to visit with you by phone, I believe last
9 week. I am just curious. Most recently there has been not
10 only a notice that was in the Air Force, we have now got a
11 pilot shortage once again. And part of it is because during
12 COVID it was difficult to get training on the schedule, but
13 second of all because the airlines are beginning to hire
14 again, and most certainly they will take a fair number from
15 the Air Force's numbers. But in addition to that there has
16 been some recent reports in the press about the challenges
17 of actually getting the number of hours for these pilots
18 that need the training.

19 It is disconcerting that there appears to be a shortage
20 of capable aircraft and training capabilities to actually
21 bring in and appropriately train and maintain the
22 capabilities of these Air Force pilots. I am not sure
23 whether or not you have availed yourself to those most
24 recent press reports, but I most certainly would like to
25 hear your thoughts about the training regimen and whether or

1 not you believe we do have some challenges with regard to
2 maintaining a proper balance.

3 Ms. Ortiz Jones: Senator, thank you for the question
4 and thank you for your emphasis on this issue. If
5 confirmed, this would be a top priority of mine. The Air
6 Force has to maintain its readiness, and that requires a
7 sufficient number of highly qualified pilots to execute
8 those missions.

9 Certainly, to your point, in terms of ensuring that
10 there are adequate number of training hours, this is both a
11 safety issue as well as a qualification issue, and again I
12 share your concern. If confirmed, I commit to reviewing the
13 status of the current Pilot Retention Working Group that I
14 understand is reviewing initiatives to address ways in which
15 we might be able to retain more of these pilots, reviewing
16 the status of those initiatives, what is working well, and
17 where we might be able to improve upon that. Separately, I
18 also commit to you, if confirmed, reviewing the status of
19 the training program and where we also may be able to make
20 some improvements.

21 Senator Rounds: Thank you. My time has expired.
22 Thank you, Mr. Chairman.

23 Senator King: [Presiding.] On behalf of the chairman,
24 Senator Hirono.

25 Senator Hirono: Thank you. A warm aloha to all of the

1 nominees.

2 I ask the following two initial questions of every
3 nominee in any of the committee on which I sit, so I will
4 ask all of you en masse.

5 Since you became a legal adult, have any of you ever
6 made unwanted requests for sexual favors or committed any
7 verbal or physical harassment or assault of a sexual nature?

8 Ms. Krass: No.

9 Ms. Ortiz Jones: No.

10 Mr. Ratner: No.

11 Ms. Skelly: No.

12 Ms. Berger: No.

13 Senator Hirono: Have any of you ever faced discipline
14 or entered into a settlement related to this kind of
15 conduct?

16 Ms. Krass: No.

17 Ms. Ortiz Jones: No.

18 Mr. Ratner: No.

19 Ms. Skelly: No.

20 Ms. Berger: No.

21 Senator Hirono: For Ms. Krass, in April, Secretary
22 Austin directed several immediate actions to counter
23 extremism in the ranks. One tasked General Counsel's Office
24 with reviewing and updating the definition of prohibited
25 extremist activities among uniformed personnel. I believe

1 there is an acknowledgement that servicemembers are targeted
2 for recruitment by extremist organizations, and so what
3 constitutes prohibited extremist activities is an important
4 aspect of what Secretary Austin has requested.

5 So if confirmed, how would you approach this issue,
6 given the sensitive First Amendment freedom of association
7 issues involved and the need to maintain good order and
8 discipline in the ranks?

9 Ms. Krass: Senator, I agree with Secretary Austin's
10 focus on the extremism threat and his standing up of the
11 working group. And were I to be confirmed, I would study
12 carefully any proposals regarding a change to the definition
13 of extremism to make sure that First Amendment rights are
14 protect at the same time as we safeguard our nation and
15 instill good order and discipline.

16 Senator Hirono: I am going to want to keep in touch
17 with you as you proceed, because right now the current
18 definition does not prohibit membership in extremist
19 organizations. And so it is going to be a challenging thing
20 for you to proceed, I would say.

21 For Dr. Ratner, you obviously know a lot about what
22 needs to happen in the Indo-Pacific area, and I am very glad
23 that you mentioned the concerns we have with regard to
24 Afghanistan. I have a particular concern, shared by
25 Senators Collins and -- there is another member, sorry. I

1 should know this -- Senator Shaheen, with regard to what our
2 responsibilities should be regarding the women and girls in
3 Afghanistan. And we did send a letter asking the President
4 to appoint an ambassador-at-large for global women's issue
5 to be the point person for the administration on what we can
6 do to support the Afghan women and girls. So I hope this is
7 an area that you will be also focused on.

8 And then as you talked about the Indo-Pacific AOR, one
9 area that you did not note in your remarks, but I am sure
10 you are very familiar with, the Compacts of Free Association
11 with Palau, Micronesia, and the Marshall islands, and these
12 are the FAS compacts. How would you prioritize our
13 partnerships with these island nations to support our
14 overall strategy in the Indo-Pacific? And I am particularly
15 interested in how we can focus on the lines of effort
16 identified in retired Admiral Davidson's Pacific Deterrence
17 Initiative, which you noted in your remarks, with regard to
18 our FAS compacts.

19 Mr. Ratner: Senator Hirono, thank you. Those are two
20 really important questions. First of all, on the question
21 of women and girls in Afghanistan, thank you for your
22 leadership and for this committee's leadership on that
23 issue. Of course, I share those concerns. It is a top
24 priority for the Biden administration, and if confirmed,
25 will work closely with my interagency partners to ensure we

1 can try to protect the gains that have been made. And, of
2 course, even as the military presence in Afghanistan is
3 being wound down, the United States will continue supporting
4 economic, political, and humanitarian support for
5 Afghanistan. So that support will continue, and if
6 confirmed, will remain a priority of mine.

7 On your question of the compacts states, again, very
8 important issue. As I understand it, the administration is
9 in the process of renegotiation that compact. That is a
10 State Department-led effort. From the perspective of the
11 Defense Department I would support that effort, from an
12 interagency capacity. With specific question from a DoD
13 perspective and the Pacific Deterrence Initiative, my view
14 is that those partners could play an important role in
15 advancing the priorities of the Pacific Deterrence
16 Initiative, including our forward presence in the region,
17 our efforts to improve our logistics there, exercises in
18 training and infrastructure as well. So I would commit to
19 you, Senator, that if confirmed, and when we begin again
20 working on the Pacific Deterrence Initiative, that I include
21 consideration of the compact states.

22 Senator Hirono: I would just like to note that I think
23 that we owe a lot more, we can be doing a lot more to
24 support these island nations, particularly with regard to
25 their economy.

1 Thank you, Mr. Chairman.

2 Senator King: Thank you, Senator. On behalf of the
3 chairman, Senator Tuberville.

4 Senator Tuberville: Thank you, Chairman King. Thank
5 you all for being here today.

6 Ms. Krass, bid protests have gotten ugly. How they are
7 supposed to work, all companies should have the right to
8 question the process, but protests cause delays to national
9 security and hurt the taxpayer. Example, the DoD cloud
10 computing project, JEDI, the fight has gotten so ugly that
11 Deputy Secretary Hicks threatened to kill it altogether. What
12 should we do to get contractors to trust the DoD process?

13 Ms. Krass: Senator, I think this is a critically
14 important issue that the American public has trust and
15 confidence in the fairness of the acquisition process, and
16 were I to be confirmed, one of my duties as General Counsel
17 would be to ensure that that process is fair, and I commit
18 to you that I would do so, if I am confirmed.

19 Senator Tuberville: Thank you.

20 Ms. Jones, secure and reliable access to space is
21 critically important to our national security and economy.
22 China is at a forefront and contesting our supremacy in
23 space and targeting our commercial suppliers. What can the
24 DoD and the Air Force do to further protect intellectual
25 property of this country's companies that support our

1 national security and efforts?

2 Ms. Ortiz Jones: Senator, thank you for the question.

3 Previously I served as the intelligence community's Senior
4 Advisor for Trade Enforcement, and the focus there was the
5 protection of American intellectual property. So I
6 certainly share your concern for the need to protect
7 American intellectual property, specifically these highly
8 specialized areas and certainly as it relates to space.

9 Senator, I would like to, in order to adequately answer
10 your question, review the current efforts underway to ensure
11 I am fully aware of those and where there might be some
12 opportunities to improve upon those, and if confirmed, I
13 commit to doing so and reporting back to you in short order.

14 Senator Tuberville: Thank you. Thank you.

15 Dr. Ratner, you led the DoD's China Task Force, and I
16 have got two questions. Do you believe U.S. cyber networks
17 are secure from our adversaries, and what can the DoD do to
18 further protect small and medium-sized contractors from
19 cyberattacks, because the big boys can take care of
20 themselves.

21 Mr. Ratner: Senator, thank you for your question. I
22 do think China's aggressive cyber activities continue to be
23 a problem and one that the United States and the Department
24 of Defense should be taking seriously and doing more on. I
25 think an important part of that is getting our house in

1 order inside the Department, working across components on
2 these issues to better protect and defend our technology and
3 working with the private sector as well, absolutely.

4 Senator Tuberville: Yeah. What can the small guy do,
5 though? I mean, people in Alabama, we have 800 defense
6 contractors, and it is rat race to try to keep them from
7 getting hacked. And they do not have the money the big boys
8 have. What can we do to help them?

9 Mr. Ratner: Well, Senator, I think we can work more
10 closely with these partners. I think to Senator Rounds'
11 question, we ought to also consider the full suite of
12 capabilities we have, including offensive capabilities, to
13 try to shift Beijing's cost-benefit calculus about these
14 activities.

15 Senator Tuberville: Thank you. Thank you, Mr.
16 Chairman.

17 Senator King: On behalf of the chairman, Senator King.

18 Senator Kaine: Thank you, Mr. Chairman, and I do note
19 that it must be a humbling moment to be demoted from King to
20 chairman, albeit briefly.

21 [Laughter.]

22 Senator King: I will live with it. Thank you,
23 Senator.

24 Senator Kaine: Ms. Skelly, I want to ask you a
25 question. I am the chair of the Readiness Subcommittee of

1 this committee, and Senator Sullivan is my ranking member,
2 and we have kind of gone back and forth in those roles.
3 Readiness, in the committee standpoint, might be a little
4 bit different in how we define it than within the Pentagon,
5 but in the committee, readiness is installations and
6 acquisition, but also the readiness metrics that we use to
7 determine how ready we are to perform a fight or a mission
8 tomorrow if we need to.

9 We recently had a Readiness Subcommittee hearing that I
10 found, through some testimony, and it was pretty troubling.
11 The hearing was about acquisition programs, and I know there
12 are all kinds of acquisition officials in the Pentagon, and
13 it was successes and failures, sort of a greatest hits and a
14 greatest misses and what we can learn from both.

15 One of our witnesses was Dr. Raymond O'Toole, who is
16 the Acting Director of Operational Test and Evaluation, and
17 this was an open hearing. Here was a bit of testimony that
18 he offered that were sort of frightening, both to Senator
19 Sullivan and me.

20 "Unfortunately, some programs do not properly plan for
21 cybersecurity assessments. More critically due to poor
22 system hardening against dynamic cyber threats driven by
23 lack of workforce cyber capacity, talent, and tools within
24 the program offices, virtually none of the programs assessed
25 in fiscal year 2020 were survivable against relevant cyber

1 threats."

2 Senator Sullivan looked at me when that testimony came
3 out and said, "I hope no adversaries are watching this
4 hearing." Well, it was an open hearing. Of course,
5 adversaries were seeing it. And it has made us wonder
6 whether, in our development of readiness metrics -- so we
7 have the metrics about, you know, what percentage of
8 platoons would be ready to fight tomorrow -- in our
9 development of readiness metrics, do we need to better
10 incorporate assessments of cyber vulnerabilities.

11 Should you be confirmed -- and these issues tend to
12 kind of get siloed into this acquisition office or that
13 service secretary's office -- but should you be confirmed,
14 could you work with us to help make sure that there are
15 appropriate readiness metrics that incorporate cyber
16 vulnerability as a key component to measuring whether we are
17 ready to fight tomorrow or not?

18 Ms. Skelly: Senator, thank you for the question.
19 Certainly. I note that, I believe it is a recent GAO
20 report, has raised the issue of the Department's readiness
21 recovery framework reporting, where it is predominantly
22 service, and their recommendation has been, I think their
23 recommendation accepted by the Department at one point, but
24 that it be viewed through the lens of domains, cyber being
25 one of them.

1 Some of the previous conversation this morning regards
2 around China. Our readiness for the future with China, as
3 Dr. Ratner has worked on, that is about potentially an all-
4 up fight, in all domains, simultaneously, at the high end.
5 As has been our history, we are pretty ready for the last
6 war we had, because that is the one we know when we put
7 billions and trillions of dollars into. The past two
8 decades have not had us significantly challenged with regard
9 to cyber operationally in our weapons systems in that way.
10 So personally, with some experience in the defense
11 acquisition system and in making that system responsive to
12 emerging threat, it is not surprising that we are in that
13 state. However, that state is insufficient to the future
14 that we are charged by the President and the Secretary and
15 the Congress to plan for. It is certainly an area that, if
16 I were to be confirmed, is one that I want to get into as
17 soon as possible as to how we change our appreciation of
18 readiness for the future challenge.

19 Senator Kaine: Great. Ms. Skelly, thank you for that.
20 I look forward to working with you on that matter.

21 And, Ms. Kress, just a last point, not really a
22 question. But your office is a very important office, in
23 tandem with others, Legal Advisor at State Department,
24 Counsel's Office in the White House, over authority for
25 military action, authorized use of military force,

1 declarations of war. I am a real stickler about Article II
2 powers being as broad as they should be, but Article I
3 powers also being very broad. And I generally believe that
4 we should not be at war as a nation without a vote of
5 Congress unless the President is engaging in imminent
6 defense against either an attack or an imminent attack.
7 There are differences of opinion that go back to 1787 on how
8 these clauses in the Constitution are interpreted.

9 But I have often not been happy, under administrations
10 of both parties, with the rationale and the information and
11 legal justification we get from executives when they
12 initiate military action without coming to Congress. There
13 is lawyer-client privilege, other documents that are
14 protected, and I get that, but I would just like your
15 commitment -- and I actually am going to applaud the Biden
16 administration for starters, because Senator Young and I
17 have a bill to repeal the 1991 and 2002 Iraq AUMFs that said
18 Iraq is an enemy. Now that Iraq is a security partner we
19 want to repeal those AUMFs. The Biden administration has
20 issued up a statement supporting the repeat. We are going
21 to have a vote in Senate Foreign Relations next week about
22 it. It would be the first authorization for war that
23 Congress has repealed in decades, maybe ever. So I do give
24 the Biden team credit for being willing to do that.

25 But I just would look forward to having good

1 communication with you -- certainly the committee would
2 appreciate that as well -- over legal authorities for
3 initiation of military action. And I just thought I would
4 put you on notice that I will probably be calling you a lot
5 on that.

6 Ms. Krass: Senator, I look forward to those
7 conversations. Thank you very much.

8 Senator Kaine: We have a big task ahead of us to try
9 to revise the 2001 AUMF too in a way that would preserve the
10 authorities of the United States to take military action
11 against non-state terrorist groups that threaten us, and 20
12 years in it is time to do that, and I look forward to
13 working with you on that.

14 Ms. Krass: Senator, thank you. I agree.

15 Senator Kaine: Thank you, Mr. Chair.

16 Senator King: Thank you, Senator. On behalf of the
17 chairman, Senator Cotton.

18 Senator Cotton: Thank you, and thank you all for your
19 appearance.

20 Ms. Krass, in your written remarks you stated that you
21 support the Biden administration's efforts to repeal the
22 Authorization for Use of Military Force. I think it was the
23 current authorizations for military force, not just the 2002
24 AUMF. So that includes the 2001 AUMF?

25 Ms. Krass: Senator, I believe my written remarks were

1 about the 2002, but I do support President Biden's
2 commitment to replacing the existing 2001 and 2002 AUMFs
3 with a more narrow and specific framework. But we need to
4 make sure that there is sufficient authority to continue to
5 protect the nation.

6 Senator Cotton: Under what legal authority is the
7 United States currently detaining 40 terrorists at
8 Guantanamo Bay?

9 Ms. Krass: Under the 2001 AUMFs.

10 Senator Cotton: If we repeal the 2001 and 2002 Use of
11 Force resolutions, under what authority would we continue to
12 detain those persons?

13 Ms. Krass: Senator, I think that that is a very
14 important legal question that would need to be considered
15 carefully as the administration talks to Congress about an
16 appropriate replacement authority.

17 Senator Cotton: Can you commit to us today that any
18 replacement resolution would give authority to continue
19 detaining those very dangerous terrorists at Guantanamo Bay?

20 Ms. Krass: Senator, I commit to working with Congress
21 to make sure that appropriate authorities remain with
22 respect to those detainees.

23 Senator Cotton: Can you commit to compliance with the
24 requirements of Section 1034 of the 2016 NDAA, that his
25 committee must be notified 30 days before transferring any

1 detainee from Guantanamo Bay to the continental United
2 States?

3 Ms. Krass: Yes, Senator, I commit to complying with
4 the law.

5 Senator Cotton: Thank you. Ms. Krass, the military
6 has long been perceived as one of the most diverse
7 institutions in our society, one of the places in our
8 society where you are most likely to get ahead, based
9 strictly on your performance and your merits, not on where
10 you come from or what you look like, or who you are. Do you
11 believe that the color of someone's skin or what ethnicity
12 they might identify as should play any role in what job they
13 perform or what rank they wear on their shoulders?

14 Ms. Krass: Senator, I believe that diversity does make
15 our forces the best in the world, and I do think that all
16 decisions should be made on merit.

17 Senator Cotton: Thank you. Ms. Krass, I have some
18 concerns about what I saw in the late Obama era, as the only
19 Republican who sits on both Armed Services and the
20 Intelligence Committee, while you were the General Counsel
21 of the CIA. Many of those concerns cannot be discussed in
22 this open forum. I will simply say there was a tendency
23 towards highly bureaucratic and highly technical
24 distinctions between intelligence activities under Title 50
25 and military activities under Title 10. I found those

1 distinctions often to be tiresome and disruptive of efforts
2 to do what our government should be doing for our people,
3 which is to identify bad guys around the world and capture
4 them or kill them.

5 Can you talk to me a little bit about your
6 understanding of the distinction between Title 10 and Title
7 50, and give us some assurance that as the General Counsel
8 of the Department of Defense you will not help recreate
9 these very tedious bureaucratic distinctions between so-
10 called Title 10 activities and Title 50 activities?

11 Ms. Krass: Yes, Senator. The Title 50 framework
12 authorizes covert action, and one of the exceptions from
13 what a covert action, and therefore conducted under Title 50
14 is traditional military activity. And I know that there
15 were two clarifications, I think, in the 2019 and 2020 NDAAs
16 that particular activities of the Department of Defense are
17 traditional military activities. And were I to be confirmed
18 I would certainly work to further that understanding amongst
19 the interagency.

20 Senator Cotton: I am glad to hear that. Again, we
21 cannot talk about this at great length, and I think you know
22 what I am talking about, though -- highly complex, tedious
23 distinctions that only added cumbersome bureaucratic
24 roadblocks to protecting the country from some pretty bad
25 guys around the world. I might want to speak to you in a

1 classified setting, before the committee vote, before the
2 Senate votes on the floor, because I do think it was
3 unnecessary in the late Obama era. I think many of these
4 distinctions were done primarily so the Department of
5 Defense could conduct certain operations and therefore
6 President Obama and then Vice President Biden could speak
7 about them publicly for political benefit. And I hope that
8 those kinds of distinctions will not be recreated,
9 especially at a time when our troop presence in Afghanistan
10 will be zero, and in Iraq it is very small, and therefore we
11 might need to depend even more on our intelligence agencies
12 to help protect the country from some very bad guys around
13 the world.

14 Thank you, Ms. Krass. Thank you all again for your
15 appearance, and I will turn it back to the acting chairman,
16 who also knows what I am talking about, and I hope agrees
17 with me, as he always does.

18 [Laughter.]

19 Senator King: I try to whenever possible, Senator.

20 Mr. Ratner, this country is facing an intense moral
21 obligation right now, and it is also a national security
22 imperative, and that is the evacuation and protection of
23 those people in Afghanistan who have served with us over the
24 last 20 years as translator, guides, and other personnel. I
25 hope you will commit to me to giving this question your

1 highest level of attention and urgency. The last figures I
2 saw were that it takes 900 days to process a special visa
3 application, and we will be out of Afghanistan in 90 days.
4 There is grave danger to these individuals. I would like
5 your commitment to, as I say, the highest level of attention
6 and urgency.

7 Mr. Ratner: Senator, I share your view that we have a
8 moral obligation to support those who have been working with
9 us in Afghanistan, and I commit to you to make it a top
10 priority of mine and work with you and this committee on day
11 one.

12 Senator King: I want you to be irritating within the
13 counsels of the Defense Department on this issue. Can you
14 manage that?

15 Mr. Ratner: I will commit to be irritating, Senator.

16 Senator King: Thank you. Second question, we have not
17 had much discussion about India, but I was encouraged to see
18 that India was engaged in the talks with other allies in the
19 region. Give me just a short precis of your thoughts about
20 India's potential role in the security arrangements in Asia.

21 Mr. Ratner: Senator, I think India is an essential
22 partner for the United States in the 21st century. The
23 Department of Defense has made great progress across
24 Republican and Democratic administrations in deepening our
25 defense relations with India. There are a number of

1 foundational agreements that have been signed over the last
2 several years that, if confirmed, I would work hard to
3 implement. And, of course, India is now part of the Quad
4 framework with Australia and Japan and the United States, as
5 a foundation of the strength of our democracies in the
6 region.

7 Senator King: I think India's role could be incredibly
8 important in our ongoing competition with China, and I urge
9 you to pursue that opportunity, which you have already
10 indicated.

11 Ms. Krass, you are about to be a lawyer with one
12 client, and I have been in that situation. The danger is
13 telling your client what they want to hear. Give me your
14 commitment that you will provide your best legal advice to
15 the Department of Defense and to the Secretary regardless of
16 the policy proclivities of the Secretary or the President,
17 that your advice will be clear and unvarnished and delivered
18 with the rule of law paramount.

19 Ms. Krass: Yes, Senator, I give you that commitment.
20 Absolutely, that is the way that I have always conducted
21 myself.

22 Senator King: And you understand that it is human
23 nature. I am not accusing anyone of malevolence, but it is
24 human nature to want to sort of shade the advice to what the
25 boss wants to hear. You understand that that is of danger

1 and will actively resist it.

2 Ms. Krass: Yes, Senator, I will.

3 Senator King: Ms. Berger, I have a more specific
4 question. In December of 2020, a memorandum was issued that
5 basically puts a moratorium on new lease or general services
6 occupancy agreements for the use of land and facilities.
7 The Portsmouth Naval Air Station is on an island, and there
8 is not enough room on that island for the demands that are
9 being made on that facility, particularly in the upcoming
10 years as a new dry dock is completed and we are talking
11 about refueling and refurbishing our nuclear submarine
12 fleet. I could give you a lot of figures, almost doubling
13 the man hours required. They are already working three
14 shifts in the limited manufacturing space.

15 Would you please follow up on this memorandum and
16 whether an exception can be provide so the men and women of
17 Portsmouth Naval Ship Yard can do their job on behalf of the
18 Navy and the country?

19 Ms. Berger: Senator, the people who are doing the work
20 to support our Navy are critically important, and yes, I
21 would be glad to follow up on that with you, if confirmed.

22 Senator King: I appreciate that. This is critical,
23 and it is a general purpose memorandum for the whole
24 country, but in this case it literally does not fit.

25 Ms. Ortiz Jones, not much time left, but Senator Cotton

1 and I did what amounted to a focus group with a group of
2 pilots a year or two ago, and what we found was that the
3 principal thing that is costing us pilots is that they want
4 to fly, and they are not getting enough time in the air.
5 And I hope that that is something you can follow up with,
6 and I would urge you to do something similar with younger
7 pilots about what is it that you need? We expected to hear
8 more about bonuses and those kinds of things. What we heard
9 was, "We want to fly airplanes and we are not getting enough
10 time in the air."

11 So is that something that you would be interested and
12 willing to follow up on?

13 Ms. Ortiz Jones: Senator, if confirmed, absolutely.
14 We need to look at all options to ensure that we have got,
15 again, sufficient number of highly trained pilots to execute
16 the Department of the Air Force missions.

17 Senator King: Thank you. Thank you all for your
18 commitment and your willingness to serve your country, in
19 many cases once again.

20 On behalf of the chairman, Senator Tillis.

21 Senator Tillis: Mr. Chairman, I will defer to Senator
22 Hawley and follow him.

23 Senator King: Senator Hawley.

24 Senator Hawley: Thank you, Mr. Chairman, and thank
25 you, Senator Tillis. Congratulations to all the nominees

1 and thank you for being here.

2 Dr. Ratner, I want to start with you if I could, and I
3 want to start by commending you for the outstanding work
4 that you have done to help our nation meet the China
5 challenge, not just in the last few months, although I think
6 you have been doing great work then too, but for the last
7 number of years. And I think you are an outstanding
8 nominee, and I really look forward to supporting your
9 nomination. So thank you for all you have done.

10 I want to drill down a little bit in some of your area
11 of expertise here. I asked Secretary Austin and General
12 Milley, when they were before this committee just last week,
13 if they agreed that the United States needs to maintain an
14 ability to defeat a Chinese fait accompli against Taiwan.
15 Secretary Austin said yes. General Milley said yes also,
16 but then he said something that frankly surprised me, and I
17 am just going to quote. This is from the transcript now.
18 This is General Milley to me. He said, "Senator, frankly, I
19 am not sure what a Chinese fait accompli in Taiwan is," end
20 quote.

21 I wondered if you could, for the record here, tell us
22 what a Chinese fait accompli in Taiwan looks like and why we
23 should be concerned about it.

24 Mr. Ratner: Senator Hawley, thank you for your
25 support, and let me say thank you to you as well for your

1 personal leadership on this issue. My understanding of the
2 fait accompli challenge across the Taiwan Strait is the
3 potential for China to attempt to make a very quick
4 offensive action against Taiwan, thereby requiring us to
5 have forces in the region and ready to respond immediately.

6 Senator Hawley: When we spoke in May you emphasized
7 the need to maintain the ability to defeat that kind of an
8 attempted quick strike. Just tell us why it is so important
9 -- and my colleagues are probably very tired of hearing me
10 ask about this scenario, because I ask about it just about
11 every single committee hearing. So maybe, for them and for
12 us and for everybody, tell us why it is so important that we
13 maintain the ability to defeat that kind of a quick strike
14 invasion?

15 Mr. Ratner: Senator, the People's Republic of China
16 has yet to renounce the use of force against Taiwan, and it
17 is increasingly using its aggression and coercion in the
18 region, so I think this is a real concern. And in the
19 absence of the United States to impose sufficient costs and
20 denial capability, I think there is a potential that they
21 would use aggression against Taiwan to achieve their
22 political aims.

23 Senator Hawley: You and I talked a little bit about
24 the difference between deterrence by denial and deterrence
25 by cost imposition, and those things sound similar but they

1 are actually quite different. Could you explain to us what
2 the difference is between deterrence by denial and
3 deterrence by cost imposition, and why we ought to be
4 focused on deterrence by denial?

5 Mr. Ratner: Yeah, so Senator, it is really important
6 question, and I do agree that deterrence by denial is the
7 appropriate strategy for the region and for this particular
8 challenge. The distinction is deterrence by punishment
9 would suggest that if China were to use aggression against
10 Taiwan that the United States response would be to impose
11 costs on China in another region or in another domain. My
12 personal view is that the absolute certain way to deter
13 China from using aggression is to ensure that they are
14 unable to achieve that goal.

15 I should suggest also, at the time, that I am confident
16 today that we have that ability to deter and defeat Chinese
17 aggression, and Senator, if confirmed, I would look forward
18 to working with this committee to ensure we keep it that
19 way.

20 Senator Hawley: Very good. And it is important, isn't
21 it, also for our allies and partners and our potential
22 partners in the region, in the Indo-Pacific, for them to
23 realize and understand that we have the ability today to
24 defeat an attempted fait accompli, and we are committed to
25 maintaining that ability going forward. They need to know

1 that so that they can bank on our commitment to the region
2 and so they can make their own choices about their own
3 security. Is that fair to say?

4 Mr. Ratner: Yes, Senator. I think that underscores
5 the importance of the Pacific Deterrence Initiative, as
6 well.

7 Senator Hawley: Very good. Let me ask you about what
8 we are doing with regard to Taiwan in terms of helping them
9 adopt the asymmetric defense strategy that they need.
10 Something you said to me when we talked was that it is very
11 important that the United States send a very clear message
12 about what sort of defense strategy we think that our allies
13 and partners in the region need to adopt. They need to be
14 clear on what we think is the right approach.

15 Taiwan has introduced the overall defense concept
16 several years ago that emphasized the need for them to adopt
17 an asymmetric defense strategy. I understand they have made
18 some progress on this, but there is still some way to go.
19 Can you give us an assessment of where Taiwan is on this and
20 what message we need to be sending to Taiwan, and any other
21 partners in the region you want to talk about, in terms of
22 their own defense capabilities in partnership with us?

23 Mr. Ratner: Yeah. Senator, another incredibly
24 important issue. I will start by saying I think President
25 Tsai is committed to taking Taiwan's military in the right

1 direction, and I am encouraged by the steps she has been
2 taking to try to develop a more mobile and resilient
3 military, and that is an incredibly important part of the
4 deterrent in the region. And if confirmed, I would look
5 forward to advancing that agenda.

6 Senator Hawley: Very good. I see my time has expired
7 here. I may have a few more questions for you for the
8 record. Congratulations again. Thanks to all of the
9 nominees. I look forward to supporting you, Dr. Ratner, and
10 Thank you, Mr. Chairman.

11 Chairman Reed: [Presiding.] Thank you, Senator
12 Hawley. I want to thank Senator King for stepping in and
13 doing such a superb job as chair, and let me now recognize,
14 via Webex, Senator Warren.

15 Senator Warren: Thank you, Mr. Chairman, and
16 congratulations to all of you on your nominations.

17 Ms. Berger, I want to spend some time this morning
18 talking about military housing and climate change. Now
19 these are going to be questions that I have asked the Air
20 Force and the Army Secretary nominees. I will ask the Navy
21 Secretary nominee as well. But since you are the person who
22 has got primary responsibility for ensuring that our sailors
23 will live in safe, clean housing, and make sure that our
24 Navy is climate resilient and energy efficient, I want to
25 ask you as well.

1 We have all heard the stories from military families
2 about the deplorable conditions of on-base privatized
3 housing. The companies hired by the DoD escaped
4 accountability by fudging their numbers and just sweeping
5 complaints under the rug. My office still hears from
6 military spouses that the problem is not getting any better
7 and that landlords are not following the laws that Congress
8 passed to protect tenants.

9 So let me ask you, Ms. Berger, if confirmed, will you
10 commit to using all the tools available to hold landlords
11 and private companies accountable, to make sure that they
12 build and maintain quality housing for sailors, and to
13 ensure that they can no longer profit off substandard
14 housing?

15 Ms. Berger: Senator, thank you for your attention to
16 this important issue, and yes, if confirmed, I will use all
17 tools available to me to make sure that we are doing the
18 best that we can for our sailors, our marines, and their
19 families. This is an essential element of readiness, and
20 ensuring that we are taking care of people, as you said, and
21 putting them in quality housing, and safe housing, and
22 ensuring that everyone is held to the standard that is
23 available is critically important.

24 And I will note that the Navy and Marine Corps recently
25 put into place all 18 of the Tenant Bill of Rights that are

1 important enforcement mechanisms as well, to ensure that all
2 of these standards are being held up, and also that there
3 are opportunities to enforce them. So yes, Senator Warren,
4 if confirmed, this would be a priority of mine.

5 Senator Warren: I very much appreciate that. I want
6 to see real change, and it is time. You know, some of these
7 housing providers are not providing accessible housing to
8 military families who have a physically disabled family
9 member who needs accommodation. So do I have your
10 commitment that you will immediately dig into this issue and
11 work to make sure that all Navy families have access to
12 reasonable accommodation in their housing, when they need
13 it?

14 Ms. Berger: Yes, Senator. If confirmed, I commit to
15 ensuring that we look into this, and I will look forward to
16 being in good touch with you on this important issue.

17 Senator Warren: Good. Good. I am looking forward to
18 too, because I am going to stay on this.

19 So you have got quite a challenge ahead of you, as our
20 Navy bases are obviously the military installations that are
21 most susceptible to rising seas. For example, according to
22 one scientific study, Naval Base Norfolk has some access
23 roads that will be under water during high tides for 50 days
24 out of the year, by 2037. That is just high tides, not
25 storms.

1 So will you commit to using all the tools and
2 authorities at your disposal to make the Navy more climate
3 resilient?

4 Ms. Berger: Yes, Senator Warren. This issue is of
5 critical importance. Our bases, our installations are often
6 by the water, because it is where the Navy operates. But
7 our installations are critical considerations in this
8 composition as well. And so as we think about our
9 installations being the places that we project our power
10 from, it is where our submarines, our ships, our aircraft,
11 our sailors, our marines are training. It is where they are
12 going back to resupply and to refuel. It is where families
13 are, and family readiness is important too.

14 And so these installations and the ability to keep them
15 resilient to climate is of critical importance, as you note,
16 and if confirmed, I will use all of the tools and
17 authorities available to me to ensure that we are guarding
18 against this threat.

19 Senator Warren: Good. And on the subject of climate
20 change, there is no way to address the climate crisis
21 without confronting DoD's role as the largest consumer of
22 fossil fuel on the planet. Will you commit to using all the
23 tools and authorities at your disposal to make the Navy
24 reduce its carbon footprint, wherever possible, and to make
25 it more energy resilient?

1 Ms. Berger: Senator Warren, the Navy has a good
2 history and a good track record of looking into this, and I
3 share your concern that this is of importance. And if
4 confirmed, this is something that we are always balancing
5 against readiness and the ability to be able to fight, but
6 it is something that we can use to enhance our readiness and
7 ability to fight. And so if confirmed, I will surely review
8 and put to good use the authorities available to ensure that
9 the Navy is continuing to progress on this important track.

10 Senator Warren: Good, and I am glad to hear you
11 describe this not as balancing one against the other but as
12 truly enhancing. You know, it is critical that the Navy
13 continue to double down on investments in microgrids and
14 battery storage and appropriate infrastructure projects to
15 improve resiliency on shore, and electric or hybrid electric
16 engine technologies at sea.

17 You know, you are right to describe these as military
18 readiness issues. So I plan to hold you to these
19 commitments, and I also plan to look forward to working with
20 you to help make them happen.

21 Thank you, Mr. Chairman.

22 Chairman Reed: Thank you, Senator Warren. Let me
23 recognize Senator Tillis, please.

24 Senator Tillis: Thank you, Mr. Chairman.

25 Congratulations to all of you for being nominated in some

1 very important roles.

2 Ms. Krass, I want to ask you a little bit about, in
3 responding to advance policy questions you stated, "If
4 pending legislative proposals to address sexual assault and
5 harassment are enacted, ensuring that such reforms are
6 executed seamlessly will be a challenge facing the next
7 General Counsel." Could you explain to me, give me a little
8 bit more meat on the bones --

9 Ms. Krass: Yes, Senator.

10 Senator Tillis: -- what the challenges would be?

11 Ms. Krass: Yes, Senator. As you know, the Secretary
12 has received preliminary recommendations from the
13 Independent Review Commission on the accountability prong of
14 the four prongs that that commission is looking at, and I
15 know that there are legislative proposals as well that are
16 under serious consideration. And so depending on how that
17 unfolds and what recommendations ultimately Secretary Austin
18 makes to President Biden and then to this committee, and
19 whatever ensues from a legislative front, a significant task
20 that I would face, were I to be confirmed, would be to
21 ensure that those measures are implemented effectively. And
22 if I am confirmed, I would do my best. You know, I think it
23 will require very careful attention to make sure that we
24 make meaningful progress on this matter.

25 Senator Tillis: What is your understanding of the

1 proposals that are coming from the 90-day independent
2 review, and if you are familiar with the legislative
3 proposals here, what kind of gaps do we need to work out
4 between the commission's recommendations and some of the
5 proposals that will be considered as a part of our NDAA
6 mark-up?

7 Ms. Krass: Senator, I have not yet had a chance to be
8 briefed on the Independent Review Commission's proposals,
9 because I am not yet confirmed. But were I to be confirmed,
10 that would be the first thing I would want to do, to look at
11 those proposals and evaluate those in connection with
12 legislation, potential legislation that has already been
13 proposed.

14 Senator Tillis: The Military Justice Improvement and
15 Increasing Prevention Act proposes to take disposition
16 authority for felony offenses, really any offense, I think,
17 with a sentence over 1 year, away from the UCMJ, away from
18 the commanders, and vest it in a group of lawyers. In your
19 view, it seems to me there is a lot of work that needs to be
20 done on military sexual assault, but the net that we are
21 casting with some of the proposals right now go far beyond
22 that. Barracks larceny would be something that would be
23 taken out of the chain of command. Just intuitively, do you
24 think that is a good idea or a reasonable proposal, coming
25 from Congress?

1 Ms. Krass: Senator, I know that last week Secretary
2 Austin stated that he would study that issue of the broader
3 versus the narrower scope, in terms of reforms to the UCMJ,
4 and I similarly, if I were confirmed, would want to study
5 that issue.

6 Senator Tillis: Well, I do know that the timing
7 problem with your confirmation may make it difficult for you
8 to play a role in the DoD putting forth a recommendation
9 before we have to set an NDAA mark-up and take up proposals.
10 So this is less for you when you get in -- Congratulations
11 on the confirmation, now get to work -- but we have got to
12 make sure that the DoD is moving fairly quickly to get the
13 commission recommendations before the President, and for the
14 President to take a position on it, if it is going to have
15 any impact on our proceedings in the next month.

16 Ms. Berger, I have spent a lot of time on military
17 housing. I have spent a lot of time down at Fort Bragg and
18 Camp Lejeune. I am going to go back down there for town
19 halls. I have been doing military family town halls down
20 there, and it has improved the situation just by putting
21 pressure on the military housing vendors. I think that the
22 Bill of Rights is a great idea, but I also think that if you
23 are confirmed, in order to take best care of our sailors and
24 marines, we have to take a step back and see if the entire
25 framework that we have in place for military housing makes

1 sense. It is almost 25 years old. There are 80-some-odd
2 contracts. It seems to me that if we only think about going
3 after the housing providers, when I think there is a
4 legitimate shared responsibility for a lack of focus by the
5 garrison commanders, a lack of modernizing these contracts,
6 can I get your commitment to maybe take a step back and not
7 only look at putting out the fires that I am doing with the
8 town halls but look at the underlying programs and figure
9 out if there is way to modernize them, to make them more
10 resilient and more responsive to military family needs?

11 Ms. Berger: Senator, the military housing issue, as
12 you noted, is an important one, and thank you for the work
13 that you have done on it, to take good care of our sailors,
14 marines, and their families. If confirmed, it would be
15 important to me to make sure to get and actually visit with
16 the people who are living in the houses, who are taking
17 care, on the ground, on the installations, and also to do a
18 careful review of how everything is operating, to your
19 point, to ensure maximizing resilience and the care that we
20 need to take for the families and the sailors and marines
21 that are living in this house.

22 So yes, if confirmed, I would be glad to do those
23 things.

24 Senator Tillis: Yeah, and if confirmed, I would like
25 to get a commitment from either you or a designate to

1 participate in some of these town halls that we are doing.
2 We will have a number of people there, and I think it is
3 good, fresh feedback, and I think it would be helpful to
4 have you or, like I said, a designate there when I do host
5 the town hall sometime in August.

6 Ms. Berger: Senator, thank you for the invitation. I
7 would be glad to follow up with you and figure out the
8 appropriate way to attend, if confirmed. Thank you.

9 Senator Tillis: Thank you, and thank you all.
10 Congratulations on your nominations. Thank you, Mr. Chair.

11 Chairman Reed: Thank you, Senator Tillis. Now let me
12 now recognize, via Webex, Senator Rosen.

13 Senator Rosen: Thank you, Chairman Reed, of course
14 Ranking Member Inhofe, for holding this hearing. I would
15 also like to thank the nominees for testifying today, and
16 Ms. Berger for meeting with me recently. Thank you.

17 I would like to speak a little bit about the Air Force,
18 so Ms. Ortiz Jones, the Air Force last year requested a
19 300,000-acre expansion of the Nevada Test and Training Range
20 within the Desert National Wildlife Refuge, of course, in
21 order to modernize the range. It also asked for primary
22 jurisdiction over the 800,000 acres of land currently shared
23 with the refuge.

24 The fiscal year 2021 NDAA renewed the Air Force
25 existing withdrawal of almost 3 million acres of public

1 lands for 25 years, and included a provision that Senator
2 Cortez Masto and I authored that mandates an
3 intergovernmental executive committee between the Air Force
4 and the U.S. Fish and Wildlife Service, to help improve the
5 administration of, and resolve conflicts, on jointly managed
6 lands. I believe we must continue supporting the Air
7 Force's modernization requirements to keep up with current
8 and emerging threats while maintaining Nevada's natural and
9 cultural resources, and this is one way to do so.

10 So Ms. Ortiz Jones, as the Air Force pursues
11 modernization of the Range, can you commit, if confirmed, to
12 exchanging information and collaborating with local, state,
13 and Tribal governments, along with the relevant
14 environmental stakeholders on any proposals to withdraw
15 Nevada's public lands?

16 Ms. Ortiz Jones: Senator, I think it is extremely
17 important that the Department of the Air Force is a good
18 partner, both with local stakeholders as well as those
19 within the interagency. So if confirmed, you have my
20 commitment to do just that.

21 Senator Rosen: And will you also commit to working
22 with me and the rest of the delegation on any future land
23 withdrawal requests, and confirm that you will stand up the
24 Intergovernmental Executive Committee and get its first
25 meeting scheduled, as the Navy has already done so for its

1 own proposed expansion in Fallon, Nevada?

2 Ms. Ortiz Jones: Senator, my understanding is that is
3 mandated, and if confirmed, I will execute that in short
4 order.

5 Senator Rosen: Thank you. I look forward to being
6 part of that.

7 And so I am going to move on to our land withdrawal at
8 Fallon Naval Air Station. So Ms. Berger, of course we had a
9 great time to talk this week, and I want to turn to the
10 proposed Naval Air Station Fallon land withdrawal. The Navy
11 seeks to continue operations on its current 240,000 acres
12 and take ownership of over 600,000 acres of Federal land and
13 over 65,000 acres of non-Federal land, an action that would
14 expand the training complex to about 900,000 acres.

15 Federal land managers currently allow the public to
16 have access to much of the proposed expansion area for
17 grazing, for hunting, for mineral exploration, and for
18 geothermal development. And due in large part to safety
19 concerns, the Navy's proposal would curtail many of these
20 activities. Recently, the Navy sent over a legislative
21 proposal to this committee, which unfortunately is almost
22 identical to the request from last year and does not
23 incorporate any of the suggested changes from the Nevada
24 delegation.

25 So Ms. Berger, as the Navy pursues modernization on the

1 Range, can you commit, if confirmed, to exchanging
2 information, collaborating with local, state, and Tribal
3 governments, along with relevant stakeholders on any
4 proposals to Nevada's public lands and work with me and the
5 rest of the Federal delegation on any land withdrawal
6 requests?

7 Ms. Berger: Senator Rosen, thank you for the time to
8 visit with you and for the conversation, and I understand
9 the diverse interests that are at stake here and also the
10 importance that Nevada provides to our aviators and our
11 Special Forces who train in this critical area.

12 If confirmed, it is important to look at the ability of
13 these people to be able to train as they will fight and also
14 to consider the diverse interests that you listed, and if
15 confirmed, I will be glad to have an ongoing conversation,
16 share information, and collaborate with you.

17 Senator Rosen: Thank you. Quickly, I just want to
18 mention, again, in 1959, the Navy dropped an inert ordnance
19 outside Fallon's B-19 range, contaminated nearly 6,000 acres
20 of the Walker River Paiute's Tribe reservation. And so, Ms.
21 Berger, if confirmed, will you commit to working with me and
22 the Nevada delegation on assuring that the Tribe is fairly
23 compensated for this?

24 Ms. Berger: Senator, if confirmed, I will be glad to
25 continue to speak with you on this issue and follow up and

1 collaborate so that we can do the best that we can for the
2 Tribes who are important stakeholders in this issue.

3 Senator Rosen: Thank you very much. My time is up,
4 Mr. Chairman.

5 Chairman Reed: Thank you, Senator Rosen. Senator
6 Kelly, please.

7 Senator Kelly: Thank you, Mr. Chairman. I want to
8 follow up a little bit on Senator Hawley's questions with
9 you, Dr. Ratner. As you know, the integration and
10 synchronization of forces is key to winning complex, dynamic
11 military operations. And, you know, China's ability to
12 operate jointly, they are late to the game, I think, here,
13 and they are probably trying to catch up.

14 Is that an area that you looked at as you led the
15 Department's China Task Force, their ability to operate
16 jointly?

17 Mr. Ratner: Yes, Senator.

18 Senator Kelly: And their command and control of their
19 joint operations, would you be able to comment about where
20 they were and where they are today, and then how that
21 impacts -- you know, what is the operational impact to us as
22 they improve their joint ability?

23 Mr. Ratner: Senator, it is a great question. As you
24 know, the People's Liberation Army has been undergoing a
25 very rapid, intense modernization that has included an

1 effort to try to develop a more joint force that would be
2 capability of offensive operations in the Western Pacific
3 that certainly impact our interests, our alliances, and our
4 presence there.

5 Senator Kelly: Are they increasing the number of joint
6 exercises that they do?

7 Mr. Ratner: Yes, Senator.

8 Senator Kelly: And what do you feel the impact on us
9 is, specifically, at this point?

10 Mr. Ratner: Senator, I think their increasing
11 capability continues to threaten our interests, as does
12 their aggressive behavior, and it is all the more reason why
13 we need to be thinking about our posture, our operational
14 concepts, and our capabilities in the region to bolster
15 deterrence and maintain peace and stability there, as we
16 have for decades.

17 Senator Kelly: So one of our strengths is amplified,
18 and a strength that we have, is our relationships with our
19 allies. Considering their movement towards jointness within
20 their own force, what should we be doing today to strengthen
21 our alliances and partnerships to counter their increasing
22 effectiveness?

23 Mr. Ratner: Senator, our alliances and partnerships
24 are absolutely fundamental to our strategy in the region.
25 It is also one of our critical advantages over China. They

1 do not have the kind of alliances and partnerships that we
2 do. And we are in constant contact, trying to deepen the
3 interoperability of those relationships, trying to develop
4 joint technologies as well as starting to talk about
5 potential contingencies, and if confirmed, I would commit to
6 try to strengthen those partnerships to the best capability
7 possible.

8 Senator Kelly: Thank you. I think that is key to our
9 long-term success in the region.

10 I want to switch to Ms. Ortiz Jones for a second. Ms.
11 Jones, it is clear that space is going to be an increasingly
12 important domain for the military in future conflicts, and
13 already today we are seeing signs of increased orbital
14 congestion. Yet our ability to coordinate effectively with
15 other nations regarding activities in space, and
16 particularly to have countries like Russia and China engage
17 meaningfully in this coordination could be improved, from
18 shared challenges, challenges that I have dealt with
19 personally, like space debris. G-7 countries announced new
20 commitments on this just this week, but to major security
21 threats this coordination is badly needed.

22 So, Ms. Jones, if confirmed, you will help oversee the
23 Service's role on these issues. How will you work to
24 improve coordination and cooperation with these nations
25 while ensuring the integrity of U.S. missions?

1 Ms. Ortiz Jones: Senator Kelly, thank you for the
2 question. One of my top priorities, if confirmed, would be
3 to review the status of the efforts for the U.S. Space Force
4 to reach full operational capability. A key part of that,
5 as you mentioned, will be reviewing the status of our input
6 to the shaping of norms and behaviors in space that are so
7 key to addressing some of the behaviors, the dangerous
8 behaviors that you just identified. So I would want to
9 ensure that the Space Force is working in full coordination
10 with our interagency partners to ensure Department of the
11 Air Force equities are best represented in shaping those.

12 Senator Kelly: I have heard specifically from
13 leadership at the Space Force that often, especially with
14 regards to Russia, even though we are trying to make our
15 best effort to coordinate, not always received well from the
16 other side, you know, often instead of direct contact where,
17 you know, leaving messages, sending emails. And these are
18 significant events, often, that we are trying to prevent a
19 conjunction between spacecraft, and these are high-value
20 assets, not only for us but for other nations, specifically
21 our allies. So I appreciate you being willing to look into
22 this. Thank you.

23 Thank you, Mr. Chairman.

24 Chairman Reed: Thank you, Senator Kelly. And I
25 recognize Senator Sullivan, and note that the vote is in

1 process and we have to vote. Thank you, sir.

2 Senator Sullivan: Thank you, Mr. Chairman, and thank
3 you to all the witnesses for your service to our country and
4 your continued service here. Congratulations on your
5 nominations.

6 I want to begin by -- there was a hearing many, many
7 years ago, several decades ago, Armed Services Committee.
8 The father of the U.S. Air Force, Billy Mitchell, stated
9 that "(blank) place," this place, "was the most strategic
10 place in the world. Anyone who controlled this place could
11 control North America, Europe, and Asia." Do any of you
12 know what place Billy Mitchell was talking about when he
13 said this in front of the Congress of the United States?
14 Take a guess.

15 Ms. Ortiz Jones: Alaska.

16 Senator Sullivan: There you go. Alaska. All right.
17 So can I get a commitment from each of you to come to Alaska
18 soon in your tenure and see why it is so strategic,
19 particularly as we are reorienting towards the INDOPACOM
20 region? Can I get a yes from everybody?

21 Ms. Krass: Yes, Senator.

22 Ms. Ortiz Jones: Yes.

23 Mr. Ratner: Yes.

24 Ms. Berger: Yes.

25 Ms. Skelly: Yes.

1 Senator Sullivan: Everybody? Did I get a yes? Okay,
2 good.

3 I want to follow up on that. You know, Ms. Skelly, I
4 want to get your commitment, and Mr. Ratner, Dr. Ratner,
5 with regard to JPARC. That is our training ranges up in
6 Alaska. We just conducted -- hopefully you saw it -- the
7 Northern Edge exercise. JPARC is a first-class, probably
8 some of the best training areas in the world. Like I said,
9 the Northern Edge exercise we just did had an entire MEU/ARG
10 that participated, carrier strike group.

11 Can I get your commitment to take a look at JPARC and
12 see all the opportunities it has for training high-end,
13 fifth-gen training that we need to be ready, you know, for
14 the great power competition that, in many ways, is upon us?

15 Mr. Ratner: Yes, Senator.

16 Ms. Skelly: Yes, Senator.

17 Senator Sullivan: Thank you. Dr. Ratner, one thing
18 that is often, I think, a little bit forgotten is, again,
19 the Alaska base force is our kind of at the classic scenes
20 of different COCOMs. You have a significant threat coming
21 from EUCOM. Those forces are OPCON to PACON. I had Admiral
22 Aquilino up in Alaska just a couple of weeks ago. And when
23 you are looking at the different opportunities but also
24 force posture in the region, can you commit to me to make
25 sure you are keeping Alaska in mind? We are NORTHCOM,

1 STRATCOM because of our missile defense, but again, we are
2 going to have over 100 fifth-gen fighters, by the end of
3 this year, based in Alaska. Oftentimes, even with our most
4 sophisticated strategists, they kind of look at
5 International Date Line, east or west, and they forget to go
6 north. Alaska forces are much closer to Japan and Korea
7 than many of our forces that are east of the International
8 Date Line, even though we are west.

9 Can I get your commitment to make sure that as you are
10 looking at force posture you strongly consider Alaska and
11 the forces there, not just what we have but for future
12 forces?

13 Mr. Ratner: Absolutely, Senator, and I still have the
14 map you gave me, showing those flight times, so it is on my
15 desk at the Pentagon.

16 Senator Sullivan: Good. I appreciate that.

17 You know, the outgoing INDOPACOM commander, in a
18 hearing that made a fair amount of news just about 2 months
19 ago, a question that I asked him, given the aggressiveness
20 of Xi Jinping, Communist Chinese Party, you know how
21 aggressive they have been with other countries -- India,
22 Australia, Hong Kong -- I asked him what does that entail,
23 from his perspective, with regard to Taiwan.

24 I was just in Taiwan. I led a group of Senators,
25 Senator Duckworth, who is on this committee, very good

1 meetings. But we were there to support a strong,
2 traditional partner, as the Taiwan Relations Act mandates
3 that we do, as a country. It came from this Senate body.
4 Admiral Davidson said he thought within 6 years the Chinese
5 Communist Party would move to probably try to forcefully
6 retake Taiwan. Do you agree with that timeline? It was
7 kind of a shocking statement. And if called upon, I know it
8 is a bit of a vague commitment that we have, one way or the
9 other, are they, or if need be, if called upon, if we make
10 that decision, are we ready to make sure that that kind of
11 aggressive action would not succeed? Do you agree with that
12 timeline?

13 Mr. Ratner: Senator, it is a very important question.
14 I agree with Admiral Davidson's sense of urgency. I do not
15 think it is particularly useful to put a pin on a timeline.
16 I think what we have to do is ensure that we are maintaining
17 combat-credible deterrence going forward, whether that is 5
18 years from now, 10 years from now, 15 years from now. As I
19 said to Senator Hawley, I think we have the capability today
20 to deter and defeat Chinese aggression, and I think it is
21 important that we maintain that going forward.

22 Senator Sullivan: Good. I look forward to working
23 with all of you. Thank you, Mr. Chairman. I will have
24 several additional questions for the record.

25 Chairman Reed: Thank you very much, Senator Sullivan.

1 I want to thank the nominees for your excellent testimony,
2 and more importantly, your willingness to serve the nation.
3 And with that I will adjourn the hearing. Thank you very
4 much.

5 [Whereupon, at 11:55 a.m., the hearing was adjourned.]

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