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Before the

COMMITTEE ON
ARMED SERVICES

UNITED STATES SENATE

HEARING TO CONSIDER THE NOMINATIONS OF:
HONORABLE WILLIAM A. LAPLANTE, JR. TO BE UNDER
SECRETARY OF DEFENSE FOR ACQUISITION AND
SUSTAINMENT; MR. ERIK K. RAVEN TO BE UNDER
SECRETARY OF THE NAVY; MS. M. TIA JOHNSON TO BE A
JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE
ARMED FORCES AND DR. MARVIN L. ADAMS TO BE DEPUTY
ADMINISTRATOR FOR DEFENSE PROGRAMS, NATIONAL
NUCLEAR SECURITY ADMINISTRATION

Tuesday, March 22, 2022

Washington, D.C.

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Tuesday, March 22, 2022

U.S. Senate
Committee on Armed Services,
Washington, D.C.

The committee met, pursuant to notice, at 9:29 a.m., in Room G50, Dirksen Senate Office Building, Hon. Jack Reed, chairman of the committee, presiding.

Committee Members Present: Senators Reed [presiding], Gillibrand, Blumenthal, Kaine, King, Warren, Peters, Duckworth, Rosen, Kelly, Inhofe, Wicker, Fischer, Cotton, Rounds, Ernst, Scott, Hawley, and Tuberville.

Also Present: Senator Tester.
OPENING STATEMENT OF HON. JACK REED, U.S. SENATOR
FROM RHODE ISLAND

Chairman Reed: The committee meets this morning to consider the nominations of Dr. William LaPlante to be Under Secretary of Defense for Acquisition and Sustainment, Mr. Erik Raven to be Under Secretary of the Navy, Mr. Tia Johnson to be a Judge of the United States Court of Appeals for the Armed Forces, and Dr. Marvin Adams to be Deputy Administrator for Defense Programs at the National Nuclear Security Administration.

On behalf of the committee, I want to thank each of you for your willingness to return to public service. I would also like to welcome the guests and family members who are present today. I am pleased to recognize Secretary Ash Carter, who will introduce Dr. LaPlante. Senator Jon Tester, who will introduce Mr. Raven.

Secretary Jeh Johnson, who will introduce Ms. Johnson. And Ambassador Linton Brooks, who will introduce Dr. Adams. Additionally, Dr. LaPlante, I welcome your brother, John. Mr. Raven, I welcome your wife, Ann. And Ms. Johnson, I welcome your husband Al, and commend him to his service in the United States Army.

We are grateful to each of you for your support. Dr. LaPlante, you are well qualified to be Under Secretary of Defense for Acquisition and Sustainment, or USD (A&S). You
have decades of technical expertise from your current role as President and CEO of Charles Stark Draper Laboratory, as well as your previous service as the Assistant Secretary of the Air Force for Acquisition during the Obama Administration.

The USD(A&S) has a wide variety of duties, including delivering timely cost effective capabilities for the armed forces, supervising all elements of defense acquisition enterprise and the defense industrial base, overseeing the modernization of our nuclear forces, and serving as the principal advisor to the Secretary on acquisition, sustainment, and core logistics. If confirmed, streamlining and expediting the acquisition process must be one of your highest priorities.

We need to field equipment to our war fighters quickly, while also ensuring acquisitions remain on budget. Although some progress has been made in recent years, the Defense Department's acquisition process still remains on the Government Accountability Office's high risk list. Similarly, the Department must improve the operation and sustainment of weapons systems over their life cycles, a course that is often overlooked in the acquisition process. Dr. LaPlante, I would like to know how you would plan to address these challenges this morning.

Mr. Raven, you were nominated to the second highest
position in the Department of the Navy. Your experience on
the Senate Appropriations Defense subcommittee will serve
you well in this role. If confirmed, you will face a
number of critical issues that confront the Department of
the Navy.

The Navy and the Marine Corps have historically had to
deal with the day to day strains of deployment and high
operating tempos, with concerns about the readiness of our
deployed and non-deployed forces, the next Under
Secretary's efforts in managing improvements in the force
and its supporting structure will be crucial. In addition,
the Navy is tested to meet today's priorities, while also
shifting investments to support our long range strategic
competition with China and Russia.

Mr. Raven, I look forward to your testimony on how we
can best balance these challenges. Ms. Johnson, you are
nominated to be a Judge in the United States Court of
Appeals for the Armed Forces. If confirmed, you would
serve a 15 year term on the court. You bring a
distinguished career of service as an Army judge advocate,
National Security Council in the Obama Administration, and
Professor of Law at Georgetown University. The Court of
Appeals of the Armed Forces is the Senior Appellate Court
with the exclusive jurisdiction over the Uniform Code of
Military Justice, sometimes regarded as the Supreme Court
of Military Law.

Ms. Johnson, based on your uniformed and civilian career experiences, I would like to know what you view as a key strengths and weaknesses of the military justice system, including the fairness and effectiveness of the system. In addition, the Fiscal Year 2022 National Defense Authorization Act implemented extensive changes to the UCMJ, including a statute that would criminalize sexual harassment under some circumstances.

I hope you will share your views on the Court of Appeals' role in reviewing challenges and issues with the recent sexual assault and sexual harassment statutes, including your view on defendants' rights under the UCMJ.

Dr. Adams, you are nominated to be Deputy Administrator for Defense Programs for the National Nuclear Security Administration or NNSA. You have had a distinguished career at Texas A&M University, conducting research on nuclear science, serving on numerous advisory boards at the NNSA, and recently helping Los Alamos National Laboratory develop its plutonium manufacturing operations.

If confirmed, you will assume an expansive range of duties. You will oversee more than 50,000 contractors and NNSA Federal employees with a budget of $16 billion, while simultaneously meeting the Defense Department's construction and stockpile requirements. Dr. Adams, I
would like to know your views on how to meet the Defense Department's requirements, while at the same time preserving the core scientific capabilities at our national laboratories.

Again, I would like to thank our nominees, and I look forward to your testimonies. I understand that Senator Tester has an engagement beginning shortly, so I would ask that he delivers an introduction immediately following Senator Inhofe's opening statement. Now let me turn to the ranking member.
STATEMENT OF HON. JIM INHOFE, U.S. SENATOR FROM OKLAHOMA

Senator Inhofe: Thank you, Chairman Reed. And thanks to our witnesses for being with us and their willingness to serve, continue their service to the Nation. As Former Secretary of Defense and CIA Director Bob Gates said recently, "we have to think about how we are going to deal with a hostile Russia as long as Putin is around. We face a much longer term kind of problem and challenge from the Chinese." I think these remarks put Russia and China into the right context.

The 2018 National Defense Strategy book is one we refer to many, many times over and over again, and it comes to light again with this panel. I think that we are going to have to continue the using it as the roadmap as we have for the last several months. We continue to fall behind the Chinese even as the threats worsen. We haven't seen resourcing the strategy adequately and that was before we had all this inflation.

We need the sense of urgency to make bold smart decisions at the Department of Defense, and that starts with senior civilian leadership. We have got to take some risk. Congress is an eager and willing partner, but you got to ask us, we want to work with you. Dr. LaPlante, you have been nominated to be the DOD's top acquisition job.
It is a shame it took us a whole year because you have got a lot of catching up to do. Congress and the Pentagon working together have made huge strides in acquisition, but the Chinese are still moving faster than we are.

We are still not very good at supporting rapid innovation, and we even struggle with the traditional acquisitions. Case in point is the Ford class carrier. We are unable to develop a plan to resource it. We have seen half a dozen official positions on what the future naval fleet should look like. All larger than what we have today.

Mr. Raven, I hope you will help the Pentagon stop its endless bickering and support the Navy stated requirements and start building ships at scale. It is long overdue. Nuclear modernization is another overdue bill for the military. Dr. Adams, I hope you will tell us how you work to take care of those bills, as we also consider how to the nuclear posture must change in response to the Chinese and the Russian nuclear advances.

Lastly, the Congress has made a lot of major changes in the Uniform Code of Military Justice in recent years. The Executive Branch is also trying to intimidate vaccine mandate and root out the extremism in our armed forces.

Ms. Johnson, I would like to hear how you turn to the Constitution first whenever considering the application of
these efforts and look forward to hear from each one of you. Thank you, Mr. Chairman.

Chairman Reed: Thank you, Senator Inhofe. I am going to recognize Senator Tester, but also then recognize the other individuals who are introducing the witnesses so that they may leave at their discretion. Let's begin with Senator Tester. Senator, please.

Senator Tester: Well, good morning. And I want to thank you, Chairman Reed and Ranking Member Inhofe, and my friends on this committee for allowing me to speak here this morning. It is truly an honor to be introducing Erik Raven today at his nomination hearing to be Under Secretary for the Navy. It is an honor because there is no one more qualified or capable than Erik is to serve the men and women of our Navy.

I know firsthand, because Erik is the Democratic Staff Director for the Subcommittee on Defense of the Senate Committee on Appropriations, and for the last year, I have worked very, very closely with him in my role as chairman on that committee. In that time, we have spoken every day, something I know that Erik has enjoyed very much. Erik is a true professional. He is dedicated. He is whip smart. And he knows the defense budget better than anybody. But that is only part of what makes Erik qualified and deserving of being confirmed for this position at the
Department of Defense.

What makes Erik exceptional is that he deeply understands the challenges and the threats we face. And he has dedicated his life to our military, our National Security, and to our country. For the last 24 years, Erik has served as a staff member for some of the giants of the Senate, Senator Dianne Feinstein, Senator Ted Kennedy, Senator Robert Byrd, you may have heard of them. Erik served as Senator Byrd's military and foreign affairs adviser from 2000 to 2007, and as his Legislative Director from 2006 to 2007.

He also served as a speechwriter for Senator Byrd on National Security matters. Some of you may not know this, but my office in Hart is Senator Byrd's old office. And welcoming Erik back into that office after I became SAC-D Chairman is a fitting symmetry to the end of his Hill career before he sails off to the Pentagon. But I am not the only SAC-D Chairman who has benefited from Erik's wisdom and leadership.

For the past 15 years, 7 as a professional staff member, and 8 as staff director, Erik has served Senators, the Senate, and our Nation. As a Staff Director, he is the principal advisor to the committee on budgetary matters relating to the Department of Defense and the National Intelligence Community.
And during his time on the committee, Erik has been responsible for the oversight of national intelligence programs, National Security space programs, special operations procurement, Army aviation, and Navy Research and development matters, as well as staff lead on wartime intelligence, surveillance, and reconnaissance initiatives.

Erik is as credentialed as his experience. He has completed a master's thesis on the origins of China's nuclear weapons program at the London School of Economics and Political Science, as well as an undergraduate honor thesis on the International Narcotics Trade at Connecticut College. This dude is a smart guy, and he has good people in his corner.

I want to recognize his wife Anne who is here today and thank you Anne for sharing Erik with the Senate, and soon I hope, with the Department of Defense. The gratitude our country owes Erik for his service, we also owe to you. The bottom line is this, Erik Raven will serve as Under Secretary for the Navy honorably and well.

He is exceptionally qualified and deserving of this committee's favorable endorsement, and I am sure that the distinguished members of this committee will agree after getting a chance to question him. Erik, I just want to congratulate you on your nomination, and get in there and give them hell, okay. Thank you, Mr. Chairman.
Chairman Reed: Thank you, Senator Tester. Secretary Carter, please.

Mr. Carter: Is the microphone on? Yes. Chairman Reed, Ranking Member Inhofe, all the members of the committee, thank you for giving me the opportunity to describe to you the qualities of Bill LaPlante, and the qualities that he will bring to the job of Under Secretary of Defense for Acquisition and Sustainment.

And thank you also for the opportunity of seeing you and in person after all this time. It is a wonderful treat. I first got to know Bill when I was on Don Rumsfeld's Defense Science Board, must have been 20 years ago or so, and Bill came and worked on one of the efforts that we were mounting at that time, and I and everybody else was impressed with Bill's engineering acumen, but also with his patriotism and his dedication to the work of the Department.

In the years thereafter, Bill went to APL to MITRE to Draper, some of our great institutions that serve the Department of Defense and the wider community from a technology point of view. And then he served, when I was Under Secretary of Defense for Acquisition, Technology, and Logistics and Deputy Secretary of Defense before I became Secretary of Defense, as Assistant Secretary of the Air Force for Acquisition, an important job. And a few things
to mention about that time that are relevant today.

The first was, is that Bill was Assistant Secretary of
the Air Force for Acquisition at a time when we were still
deply involved in the wars in Iraq and Afghanistan. And I
mention that only because it was very important to Bill
then, and I observed this, that he would do everything he
could to make sure that our troops, our warfighters and our
NATO allies for that matter as well, got everything they
needed every day.

There wasn't the time to wait for the Pentagon
paperwork when things were flying. And Bill remembered
that. And so his heart was in it, and I admired his heart
as well as his intellect, and he knew, and this is
important and in connection with what Senator Inhofe said a
moment ago, Bill knows how to make agility work in the
Department of Defense and not wait for the Pentagon's
paperwork to turn the crank.

And we need that today because we need to work at the
same pace as technology if we are to continue to be able to
dominate our potential opponents, particularly China and
Russia. And in that connection, yet another trait of Bill
LaPlante, is that Bill recognizes that the secret sauce of
our superiority has been, since Sputnik, the ability of the
Department of Defense to work closely with private
enterprise and the private tech sector. The tech sector is
now bigger than it used to be. It is bigger than our own tech sector, our Government tech sector, by a wide margin. It is global.

And the only way to stay the best, to stay is -- I always like to say Lyndon Johnson used to say the first us with the mostest is to have the best bridges between the Government tech sector and the commercial tech sector. And Bill knows how to make that work. He showed that at APL, at MITRE, and Draper, and in his job for the Air Force.

Last thing I would say about Bill is, you know, the Department of Defense works best when the Secretary of Defense's Office works well with the military services, and Bill having come out of the Air Force, one of the military services, and worked very, very well with me when I was Acquisition Executive and Deputy Secretary of Defense, has shown that he can do that.

Since the time I was Under Secretary for Acquisition, Technology and Logistics, furthermore, the -- that job has been divided into the Under Secretary for Acquisition and Sustainment on the one hand and the Under Secretary for Research and Engineering on the other. And it is important also that someone entering Bill's job be able to work across that boundary as well, because the boundary between product and research is the hardest boundary to bridge in technology programs.
And Bill's long standing relationship when she was Army Acquisition Executive with Heidi Shyu, who is now the Under Secretary for Research and Engineering, that bodes well, as does Bill's acquaintance with the now Secretary and the now Deputy Secretary, all of whom he worked with earlier. So chairman, ranking member, and members of the committee, you got here a guy who is really very well qualified for this job. I hope you give Bill your speediest and most favorable consideration.

I think he will do a great job for us in a time when we need somebody who knows how to act fast, whether it be in connection with Ukraine and the resupply of the Ukrainian forces, whether it be with respect to fortifying our own NATO forces so that we can dominate any situation that Russia creates there, and with respect to China, so that we can continue to be in defense technology and defense in general, the first is with a mostest on the whole planet.

All of that hinges in part on the job that Bill will occupy, and he will do us proud in that regard. So thank you. Thanks for the opportunity to be with you again.

Chairman Reed: Thank you, Mr. Secretary, for your comments and thank you also for your service to the Nation.

Let me recognize Secretary Johnson.

Mr. Johnson: Chairman Reed, Ranking Member Inhofe,
members of this committee, I welcome the opportunity to
come here to testify in support of the nomination of
retired Colonel Tia Johnson to be a member of the Court of
Appeals for the Armed Forces. I know Colonel Johnson to be
an outstanding lawyer, an outstanding public servant, and
an outstanding American.

I have observed and work with her in five different
jobs. The record will reflect that she was and is a
trailblazer. She was the first black woman to reach the
rank of full Colonel in the Army JAG Corps, and if
confirmed, she will be the first black woman on the U.S.
Court of Appeals for the Armed Forces. But there is more
to the nominee than that.

Long before I became General Counsel of DOD or
Secretary of DHS, in private law practice, I was Chair of
the Judiciary Committee of the New York City Bar
Association, which evaluates all elected and appointed
candidates for Federal, state, and local judgeships in the
city of New York. In three years, I personally interviewed
500 people who were candidates for judgeships, ranging from
the U.S. Court of Appeals for the 2nd Circuit to Housing
Court Kings County.

I therefore think I know something about how to
evaluate a judge. In my experience, wisdom is the best
attribute of a good judge. And a wealth of life
experiences is the best predictor of wisdom. In my time in National Security, I don't think I have encountered a military lawyer with a broader range of experience than Colonel Johnson. Tia was an active duty soldier for 30 years. As a young JAG, she built a considerable track record as a first chair prosecutor in military justice.

I first met Colonel Johnson in 2009 when I was general counsel of the Department of Defense, and she was Staff Judge Advocate for U.S. Forces Korea, one of the most important legal assignments in the whole U.S. military. Next, I worked with Colonel Johnson when she came to the Pentagon, assigned to our DOD Office of Legislative Affairs.

I was so impressed with Colonel Johnson in 2012, I hired her as my own senior military aid, where she was exposed to every conceivable legal issue the Department of Defense faces. Tia then followed me to the Department of Homeland Security, which she joined in 2014 as a Senior Adviser to the Director of Immigration and Customs Enforcement.

Finally, on my recommendation, in 2015, Colonel Johnson was appointed by the President to be Assistant Secretary of DHS for Legislative Affairs. A big job. As you know, DHS has more than a few Congressional committees of oversight. The task of sitting in judgment of others is
not an easy one.

Tia Johnson comes before you as a nominee rich in life experiences and therefore well equipped to take on this difficult task. I urge that she be confirmed. Thank you very much.

Chairman Reed: Thank you very much, Mr. Secretary. And again, thank you for your distinguished service to the country. Ambassador Brooks, please.

Ambassador Brooks: Chairman Reed, and Senator Inhofe, members of this committee, I am honored to introduce Dr. Marvin Adams. I was privileged to be confirmed by this committee twice during the George W. Bush Administration for jobs within NNSA. And I know how seriously this committee takes its responsibilities. In my view, Dr. Adams is the perfect candidate for this important job at this crucial time.

First, Dr. Adams has superb technical background for leading a complex technical organization like defense programs. He understands stockpile stewardship as well as anyone I know. When the country needs high quality, objective science and technical advice, it often turns to the Jasons Advisory Group.

In his 15 years on that group, Dr. Adams has been involved in over 20 major studies of nuclear weapons activities for both DOD and NNSA, serving as director of
most. Time and time again when the country requires strong technical advice, it turns to groups led by Dr. Adams. Second, the greatest near-term challenge facing NNSA is to meet the Department of Defense requirements for delivering nuclear weapons on schedule.

Dr. Adams is committed to a strong nuclear deterrent, and he brings a unique perspective as an Adviser to the Commander of the U.S. Strategic Command, who helps establish our national requirements. Third, in the long term, NNSA must become more flexible in responding to the rapidly changing international environment in a world in which the United States must deal with two near peer competitors. NNSA Administrator Hruby is working on this but needs Dr. Adams to help.

NNSA is made up of dedicated career civil servants. I was proud to lead them, and the committee should be proud that America produces such exceptional individuals. Over time, however, they have become used to a system that values detailed certainty over responsiveness.

Dr. Adams is exactly the right person to help bring defense programs into conformity with the needs of today's world. Finally, if Dr. Adams is confirmed, he will be leading a large, complex organization. Leadership is not quite the same thing as management. He will have strong support in the day to day management responsibilities he is
assuming, but only he can set the vision and inspire his organization to evolve to meet today's requirements.

Here, Dr. Adams will be superb. It is not an accident that in the many studies he mentions, he is usually the one put in charge. He is a natural leader. If I were technically qualified and a little younger, I would work for him in a heartbeat.

Thank you for the opportunity to introduce such an outstanding public servant. I am confident that if confirmed, Marvin Adams will bring distinction to his new responsibilities, and I urge the committee and the Senate to support his confirmation. Thank you, sir.

Chairman Reed: Thank you, Ambassador Brooks, for your comments and again for your service to the Nation. Deeply appreciate it. Now let me recognize Dr. LaPlante for his opening statement. Dr. LaPlante, please.
STATEMENT OF HON. WILLIAM LAPlANTE, NOMINEE TO BE
UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT

Mr. LaPlante: Yes. Good morning, Chairman Reed, Ranking Member Inhofe, and distinguished members of the committee. Thank you for the opportunity to be for you today and for consideration of my nomination to be the Under Secretary for Acquisition and Sustainment. I am honored by the trust and confidence as well shown by President Biden and Secretary Austin in me.

First, I would like to begin by thanking the committee for all the work you are doing and how important the work you do every day is given of course the times we are in right now, including the situation in Ukraine. The work the committee has done day in, day out, year in, year out for the past 61 years, this bipartisan work is so important for the country and thank you for what you do. I would also like a moment to thank some of the many people who shaped my life and career without whom I wouldn't be here today.

That list begins with my family, my brother Frank, and my sister Cathy are here today, but my parents and siblings who always impressed upon me the value imperative of public service, including my wife Joanne, our kids Claire and Caroline, who have been steadfast in their love, and many of them are all watching this around the country right now
today.

I have also benefited tremendously from the mentorship of many in the National Security Committee, not the least of which was Secretary Ash Carter, but also Secretary Frank Kendall, Dr. John Hamre, Secretary Debbie James, Frank Miller, David Sched, Lisa Destro, Dr. Paul Kaminski, and Dr. Craig Fields, just to name a few.

The mission of delivering and sustaining timely, cost effective, and uncompromised capabilities for the armed forces is never more relevant than it is today. We see it every day in the news. China is our pacing threat, but of course, we also have increasingly belligerent and aggressive behavior by Russia, as well as malign actors and other existential threats.

If confirmed, my service as the Under Secretary of Defense for Acquisition and Sustainment would be the culmination of over 36 years in National Security technology in the nonprofit community. I also served as Assistant Secretary of the Air Force for Acquisition, as a member of the Defense Science Board, and as a member of the Section 809 Commission, which was chartered to reform and speed up acquisition.

Looking forward, the defense acquisition system must be focused laser like on delivering capability that meets the needs both current and future of the warfighter forces,
at speed, at scale. Our troops must have what they need to confront and overcome a rapidly evolving challenges not just the threat, but as Secretary Carter said, technology changing. We will do this by transitioning emerging technologies, whether it is quantum sensing, hypersonics, artificial intelligence, autonomy, directed energy.

All of these kinds of technologies, when you get them into our systems and out to our forces so that the troops have what they need to confront and overcome the threat. We must improve our ability to acquire software and do software intensive systems. That is going to be the key to agility and speed in the future. We must sustain our fielded weapons systems in a cost effective manner.

We must strengthen the defense industrial base, including our supply chains, and tap the innovation of the private sector by lowering barriers to doing business with the DOD or the Government for small businesses, nontraditional commercial firms, or startups. And we must empower and enable the dedicated professionals who comprise the defense acquisition workforce.

If confirmed, I strive to accomplish these and other priorities as determined by the Secretary of Defense and the Deputies Secretary of Defense, and I will devote myself to this critical mission. In all that I do, I pledge to work closely and transparently with this committee and with
the Congress. Thank you, and I look forward to your questions.

[The prepared statement of Mr. LaPlante follows:]
Chairman Reed: Thank you very much, Dr. LaPlante.

Mr. Raven, please.
STATEMENT OF ERIK RAVEN, NOMINEE TO BE UNDER SECRETARY OF THE NAVY

Mr. Raven: Chairman Reed, Ranking Member Inhofe, and distinguished members of this committee, it is my pleasure to appear before you this morning. First, I wish just thank President Biden, Secretary Austin, Deputy Secretary Hicks, and Secretary Del Toro. I am honored to receive the nomination to serve as Under Secretary of the Navy, and I am grateful for this opportunity to continue to serve our Nation.

Senator Tester, thank you for those kind words of introduction and all of your support. If confirmed to this position, I look forward to continuing our conversations on your plans to make Montana into a center of naval power. Finally, to my wife, Anne, and our son, Edward, I could not be here without your support.

We have tackled the ups and downs of my work in public service together as a family, and as I hope to embark on this new challenge, I am thankful for your willingness to take this journey with me. Mr. Chairman, the partnership of the United States Navy and the United States Marine Corps constitutes the world's greatest naval military force.

Together, their exquisite capabilities deter aggression, deepen our ties with allies and partners, and
when necessary, respond to crises around the globe. We are a maritime Nation, and the capabilities of our naval forces are directly related to the security, prosperity, and the future of the United States.

If confirmed to be Under Secretary of the Navy, I would be responsible for assisting the Secretary of the Navy in carrying out his duty to recruit, train, and equip the Navy and Marine Corps to meet the security challenges of our era. To carry out these tasks, first and foremost, I would be an advocate for the Department of the Navy, especially for the 620,000 sailors and marines and the 220,000 civilians who serve side by side today.

I believe the people must be the top priority of the Department of the Navy. This means recruiting the right talent for the challenges that lay ahead. It means growing new generations of leaders to secure and instill excellence at all levels. And it means ensuring fair treatment for all those who serve. I also believe that modernization of the Navy and Marine Corps is a strategic imperative.

I wish to leverage my 15 years of experience on the Senate Defense Appropriations subcommittee to maximize the power of every dollar that Congress provides. This means identifying the capabilities that are needed, setting a plan for acquiring them, and working with partners and industry to deliver them efficiently.
The need to modernize applies not only to major platforms and breakthrough technologies like hypersonic missiles and artificial intelligence, it also applies to facilities and infrastructure that generate readiness for Navy and Marine Corps forces.

I appreciate the hard work and leadership of this committee across these many issues. You have worked to provide the Department of the Navy with direction and tools to address these challenges and have pushed the Department to show results. If confirmed, I will work with this committee in partnership to achieve what is needed.

Mr. Chairman, I place great emphasis on partnerships. I view the position of Under Secretary of the Navy as a means to build key partnerships across many groups, service members and civilians, the Department and industry, bases and communities, and of course, across the Joint Force.

This brings me back to where I began, the Navy and Marine Corps together constitute the world's greatest naval force. I would be honored to help lead the Department of the Navy to continue this history of excellence. And again, thank you for this opportunity to appear before the committee, and I look forward to your questions.

[The prepared statement of Mr. Raven follows:]
Chairman Reed: Thank you very much, Mr. Raven. Ms. Johnson, please.
STATEMENT OF M. TIA JOHNSON, NOMINEE TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

Ms. Johnson: Thank you. Chairman Reed, Ranking Member Inhofe, distinguished members of the committee, thank you for inviting me here today to consider my nomination to the U.S. Court of Appeals for the Armed Forces. I would also like to thank Secretary Austin and the President for their expression of confidence in me. If confirmed, I will do my best to live up to their trust. Joining me today is my husband, Al Phillips.

I thank him for his enduring love and support. A career Army Officer himself, his sacrifice did not end when he took off his uniform. Instead, he selflessly shared me with the Army. I was deployed within three months of being married and ended up being gone 18 months. Little did we know that it would be the first of many separations. Those experiences keep me mindful of the service and sacrifice of our men and women in uniform. They deserve nothing less than a military justice system that is strong, fair, and full of integrity.

We both inherited a lifestyle of service. My in-laws were educators who started their careers teaching in segregated schools in the South, but they persevered. My father was a Marine in World War II who fought and was injured in the Pacific. Like many, he used his GI benefits
to attend college and graduate school.

As a child psychologist, he dedicated his life to advancing the educational needs of special needs children. My mother, who cannot be here with us today, is 94 years old. She went to college as an adult, returning to the public schools as a reading instructor. From them, I learned the importance of honesty, hard work, perseverance, believing and working for something larger than yourself. Secretary Johnson stated that I possess wisdom.

I think that is just the result of those combined traits. I carried all those traits and values with me through 32 years of Government service, 30 of those in uniform. I served with soldiers, sailors, Airmen, and Marines around the world in garrison, contingency operations, and in combat zones, and every day I saw how exceptional the members of the Armed Forces are.

But as a Judge Advocate, I also advise Commanders regarding service member misconduct. These experiences reinforce the importance of balancing the need for good order and discipline with protecting the rights of service members.

Congress also understood that need and in 1950 reformed the military justice system by enacting the Uniform Code of Military Justice to ensure the service members enjoy, to the extent possible given the unique
nature of military service, the same Constitutional and legal protections as civilians.

At the same time, they established the Court of Military Appeals, now the Court of Appeals for the Armed Forces, as a specialized, independent appellate court to review courts martial and provide civilian oversight of the military justice system.

The Supreme Court has validated the system Congress created by noting that the military justice system's essential character is judicial and that CAAF, sitting atop this system, functions like other courts of appeals, both Federal and state. I view this opportunity to serve on the court as the privilege and honor of a lifetime.

And if confirmed, I will continue the tradition of professionalism and independence recognized by the U.S. Supreme Court. I look forward to your questions.

[The prepared statement of Ms. Johnson follows:]
Chairman Reed: Thank you very much, Ms. Johnson. Dr. Adams, please.
STATEMENT OF MARVIN ADAMS, NOMINEE TO BE DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS, NATIONAL NUCLEAR SECURITY ADMINISTRATION

Mr. Adams: Thank you, Chairman Reed, Ranking Member Inhofe, and distinguished members of the committee. I am honored to be nominated for the role of Deputy Administrator for Defense Programs in the NNSA. This is a critical time for the organization as it strives to deliver on important commitments, while at the same time rebuilding infrastructure, restoring lost capabilities, and developing the expertise and technologies that will be needed for future challenges.

If confirmed, I will do my best to justify the confidence that President Biden, Secretary Granholm, and Administrator Hruby have placed in me through this nomination. I thank Ambassador Brooks for his kind introduction. I have learned a lot from Linton Brooks over the years and I continue to benefit greatly from his mentoring. My wife, Jenny, is unable to be here in Washington today.

She and many friends and family members are watching remotely. I thank them in advance for the love, support, and encouragement that I know will sustain me if I am confirmed into this new role. I especially thank Jenny, my partner and companion for the last 43 years of the roller
coaster ride from a small high school in rural Mississippi
to the seat in front of you, for accepting the sacrifices
that we must make if we take on this new service role upon
confirmation.

I have been engaged in the U.S. nuclear weapons
program since I started my career at Lawrence Livermore
National Laboratory in 1986, and three decades at Texas A&M
University, I have spent a substantial fraction of my time
serving U.S. National Security efforts with a focus on the
nuclear deterrent. For example, as a member of the Jason
Defense Advisory Group, I have participated in more than 20
in-depth studies related to nuclear weapons issues,
concerns, and activities, including study sponsored by DOD,
as well as NNSA.

I have been chosen as study leader for most of those.
The NNSA, the National Security Laboratories, the National
Academies, and other organizations have repeatedly called
on me for reviews and advice related to nuclear weapons.
In the past four decades, much of my research has been
funded by the stockpile stewardship program or similar
programs. And the results of my research have been applied
to challenging stewardship problems.

In recent years, I have chaired the Los Alamos Mission
Committee, whose purview includes plutonium pit production
in addition to all other weapons activities. This is
required knowledge of weapons, design, and assessment activities, warhead delivery schedules and mandates, activities that coordinate with Pantex, Y-12, the Kansas City National Security Campus, the Nevada National Security Site in Savannah River, as well as coordination with Lawrence Livermore National Laboratory and Sandia National Laboratory, is required knowledge of the management of large capital projects, knowledge of supply chain issues, the science and engineering challenges of producing specialized components such as plutonium pits, while meeting stringent requirements for quality, safety, and security.

I viewed NNSA from the DOD perspective, for example, as a member of the Stockpile Assessment Team, which is part of the Strategic Advisory Group for STRATCOM. These and other activities have led me to understand the broad portfolio of activities and tasks needed to maintain and enable the safety, reliability, and effectiveness of the U.S. nuclear weapons stockpile.

I understand what it takes to build and maintain the unique capabilities that defense programs must employ to design, assess, transport, surveil, dismantle, and manufacture nuclear warheads. I understand the importance of delivering on commitments and meeting military requirements.
If I am confirmed, my top priorities will be to maintain the safety, security, and effectiveness of the current stockpile, as well as to deliver on commitments for stockpile modernization. The latter requires development and deployment of more agile infrastructure, including plutonium pit manufacturing capabilities and construction of essential infrastructure. While focusing on these priorities, I will also work to develop and nurture the capabilities for future challenges.

NNSA cannot meet these challenges by itself. I am grateful for the support that Congress, passed Administrations, and the current Administration have provided for rebuilding essential capabilities and infrastructure. NNSA partnership with DOD is critical given their joint responsibilities for the deterrent.

If confirmed, I commit to working cooperatively with this committee, other Congressional stakeholders, and DOD to ensure that the Nation's nuclear deterrent continues to be safe, secure, and effective. Thank you for your consideration of my nomination. It is an honor to appear before this committee, and I look forward to your questions.

[The prepared statement of Mr. Adams follows:]
Chairman Reed: Thank you, Dr. Adams. I have a series of questions which are asked of all nominees. You may respond in unison. Have you adhere to applicable laws and regulations governing conflicts of interest?

[All four witnesses answered in the affirmative.]

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

[All four witnesses answered in the negative.]

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

[All four witnesses answered in the affirmative.]

Chairman Reed: Do you agree to provide records, documents, and electronic communications in a timely manner when requested by this committee, its subcommittees, or other appropriate committees of Congress, and to consult with the requester regarding the basis for any good faith delay, or denial in providing such records?

[All four witnesses answered in the affirmative.]

Chairman Reed: Will you ensure that your staff
complies with deadlines established by this Committee for
the production of reports, records, and other information,
including timely reporting to hearing questions for the
record and responding to them?

[All four witnesses answered in the affirmative.]

Chairman Reed: Will you cooperate in providing
witnesses and briefers in response to Congressional
requests?

[All four witnesses answered in the affirmative.]

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

[All four witnesses answered in the affirmative.]

Chairman Reed: Thank you very much. Dr. LaPlante, we
are at a historic turning point. And the question is, will
this, and will we emerge more secure or frankly less
secure? And part of the manifestation of that is the fight
in Ukraine right now, which has Russia against the very
valiant Ukrainian people.

But there is a possibility of escalation that could be
very dangerous, where a situation where we have
technological improvements, we used to dominate technology.
That is no longer the case. Hypersonics, clearly China and
indeed Russia have advantages on us. And finally, we are
about to emerge for the first time in the history of the
world in a trilateral nuclear competition, no longer a
bilateral, the Soviet Union and the United States, no, it is China, Russia, and the United States.

With those thoughts, what are the first several practical steps you intend to take to get us to address these issues?

Mr. LaPlante: Senator, first to start out with, of course, you bring up the Ukraine and just the heartbreak you see every day, the refugees and the human toll from this Russian aggression. And if confirmed, one of my first things to do on day one would be to accelerate all equipment and capabilities to both the Ukrainians as we agreed to, and also helping our NATO partners and replenish our stockpiles.

The second priority I hope to begin with immediately is accelerate getting into our mainstream weapons systems, these new technologies that you talked about. We do have a lot of initiatives over the last several years thanks to this committee using new authorities to rapidly contract and to do prototypes.

I think that is very good. We have got to get those capabilities rapidly into the weapons systems, and sometimes bridge what they call the valley of death. So I pledge to work with the program officers to make it their job to do continuous upgrades of technology so we can get back into this race that you talked about. Thank you.
Chairman Reed: Well, thank you very much, Dr. LaPlante. Mr. Raven, we all talk about the number of ships, and that is an interesting and admirable discussion, but if those ships can't leave the ports because they need repairs and we have limited shipyard capacity, we have a problem. In fact, in last year's National Defense Authorization Act, we directed the Navy to investigate options for increasing ship repair capacity. If you are confirmed, can you give us assurances you will get right on this and get it done?

Mr. Raven: Mr. Chairman, absolutely. Let me also say that the availability of ships is key to the future, the forward presence of our Navy and Marine Corps forces that help deter aggression. And so making sure that those resources are available to support deployments is a key word for an end goal.

Chairman Reed: Thank you very much. Ms. Johnson, you have an extraordinary career. And I concur with Secretary Johnson in his assessment. But can you give us a brief overview of the strengths and weaknesses in the military justice system, including the fairness and effectiveness of the system?

Ms. Johnson: Thank you, Mr. Chairman. I think that the greatest strength is it was just recently ratified by the Supreme Court in the Ortiz v. United States, when they
held that the essential character of the military justice system is judicial and that the Court of Appeals for the Armed Forces operates on par with other courts of appeals, both Federal and state. And so the legitimacy of the system is its greatest strength.

For individual rights, it is the Article 31 rights against self-incrimination that vest earlier in the military context than they do in the civilian. Similarly, the rights to counsel which are not dependent upon indigency, but you know everyone has the right to counsel under our system.

The -- some of the weaknesses may be, you know, the perception of people that the system is somehow stacked against them, but that comes into the fairness and the equity of the system, and that we must ensure that there is integrity in the process at each stage everywhere along that line. And having the Court of Appeals as a civilian oversight of that system helps to ensure that.

Chairman Reed: Just very quickly, Ms. Johnson. You do recognize the importance of the administrative system of punishment under Article 15 is a critical aspect of the military justice system?

Ms. Johnson: Yes, chairman, I recognize that.

Chairman Reed: Thank you very much. Dr. Adams, very quickly. You have this tension, DOD requirements and core
scientific capability. Sometimes they correspond, other times they diverge. How will you try to reconcile those?

Mr. Adams: Thank you, Mr. Chairman, for bringing up that tension. It is a real one. It is one that the Deputy Administrator has to manage. I will exercise judgment on that. We can't eat our seed corn while at the same -- we have short term needs that are very pressing, but we can't lose sight of a long term picture either, and we have to continue to develop those science and technology capabilities that will meet our future challenges.

Chairman Reed: Thank you very much, Doctor. Senator Inhofe, please.

Senator Inhofe: Thank you, Mr. Chairman. I think, Mr. Chairman, you put out something that we don't like, and that is that -- and I can say this since I think I am the oldest one in this room, but I can remember when it was unquestionable that we in the United States had the best of everything and we don't anymore.

And as you pointed out in your opening statement, this is something that we regret but it is a reality. We know that our munitions stocks are too low in priority theaters. We don't have the capacity to produce enough munitions and ammo in the timeframe that we have allotted. This is a key challenge of both deterrence and protraction, warfighting scenarios. For example, we are sending thousands of
stingers to Ukraine, and we don't even have the hot production line.

So Dr. LaPlante, this is something that we unfortunately have to recognize and be used to. Let me just ask you the first question, do we need to make some one-time investments this year so we can expand production of key munitions?

Mr. LaPlante: Thank you for the question, Mr. Senator. Yes, we do. I believe, and Senator you said the words hot production lines, I believe we need multiple hot production lines, whether it is munitions, UASs, and the like. They by themselves are a deterrent and we need to put much more focus on that across the board.

Senator Inhofe: Yes. Well, I thank you very much, and I think I mentioned in my opening remarks the USS Gerald Ford. In many ways, this is a classic example of what not to do. From the beginning, this new carrier had unrealistic cost and schedule estimates that failed to account for the risks associated with the ship's construction.

At the same time, there is a well-founded sense of urgency to develop and field new systems faster. Where do you think we should be innovating faster and taking on more risk, and where do we need to have more rigor in our analysis?
Mr. LaPlante: Yes, Senator. I would say this, we learned the lesson from both Ford, and we would like to think we learned the lesson from F-35 that you have to have mature technologies and you have to be thoughtful in the design and you have to adhere to independent cost estimates right from the beginning. It takes a little bit of time at the beginning, saves a lot of trouble later. But to get innovation, what you have to do is we have to build the up the modular open systems like we did for the B-21.

And so once you have the open system, then we can be upgrading with technology very fast. And the technology that matures will earn its way on and you have continuous upgrades that can be done.

Senator Inhofe: Yes, that is -- I appreciate that very much. Mr. Raven, the Navy's budget, maintenance, and infrastructure, and personnel levels are inadequate to maintain the current fleet of approximately 295 ships, much less a fleet of at least 355 that we have been talking about, that the Congress has challenges with.

Do you agree that based on the threats that we face as a Nation, the Navy needs to grow in both capacity and capability?

Mr. Raven: Senator, thank you for that question. If confirmed to this position, let me first say that you can count on me to be an advocate for Navy Marine Corps
capabilities. In terms of --

    Senator Inhofe: I am fully aware of that.

    Mr. Raven: If you look at warfighting capabilities across the Joint Force, I think there are several pillars that all have to work together. That is modernization, that is sustainment, that is manpower, that is readiness.

    And all of these have to come together to make that combat credible force that would deter our adversaries. So if confirmed, I look forward to getting to the bottom of each of those pillars of readiness and working with this committee to address them.

    Senator Inhofe: That is good. And what I would like to ask you to do is just take the next two or three days and in -- for the record, not this morning, but for the record, what specific steps would you support to grow the fleet in terms of capability, capacity, and maintenance, and personnel? Not this morning, but in the next two or three days.

    Mr. Raven: Happy to, Senator. Thank you.

    Senator Inhofe: Thank you, Mr. Chairman.


    Senator Warren: There we go. Thank you, Mr.
Chairman. I want to thank all the nominees for being here today. And Dr. Adams, if I can, I would like to start with you. You are nominated to oversee nuclear weapons program for NNSA, which puts you in charge of projects that are complex and dangerous and also very, very, very expensive.

I have been a critic of some of NNSA's work because of the agency's record of waste and mismanagement that has cost taxpayers billions of dollars over the years. So I want to ask you about one of these pricey projects that isn't going very well. We are modernizing our nuclear weapons program, and that includes producing new plutonium pits, which make radioactive raw material that we need for nuclear weapons.

In 2015, Congress set a requirement to produce 80 pits per year by 2030, a big increase from our previous level of no more than 20 pits a year that we had been able to produce. Dr. Adams, will we reach 80 pits per year by 2030?

Mr. Adams: Thank you for that important question, Senator. The current estimates by NNSA are that we will not reach 80 pits per year by 2030.

Senator Warren: Yes. So, I understand, these are complex projects, and the original estimates may have been off, but I am deeply concerned that we are not even sure how much increased pit production is going to cost us. The
estimated budget for this work at just one pit production site doubled over the course of just a couple of months.

We have thrown money at this problem, but the head of Strategic Command recently told this committee, "even unlimited money" will not get us to 80 pits a year. Dr. Adams, do you agree with Strategic Command that the problem facing pit production can't be solved by just throwing more money at it?

Mr. Adams: Thank you, Senator. I agree that we can't get to 2030 just by throwing more money at it, to 80 by 2030, by just throwing more money at it.

Senator Warren: Okay. Well, it is clear to me there are a lot of reasons that pit production isn't meeting the goals, including that the goals may not be sustainable, but lack of funding is not one of the problems.

Admiral Richards is a big supporter of more pit production, so if even he says more money won't fix this, then obviously we need to rethink our approach. So Dr. Adams, if confirmed, will you review the current pit production plan and advise this committee on what would be a more sustainable and achievable path?

Mr. Adams: I certainly will, Senator.

Senator Warren: Now, I am glad to hear that, because I think that sticking to the current plan just defies common sense. It is unfathomable to me that NNSA would not
reconsider the plan, and I hope that you will give this issue a serious look, if you are confirmed. It is no secret that I think that our nuclear weapons policy is dangerous and unsustainable.

But even those who want these weapons to occupy a more prominent role in our National Security should be able to agree that continuing to waste billions of dollars in pursuit of an unachievable goal makes us not more safe, it makes us less safe. So I hope that the upcoming Nuclear Posture Review gives the President real options to reduce nuclear weapons spending, including a path to scale back NNSA's modernization plans.

We are going to spend more than $630 billion over the next 10 years, and that spending is only going to rise if we double down on plans that we know will not succeed.

Thank you, Mr. Chairman. I yield.

Chairman Reed: Thank you, Senator Warren. Senator Cotton, please.

Senator Cotton: Thank you all. Congratulations on your nomination. Mr. LaPlante, I would like to say that I am worried about the continued over classification, you might even say hyper classification, at the Department of Defense. It seems like a majority of new programs get special access program classification, which makes oversight by the committees and our staffs harder.
The classified program budget lines in the most recent omnibus bill were over 20 percent of the procurement budget, and once we get these great capabilities, there is often not a great way to test or train on them. I am reminded what Bob Gates, the Former Director of the CIA said, that he had security clearances that he didn't know existed for programs he couldn't remember ever being briefed on.

If confirmed, can you commit that you will only use the Special Access Program classification for a truly exquisite capability?

Mr. LaPlante: Senator -- and I would be happy to follow up with you, but absolutely, I commit to it, to reviewing that, classification at all levels and whether things are overclassified. Absolutely.

Senator Cotton: Thank you. I guess I am on this committee on the Intelligence committee, and I try to do a good job of staying on top of everything but sometimes I feel like Bob Gates. Mr. Raven, earlier this year, several members of Congress commissioned report about the culture of the United States Navy, especially the surface Navy. Have you read the report that we commissioned?

Mr. Raven: Yes, I have, Senator.

Senator Cotton: Do you have any thoughts on it?

Mr. Raven: Senator, I think the studies showed that
warfighting capability is the number one mission of the Navy and Marine Corps. And if confirmed, I intend to support that goal of increasing Navy Marine Corps warfighting capabilities.

Senator Cotton: Thank you. I think this is mostly a Navy culture and leadership problem, not just today's Navy, but going back 20 years. Congress and this committee has some responsibility, I would say as well. But it is really something that need to be driven inside the Navy.

I mean, the Navy has lost a capital warship on average once a year for the last five years. It can explain why this is and why that case happened and how this one is different. But in the end, it is like Bill Parcells said, you are what your record says you are. And I think that the Navy has underinvested in surface warfare training for a couple of decades.

Trying to turn that around. I know Secretary -- the Secretary is trying to turn it around as well, but maybe can I get your commitment to come report back to me after about 100 days or so on what you are seeing, if you are confirmed, on the job?

Mr. Raven: Absolutely, Senator. Thank you.

Senator Cotton: Okay. Ms. Johnson, how many criminal cases have you tried in your history as lawyer?

Ms. Johnson: Military justice and civilian cases
combined, it would be over 2,000.

Senator Cotton: Criminal cases?

Ms. Johnson: Yes.

Senator Cotton: Okay, thank you. If you are confirmed, do you view your career in the military as an asset in the court's primary role of providing civilian oversight to the military justice system?

Ms. Johnson: Thank you, Senator. Yes, I do consider my experience as an asset. One, it will aid in the understanding of some of the issues and also understanding the processes. And so as the -- as Secretary Johnson noted, you know, experience ties into wisdom. And so I do think that 30 years of experience in uniform will be an added benefit.

Senator Cotton: Let me ask you this because this is nothing against you and your great years of experience as well. I do have concerns about the direction the court has taken in recent years. In 2014, the Congress allowed retirees to join the court after a cooling off period. Going back to 1991, it had been required that you couldn't be a retiree. Could serve, but not have been a retiree.

And I think the point of that was that this is civilian oversight to the military justice system. And if a lance corporal or private sees a retired colonel or flag officer who made their life in the military justice system,
they may view them as part of the system. Do you have a concern that if you are confirmed, I believe a majority of the active judges will be retirees from the system, either active or reserves, and whether or not litigants in front of your court are going to perceive that they are going to get a fair shake?

Again, this is not about you in particular. You would be one of three and there have been others in the past as well. Just a concern I have about the direction of the court.

Ms. Johnson: Senator, I understand your concern, and I think that as a retiree, when I, if confirmed, I am sitting on the bench, I will be sitting there as a judge, judging the facts before me, applying the law as applicable. But that if a situation arose as we had last term in the Begani case, that could cause a conflict, I like Judge Sparks would carefully review that, and if I felt that I needed to recuse, I would in fact recuse myself.

Senator Cotton: Well, thank you for that commitment, and I do think it is important that we be mindful of it, and I think it may be even something the committee needs to review. It is akin to the waivers we gave to Secretary Mattis and Secretary Austin. I think those are ill advised. I voted for one, Secretary Mattis.
I regret that. Not anything particular about him. I think civilian oversight of the Department is very important, whether it is at the Secretary level or at the Court of Appeals. Again, nothing about your distinguished record of service. But I think it is something the committee needs to consider. Thank you.

Chairman Reed: Thank you, Senator Cotton. Senator Kelly, please.

Senator Kelly: Thank you, Mr. Chairman. And thank you to all of our witnesses today. Dr. LaPlante, this question is -- let me start with you. In the face of growing and changing threats from our adversaries, the Department of Defense continues to struggle with rapidly adopting emerging technologies that can transform the next generation of military capabilities.

It is clear to many of us that the edge in future warfare will belong to nations that effectively modernize their capabilities by harnessing disruptive technologies like AI, cyber, quantum computing, and advanced microelectronics to upgrade and adapt their way of fighting.

At the same time, we have budgetary overruns and bureaucratic challenges. While I have supported bipartisan efforts to develop new technologies, I also know that we can't spend our way out of these challenges. We need to
spend smarter and find better ways to quickly advance development in the fielding of these game changing technologies, around the country, there are innovative ecosystems working to enhance our capabilities.

Arizona is such a place. It is home to several of our military's key testing and training ranges, which play a unique and important role in supporting the Joint Force and supporting aerospace and defense industry leaders that are developing solutions that help us maintain an advantage on the battlefield.

In the heart of it all, Arizona State University is uniquely suited to translate new technologies to meet current and future DOD challenges with its robust technical capabilities and extensive innovation ecosystem, in partnership with DOD industry and venture capital firms.

So, Mr. or Dr. LaPlante, I know that you have a solid background and understanding of the industry and the emerging threats that we face.

If confirmed to lead Acquisition and Sustainment, what will you do to strengthen the support of these innovation accelerators so these ecosystems can more rapidly transition new technology into field, deployable solutions?

Mr. LaPlante: Thank you for the question, Senator. What you talked about a regional ecosystem in Arizona, as you point out, that is the future. There are several
ecosystems all over the country. I am actually on the
board of a nonprofit of an advanced manufacturing institute
in Michigan that is transforming how a new manufacturing
and engineering techniques are being used.

A lot of these regional associations, as you just
pointed out, have strong ties to academia. I think what I
would do, what I plan to do if confirmed, is really
accelerate these public, private partnerships that are
happening around the country and make sure that we are out
there explaining our problems to industry and academia, and
also showing them, hey, there is hope.

If we fund you, we are not just funding you for your
prototype, but you can have a line of business. If it is
successful, we get it into a production line. I think that
last piece is what has been missing.

Senator Kelly: Well, thank you. Mr. Raven, I am
going to transition to something that is kind of on the
other end of the spectrum with technology and is more about
moving stuff. So I am a graduate of the United States
Merchant Marine Academy, and I have been very concerned
about the decline witnessed in our Merchant Marine over the
last 50 years even.

In fact, I am focused on our Merchant Marine because I
believe not doing so puts our military and our Nation at a
strategic disadvantage, particularly as our military pivots
to great power competition with China especially, a Nation that is putting significant resources in the modernizing its fleet and conducting a growing number of naval operations and maritime activity in more distant waters.

So, Mr. Raven, what priority should the Navy be placing on our military sealift capabilities in light of the pivot to great power competition?

Mr. Raven: Senator, those capabilities are key to our warfighting capability. Being able to sustain forces that are forward deployed, whether it is material fuel or other capabilities is at the heart of that. I am encouraged by the Navy's recent efforts to look at commercial vessels to leverage that capability. But if confirmed, I pledge to take a top to bottom look at those capabilities and consult back with you.

Senator Kelly: Well, I hope you work with our office, because right now you say take a look at commercial vessels. So the Chinese have a merchant fleet of about 5,500 ocean going merchant ships. We have about 85, I think the number is.

So we are greatly outmatched. And a big conflict at sea often results in some losses. And it wouldn't be -- it wouldn't take much time before we are at a strategic disadvantage, and we are not going to be able to resupply our troops. So thank you. Thank you, Mr. Chairman.
Chairman Reed: Thank you, Senator Kelly. Senator

King, please.

Senator King: Thank you, Mr. Chairman. Mr. LaPlante,
one thing I want to emphasize, and I would like your views,
unlike in past practices in terms of procurement,
everything we procure, we must think of from the
perspective of the cyber risk. Part of your title is
acquisition and sustainment, and whatever we acquire isn't
sustainable if it is subject to a cyber-attack. Your views
on that is a part of -- an essential part of the
acquisition process.

Mr. LaPlante: Yes, Senator, I appreciate the
question, and you are absolutely right. In fact, there is
a concept that was introduced a few years ago. I was part
of this work at MITRE called Deliver on Compromise, where
the whole premise is you have got to deliver the parts and
the capabilities uncompromised, don't bake in cybersecurity
later. And not cyber secured forces is not a cyber ready
force.

So what I plan to do, if confirmed, is check on the
cyber status across the major programs that we have,
including red teams, including making sure there is
constant mitigation going on to the cyber threat. It
requires continuous education, continuous engagement with
industry.
Every day, the threat changes. And, but it is the cyber resiliency of our weapon systems have to be able to fight through cyber just like any other enemy effect.

Senator King: I appreciate that, and I like hearing the term red teams. I think every product should be red teamed and tested for cybersecurity before accepted into the fleet, if you will. One of the things I have observed as we are talking through these issues with military personnel is that speed is of the essence.

Technology is developing so fast that we can't afford to wait months and years and decades for the development of new technologies. Technology often decides the outcome of the battle, and I hope that that is an emphasis.

One thing that I have observed is that we tend to be risk averse, and we say that, you know, we won't run a test unless we are sure it is going to pass. Our adversaries have a different philosophy. They test and test and test and fail and fail and fail and learn every time and end up beating us in terms of issues like hypersonics and other directed energy, for example.

Mr. LaPlante: Yes, I agree. A failed test is one where you don't learn. And one has to continue to do testing, to your point. We tested in 2010, 2011 a combined DARPA, Air Force experiment to fly a hypersonic glide vehicle from Vandenberg Air Force Base to Kwajalein.
The two tests, they both failed, and the United States stopped hypersonic glide vehicle work. China and Russia just kept going. And so you have to test, you have to learn from the tests, and should keep going.

Senator King: And you have to accept failure as a test. That is why it is called a test.

Mr. LaPlante: It is how you learn.

Senator King: You mentioned something that I think is very important and that is modularity and acquisitions, particularly of complex platforms, so that they can be upgraded quickly without having to redesign the whole platform. The B-21, I think, is an example of that. That I take it is going to be part of your philosophy moving forward into acquisition.

Mr. LaPlante: Yes, Senator, it is. In fact, we have known about modular systems for 20 to 30 years. We need to get them into all of our new systems and put it in the RFP. You mentioned to the B-21. That was designed with an open standard right from the beginning, such that continuous technology can be upgraded for the next decades to come. That should be in all of our systems.

Senator King: Two other quick questions on acquisition. One is, I believe we need to be more cognizant of the advantages of off the shelf technology or technology has been developed somewhere else in the world.
that we can adapt. We don't have to start from scratch on everything. If Senator Tillis were here, he would probably have his foot high spec for a handgun, special handgun for the military, as opposed to the handguns that are available.

Finally, I believe that an essential part of the acquisition process today has to be the intellectual property so that we can then additive manufacture the parts. My vision is a 3D printer on every ship, every depot, every base so that we don't have to wait for a valve from the OEM or from the supply chain. We can print it on site and that's a readiness question.

Mr. LaPlante: Yes, Senator. We have too many places in the system where the OEM has vendor lock and we are tied into that OEM decades later when we could bring in competition, if we had the intellectual property on the part, as you point out.

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

Chairman Reed: Well, thank you, Senator King. And I have -- I will take the opportunity to ask several questions. I am informed that several of our colleagues are finishing up a Commerce committee hearing and will join us shortly. But Dr. LaPlante, one of the current issues we have is the defense industrial base. Several factors I have observed.
One is there has been a massive consolidation of the defense industrial base so that several different competitors no longer exist, and so, ideas aren't as forthcoming. And that affects price, in addition.

Also, when you get down to the subcontracting level, you have issues of quality and also the perennial issue of cyber. In undersea warfare, we have provided resources for the -- that industrial base to begin to look down at the subcontractors. But can you just generally characterize what the challenges are with the industrial base?

Mr. LaPlante: Yes, Senator. To start with, as you pointed out the consolidation, I think, Senator, we have all seen the charts going back to the 90s where you had the Last Supper and then all these defense companies, and it just went down to where we are today. Now, why do we want -- why is that not good? Because we need competition. Why do we need competition? Because that is how you drive innovation and speed.

So it is very, very important that we have a robust and healthy industrial base. As far as the suppliers go, I think we need to continue to put pressure on the primes to know their supply chain, know it three or four tiers down.

One of the challenges there is a legal term called contract privity, where sometimes the prime is not allowed to know maybe third or fourth levels down. There are ways
around that. There are tools that you can use using open
source software as well as AI to really make the primes
understand their subs and know where their critical
failures and critical point of failures are.

Chairman Reed: Well, thank you very much. And Mr.
Raven, the Navy is still striving, as so many elements and
Department of Defense, to achieve a clean audit opinion.
Can you tell us how you might be able to accelerate that
process and get to the clean audit?

Mr. Raven: Yes, Senator. Audibility is a very key
component, not only for accountability of how the
Government spends taxpayer funds, but also efficiency
within an organization. And so I understand that the
Marine Corps is closing in on a clean audit within the next
couple of years.

I want to understand where they have made progress and
also take a closer look at where the Navy is and what
obstacles there are to achieving that clean audit. And
again, I think the committee for its leadership and
emphasizing the need to get to a clean audit.

Chairman Reed: Thank you very much. Ms. Johnson, one
of the issues that is perennial with respect to the Uniform
Code of Justice and the military justice system in general
is the issue of unlawful command influence. And how well
do you think the military is doing in eliminating that?
And what would be the role of your court in dealing with that issue?

Ms. Johnson: Thank you, Mr. Chairman. Well, as you -- I totally understand your concern about that issue. We all should be concerned about it. You know, as the Supreme Court has said, the military justice system is protected by the Fifth Amendment due process clause.

And so those would be the type of analysis that we would have to take if we saw unlawful command influence in a case. Additionally, Article 37 of the Uniform Code of Military Justice prohibits unlawful command influence or gain statutorily, we will be reviewing that. And if confirmed, I certainly would be sensitive to those issues and any other issues with regards to potential interference.

Chairman Reed: Thank you. And let me just elaborate on a question I asked previously. We focused a great deal of attention on the Uniform Code of Military Justice, all of the articles and the procedures.

But my memory of judicial proceedings is that the vast majority of judicial actions taken within the military is an administrative processes through Article 15 principally. And one concern is how these new changes with respect to the UCMJ might affect the Article 15 process. You have any ideas or insights in that regard?
Ms. Johnson: Well, Senator, certainly whenever new legislation is passed, there is always -- there will always be issues with regards to its scope, its meaning, its interpretation, even its Constitutionality.

And so that likely could become a challenge with regards to how they are -- the new changes are implemented. So to that extent, any challenges could well end up before the court. And so I would be hesitant to comment on them particularly. But certainly Article 15 is an avenue that is used by Commanders.

One of the benefits of the Article 15 is that as you are familiar with the terminology, it often gives our service members an opportunity to, in the Army we would say, soldier your way back. And so I would hope that Commanders would continue to look at alternate means to address misconduct.

Chairman Reed: I think that is a very insightful comment because filtering back, I think we have all seen it happen. Sometimes it doesn't happen, but many times it does. And that is good for the service and good for the individual soldier. Dr. Adams, it has been raised before about the course that we are looking at in terms of getting sufficient pit production.

This Administration is committed to rebuilding the half finished mixed oxide or mock fuel plant at the
Savannah Riverside, in addition to operating the existing plant at Los Alamos in order to achieve the 80 pits per year. The cost of converting the plant to produce plutonium pits has increased from the initial 2018 estimate of some $4.6 billion to December 2021 estimate of $8 to $11 billion.

That is a significant change. Why do you think this cost increased and how will you help set requirements to contain future costs? And also, how will you integrate these two facilities? There is one concern I have heard is that there will be a sort of a, if you will, a brain drain from Los Alamos to Savannah, which might leave those institutions without them, you know, critical mass of talent to get the job done. So could you respond to those issues?

Mr. Adams: Thank you, Mr. Chairman, for raising that important issue and for giving me a chance to comment more fully on that. So first of all, let me say that while I have stated that I do not think we will be making 80 pits per year by 2030 on our current path, I do firmly believe that if we stay on our current path, we will make 80 pits per year with more than 30 per year at Los Alamos and more than 50 per year at Savannah River.

I just cannot tell you exactly when the Savannah River production will come online. As far as the cost estimates
at Savannah River, the NNSA has gotten a lot better at its
cost estimates, once the facility in question has been
designed fairly thoroughly and the scope and size of the
facility itself and its supporting infrastructures are
known. We are not there yet with Savannah River.

So the question is why are early estimates -- why are
the NNSA early estimates so low in general compared to the
more realistic estimates that come out later? This is a
question that I intend to pursue vigorously if I am
confirmed. I have had some conversations about this
already. I believe there is a way to make them better. It
is difficult, let me say, to do a cost estimate on a
facility that hasn't been designed yet.

So, you know, I kind of cut people a little bit of
slack there. Nevertheless, we have got to do a lot better.

Chairman Reed: And could you comment on the potential
for a brain drain of moving people from Los Alamos? I
mean, I could see someone who has spent her career there
and just for personal reasons, even though the job still is
challenging, deciding he or she does not want to go from
the deserts of New Mexico to the coast of South Carolina.

Mr. Adams: Yes, thank you for reminding me of that
question, Senator. That was a concern that I had also
early on. What I have seen actually happen is a win, win
situation that is in progress right now and that Savannah
River employees are coming to Los Alamos to not only learn the business of pit production, but also to help out at Los Alamos with pit production.

In a closed session some time we could talk about some of the specifics where the people from Savannah River have pitched in and made a significant difference in a positive way at Los Alamos.

Chairman Reed: Well, thank you very much, Dr. Adams. And I have been informed that we have eight colleagues that are on their way from a commerce committee. At this point, I would call the hearing to recess for a few minutes. Please stand in place. As soon as the first of my colleagues arrive, we will reconvene the hearing for additional questions. The committee stands in recess.

[Recess.]

Chairman Reed: Let me call the hearing to order once again after the recess and recognize Senator Scott.

Senator Scott: Thank you, Chair. Dr. LaPlante -- first of all, thank you for each of you been here. Dr. LaPlante, I have been here about three years and my background is in business, and one thing I have watched since I have been up here is, it seems like what defense does is that they do a lot of research, development, but you don't get it in to fruition.

If we did that in business, we would all go bankrupt.
And so what do you think you can do that is going to change that where we don't just research everything and never develop it to something that is going to help us defend the country?

Mr. LaPlante: Senator Scott, I appreciate the question. I believe that industry and small business and innovators have to see there is a chance they are going to get whatever they do in research into a production line. And so we have to have the metrics. If we don't get things into a production line, we are not succeeding. That is what we have to do.

Senator Scott: So, a year from now, what do you going to come back and say, hey, I changed this process, and this is why it works better now.

Mr. LaPlante: Yes. Two things, Senator. One would be to make -- to up the production lines of the production lines we currently have to put munitions, UASs, just get them -- higher production. But the second is work on all the weapons systems across the valley of death to make sure we are injecting technology into the systems we have. Because we have the program officers over here that have the weapons systems with the technologists over here. We have to make those -- that pipeline go and make it a metric for success.

Senator Scott: So what would you -- so what is a
private company that you would say, they know how to take
something from research and development to actual use
quickly that you would use as a best practices --?

Mr. LaPlante: Well, I think SpaceX is one. SpaceX is
a private company, but they also do business with the
Government. They are doing an agile software development
processes to get to a launch every two weeks on their
critical launch capability. That is a speed that is just
unheard of. And so it can be done. I think they have to
see that.

The other pieces, I think that small businesses and
industry have to see that there is skin in the game, that
they have a viable line of business, if they are successful
and innovating. They don't just get a one off contract for
a prototype, but with SpaceX as an example, of just rapid
innovation.

Senator Scott: So are there any standards where the
private sector says, we spend this much on research and
development before things get to something that is going to
be useful that you would be able to apply?

Mr. LaPlante: Well, I think what I understand the
private sector does, and we saw this when we were doing
agile software study, was they do it incremental all the
time. They will do some research, come back in 90 days,
two months, three months, say, what do you got for it?
And if it is not paying off within six months, they will stop and go to something else. But so that is something the DOD does not do, generally. We have got to move to those much more agile approaches. So a lot of private business, they are simultaneously having a lot of these R&D efforts going on at the same time, but they will stop them immediately if it is not paying off.

Senator Scott: And you think you have the ability to do that?

Mr. LaPlante: In software, I think we do. What I don't know about Senator, and I would like to find out should I be confirmed, is if we can bring those agile approaches to more hardware centric systems.

That if we are doing the research and we are doing tests and say, no, we have got to stop that or do three at the same time and do best of breed bake off within six months.

Senator Scott: Okay. Thank you. Dr. Adams, do you support the monetization of U.S. nuclear deterrence, and do you have any concerns with the current modernization schedule?

Mr. Adams: Thank you for that question, Senator. I do support the current modernization efforts. I have concerns in general about our ability to meet schedule. If confirmed, I will dig into the details of that and see if
there are looming problems that would cause us to not meet

schedule.

Senator Scott: Are you committed to make sure that

the annual budget request for defense programs will be

sufficient to support the DOD military requirements?

Mr. Adams: Yes, Senator.

Senator Scott: And what if they weren't, what would

you do? What if you said we have to have this and the

people above you said, no, we are not going to do that? We

just don't spend the money like that. What would you do?

Mr. Adams: Well, I would certainly have the

conversation with Jill Hruby, and I have got a lot of

confidence in her as far as being receptive to that

message.

Senator Scott: Alright. Thank you, Chair.

Chairman Reed: Thank you, Senator Scott. Senator

Peters, please.

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

LaPlante, in your opening statement and in your written

testimony, you identified the need to tap into the private

sector's innovation by lowering barriers to doing business

with the Department of Defense, particularly for small

businesses.

In your view, to let the committee know, what do you

believe is the proper balance between the untapped
resources such as small businesses, nontraditional commercial firms and startups, and proven defense industries that can continue to deliver world class systems for warfighters? We have a lot of elements there. What is the proper balance?

Mr. LaPlante: Thank you for the question, Senator. I would look at it this way, Senator, I think as I understand it, we want the widest amount of competition possible. We want all of those elements there. Any part of that portfolio you just described whether small business, startups, or main defense contractors that are getting out of the business is bad for us. So the real question about the balance is we want competition. We want competition not just for its own sake, but it will drive better behavior.

We also have to make sure that frankly if you are a traditional defense contractor and you are a prime that you shouldn't get complacent. That if in fact there is a new entrant, small business or startup that can do your job, you will be competitive with them, and it is going to drive better behavior. That is the way I would look at it.

Senator Peters: Mr. LaPlante, in my committee assignments, I serve as chair of Homeland Security and Government Affairs, I am a member of the Commerce, Science and Transportation committee, and, of course, a member of
the Armed Services committee. So I am frequently working
on concepts that address kind of the crossroads between
industry, Department of Defense, as well as general
Government accountability.

And in many instances, these concepts all intersect.
In my State of Michigan, as you know, there are significant
industrial capacity, and they are also continually engaging
with academic institutions to research and development new
materials new technologies systems, all of the things we
need for the future warfighter.

And given the significant role that Michigan plays in
support of defense acquisition and sustainment, I would
like to invite you to join me in Michigan to witness
firsthand some of our current operations and discuss how we
can meet these needs.

So, my question to you is, if confirmed and after you
have a few months to settle into your position, if
confirmed, will you commit to visiting Michigan to see
firsthand how acquisition and sustainment needs and
partners in the industry could be beneficial?

Mr. LaPlante: Senator, absolutely.

Senator Peters: Right. Thank you, Mr. Raven, Mr.

Putin's unlawful and immoral invasion of Ukraine has
reminded many in Washington of the enduring need for the
United States to maintain and to deploy effective missile
defense systems all across the globe.

The Navy currently operates the Aegis Ashore site in Romania and is constructing a site in Poland. There have been some concerns within the Navy, though that the operating of a land based version of the Aegis system consumes some valuable personnel and funding resources that might be better spent elsewhere in the Navy.

My question for you, Mr. Raven, do you believe there is a right balance between maintaining an effective naval component to missile defense while also ensuring the Navy has the resources to perform its core missions every day?

Mr. Raven: Yes, Senator. And first, let me share my thoughts for the people of Ukraine who are fighting for their democracy against this unparalleled aggression against them. In terms of those missile defense sites that you are referencing, if confirmed, I intend to work closely with the Missile Defense Agency to make sure that our allies are defended, but also go deeper and understand the resourcing requirements for those versus other Navy priorities.

Senator Peters: Alright, thank you. And also, Mr. Raven, to continue with the theme of resource constraints on the Navy in the midst of introducing a host of new platforms and technologies to the fleet, these include the Constellation class frigates, which I would add very
proudly are built by Michigan workers in the shipyard the
Marionette just across the border in Wisconsin, as well as
Ford class carriers, unmanned surface vessels, Columbia
class submarines.

And since you come from an appropriations background,
I know you realize, or I realize that you have extensive
experience in funding these programs. But if confirmed,
how will you help ensure that the Navy is able to
efficiently and effectively integrate these new platforms
at an operational level?

Mr. Raven: Senator, thank you for that. In terms of
the integration of new capabilities, I think the Navy is
looking at a mix of both capacity and new capabilities to
deliver those -- what is needed by our sailors. And in
terms of those new platforms, I look forward to working
closely with the CNO and others to make sure that the
capabilities of those exciting platforms are delivered
right.

Senator Peters: Great. Thank you. Thank you, Mr.
Chairman.

Chairman Reed: Thank you, Senator Peters. Senator
Wicker, please.

Senator Wicker: Thank you, Mr. Chairman. Senator
Peters has expressed a concern about the fleet, and I want
to echo that in questions for both Mr. Raven and Dr.
LaPlante. The most recent 30 years shipbuilding plan submitted last year calls for a Navy of between 321 and 372 ships. A December 2020 version of the plan calls between 382 and 446 ships. The Navy's most recent publicly released force structure assistance called for 355 ships, and as you know, that is the statutory requirement passed by this Congress and signed into law by the President of the United States.

Yet recent testimony from the Chief of Naval Operations indicates the fleet cannot grow from its current roughly 297 ships without a larger budget. In the recently passed Fiscal Year 2022 omnibus, Congress responded to a need shared on both sides of the aisle for a larger fleet by committing the resources necessary to move us in that direction. In a bipartisan manner, we voted for $26.7 billion to procure 13 Navy ships.

This was $4.1 billion more than President Biden asked for in his request. So, Mr. Raven and Dr. LaPlante, please respond to this set of facts. What are your views on the most recent 30 year shipbuilding plan and the various analysis and requirements for the size of the Navy? What mix of ships do you believe should be emphasized? And what are your plans to fund the Navy, particularly shipbuilding? We will start with Mr. Raven first and then go to Dr. LaPlante.
Mr. Raven: Alright. Thank you, Senator Wicker. In terms of establishing a good shipbuilding plan for the Navy, I think there is a couple of elements here. First of all, is, of course, as you mentioned, the 30 year shipbuilding plan that is the signal to industry of what to expect for future years so industry can prepare to build those ships in the most effective manner possible.

And let me also add that the authorities provided by this committee to make sure that industry can operate efficiently in building those ships is a very critical tool.

Senator Wicker: Absolutely.

Mr. Raven: I would also add that the force structure assessment that is ongoing and should be released shortly is another key element of what the warfighting requirements will be. I really look forward to reviewing both that force structure assessment and the 30 year shipbuilding plan when it comes out in the very near future.

Senator Wicker: And could you be a little more specific about the very near future?

Mr. Raven: My understanding is that the Department of Defense is planning to release those -- I am afraid I can't be more specific than the near future, but I understand it will be soon.

Senator Wicker: Dr. LaPlante, what do you say to
this, and will you commit to working with the Navy and the
Marine Corps on their requirements and not simply letting
OSD and OMB determine the requirements for the services?

Mr. LaPlante: Absolutely. Force levels and all the
force level studies that were talked about, I will support
them and do whatever I can to make sure these requirements
are met. And again, thank you to the committee for giving
the authorities for the ships that you just described,
Senator.

Senator Wicker: And do you have any views about the
question I asked Mr. Raven? What mix or type of ships and
the various requirements for the size of the Navy?

Mr. LaPlante: Yes. All I would say is that, I mean,
obviously we need more numbers. As has been said many
times, quantity has a quality all its own.

As far as the exact force structure, I am not current
on the current, you know, all plans to really be able to
answer that. My bias of my background is we want
survivable, and we want to strike. But I would really look
forward, if confirmed, to see the force structure that is
being offered by the Navy recommended.

Senator Wicker: Okay. And quickly. In the recently
passed 2022 omnibus, Congress responded to needs by
appropriating $625 million for shipyard infrastructure
optimization plan. This was $219 million above President
Biden's budget. How will you work to ensure that our Government's depots, ammunition plants, labs and shipyards are sustained and modernized? And can you say whether you support increased funding to these areas? Dr. LaPlante.

Mr. LaPlante: Yes, Senator. Thank you. I believe our infrastructure overall needs attention, whether it is the shipyards and the like, and also the workforce for the shipyards. And yes, I support increased funding.

As we know, as we see in Ukraine, sustainment and readiness of the force is a top -- has to be a top priority and we have to fund these areas that is going to continue to give a ready force for years to come.

Senator Wicker: Mr. Raven, shipyards, depots, military infrastructure?

Mr. Raven: Senator, these facilities are key to generating readiness. There has been much discussion about the shipyards, and I agree that this is a once in a century bill that needs to be addressed. And I also would support looking at the other facilities that help generate not only service member readiness, but industrial readiness. So I would look forward to working with you on those issues.

Senator Wicker: Thank you, Mr. Chairman.

Chairman Reed: Thank you very much, Senator Wicker.

Senator Gillibrand, please.

Senator Gillibrand: Thank you, Mr. Chairman.
Scientific studies have demonstrated that exposure to PFAS in the environment is linked to harmful health effects in both humans and animals. Due to the presence of this harmful forever chemical on DOD installations, the Fiscal Year 2022 NDAA requires the DOD to test the groundwater of all installations by the end of 2023 for PFAS contamination.

For Mr. LaPlante, if confirmed, will you commit the DOD will meet this NDAA deadline to complete groundwater testing for PFAS contamination? And do you commit to sharing the test results with nearby communities?

Mr. LaPlante: Yes, Senator. I appreciate the question and I understand the toll that this issue has had on many of the local communities around our bases and the impact it has had on families.

So yes, if confirmed, I am going to be diving into this issue, finding out again what the survey of the problem is, making sure we are transparent to the committee and with the local communities, and we can get on with mitigation plans. A terribly important issue.

Senator Gillibrand: Excellent. Millions of service members likely drank water contaminated with PFAS for decades. If confirmed, when will DOD alert veterans and service members they may have been drinking contaminated water?
Mr. LaPlante: Well, I don't -- I think what -- if confirmed, we need to find out when the survey of all the facilities is done, and as soon as that is done, we should notify people immediately. I just I don't know of sitting here what that date would be, but it can't be soon enough.

Senator Gillibrand: And please commit to working with me on that issue.

Mr. LaPlante: Absolutely.

Senator Gillibrand: And many local communities are frustrated by their interactions with the DOD concerning environmental hazards caused by the use of PFAS. If confirmed, how do you recommend that DOD communicate and engage with DOD communities?

Mr. LaPlante: Yes. What I believe, Senator, is that if confirmed, I am going to have to spend time and my staff doing open town halls, doing a lot of engagement with the community, doing a lot of listening, and try to treat transparent as possible. This is such an important issue in the towns surrounding our bases.

Senator Gillibrand: Yes, thank you. Ms. Johnson, in the civilian justice system across the country, criminal charging decisions are made by district attorneys that are experienced prosecutors. Yet this is not the case in the military justice system, where Military Commanders make the decisions whether to charge service members with serious
crimes. Could you explain why this is important for the military justice system to mirror civilian justice systems?

Ms. Johnson: Thank you, Senator Gillibrand. I am aware of the concern that the Congress has had with regards to the role of the Commander in the system, and that also the changes in the Fiscal Year 2022 NDAA has narrowed the number of crimes of which Commanders are involved.

To the extent that those recent changes may come under challenge, and if confirmed, I would be on the court, I would have to decide on that. As a result of that, Senator Gillibrand, under Canon 386, I cannot comment on that.

Senator Gillibrand: Under the UCMJ, Commanders select individuals to sit on military juries. They usually selects these officers and noncommissioned officers from a pool of senior individuals that they may know and supervise. Could you discuss how this type of bias affects the perception of the military justice system among civilians?

Ms. Johnson: Senator, I am sorry. I didn't understand the back end of that question, how it affects it among civilians?

Senator Gillibrand: No, what is the perception of the civilian world to the military in that the Commander chooses the jurors based on a pool of officers and noncommissioned officers that they may know?
Ms. Johnson: Well, Senator, again, I -- because Congress has expressed concern about that, they have made changes with regards to how panels are selected and the rights of the accused with regards to expanding the pool of the selectees.

Again, because they are fairly recent changes, they are likely to be challenged or they could be challenged, and to that extent, if they bubbled up to CAAF, if confirmed, I would have to rule on that. And so again, Senator, I am not free to make comments with regards to that.

Senator Gillibrand: In Ramos v. Louisiana, the Supreme Court recently invalidated the practice of non-unanimous juries for criminal cases. This decision, however, may not impact servicemembers because they have been traditionally treated as a separate class and currently subjected to a three-fourths majority verdict for guilt. Without discussing any pending cases, could you describe the importance of aligning service members' Fifth and Sixth Amendment rights with those in their civilian counterparts?

Ms. Johnson: Thank you, Senator. Again, Constitutional rights have been affirmed. Servicemembers do not lose their Constitutional rights, their civil rights, and civil liberties when they put on the uniform.
The Supreme Court and CAAF and its predecessor, COMA, has taken to account the uniqueness of the military context. And so some Constitutional rights may not be as broad. As you noted, Senator, several years ago, Congress changed the level, the threshold for arriving at a conviction from two-thirds to three-quarters. And again, we have seen those cases bubble through the system, and so it would again be inappropriate for me to comment on that.

Senator Gillibrand: Thank you, Mr. Chairman.

Chairman Reed: Thank you very much, Senator Gillibrand. Let me recognize Senator Blumenthal, please.

Senator Blumenthal: Thank you, Mr. Chairman. I would like to follow up with a couple of questions on PFAS, Mr. LaPlante that were just asked by Senator Gillibrand. You know this potentially highly dangerous chemical has already infected many, many service people. I understand that there would be a study done by DOD of the human health impacts of PFAS by the end of 2021. Has that report been completed?

Mr. LaPlante: Not that I am aware of, but I could be wrong. Not that I am aware of.

Senator Blumenthal: I am going to ask that you commit to determine whether it has been completed, and that you also commit to release it to the committee.

Mr. LaPlante: Absolutely. I commit to that Senator.
Senator Blumenthal: Thank you. The President recently released an Executive Order that directed Federal agencies to buy products made without PFAS. I would like to know how you will comply with this Executive Order, if confirmed, and what steps you will take to ensure that DOD takes an enterprise wide approach to PFAS, that is throughout the Department, as recommended by the Pentagon's Inspector General.

Mr. LaPlante: Yes, Senator. So to comply with that Executive Order, we would have to be doing, if confirmed, inventory across the Department, at the enterprise level as you said, on all the places where that -- where products like that are purchased and stop.

Then of course, we also have to have backup plans when we don't purchase the product anymore. If there still needs to be some firefighting capability, how do we come up with something that is safe and usable? So that is what I would see as having to be done, if confirmed.

Senator Blumenthal: Has that begun?

Mr. LaPlante: Pardon me, I am sorry?

Senator Blumenthal: Has that enterprise wide review been started?

Mr. LaPlante: Of the Executive Order, I am not aware of it, but it may be. I have not been in the discussions, in the policy discussions.
Senator Blumenthal: There are safer alternatives, for example, to firefighting foam that don't involve PFAS, correct?

Mr. LaPlante: Yes. I am aware of at least several candidates for that, and I think that would have to be accelerated to address this issue.

Senator Blumenthal: Will you commit to accelerate it?

Mr. LaPlante: Yes, absolutely.

Senator Blumenthal: Let me ask you on a separate topic The CH-53K. You and Mr. Raven, I am sure, are both familiar with the CH-53K, the most capable heavy lift helicopter in our nation's history. It is a technological marvel. It lifts three times the amount of weight that the Echo does. It is far more survivable, faster, more easily maintained, and it is significantly more valuable in combat than any of its predecessors.

The program has been criticized because of its acquisition timeline and because potentially it might increase the cost of acquisition. The GAO, for example, in a report last March, took issue with the integrated master schedule timeline. Let me ask both of you briefly what you would do to make sure that we move forward with that program as quickly and cost effectively as possible.

Mr. LaPlante: I will take the first chance and then turn it over to my colleague here. I think the first thing
that needs to be done, if it hasn't been done, is to do an independent schedule estimate. GAO has a very good references and validations for doing independent schedule estimating. So what we should do, if it hasn't been done, is do an independent schedule estimate and see how it can be sped up, either with contractor incentives or other items.

Senator Blumenthal: Thank you. Mr. Raven.

Mr. Raven: Senator, I would add that the CH-53K is one of many systems that is really important to the Marine Corps and their ability to move Marines, move supplies, especially in their concept for more distributed operations.

So I see a good future for this capability. If confirmed, I would go forward and review the schedule for fielding this as well as testing and make sure that Marines have the capabilities that they need to do their job.

Senator Blumenthal: I agree that it is an essential program for the Marines to do their job, and that is the DOD assessment. I hope that you would pursue it as well and move the program forward as expeditiously as possible.

Thank you very much, Mr. Chairman.

Chairman Reed: Thank you, Senator Blumenthal.

Senator Duckworth, please.

Senator Duckworth: Thank you, Mr. Chairman. And just
a point of pride, I have to say, while the CH-53K is a remarkable aircraft, I wouldn't say that it is better than the Blackhawk, so just wanted to put that out there. I would like to start by focusing in on acquisition and sustainment and your role if confirmed, Dr. LaPlante.

I think we are at a critical moment right now and need to make sure we are learning the right lessons and capitalizing on our strengths. For example, my personal interest in the Army's future vertical lift program doesn't just come from my background of flying Blackhawks or as chair of air land, but also with a real interest and appreciation for how the Army has been investing in its next generation of critical lift programs.

I lived through the Comanche debacle as a young soldier, and it is so refreshing to see what is happening with future vertical lift. As different FEO components develop, I want to make sure that we are learning from the program's successes so that we can try to replicate those across other acquisition programs and deliver necessary capabilities to our military on time and on budget.

Our acquisition and maintenance need to be able to grow more agile, more innovative, and if we can't get there quickly, we may lose the opportunity to truly maintain our overmatch against our adversaries. Our small and disadvantaged businesses are drivers of agility and
innovation, and as such, they must play a larger role in our defense industrial base. Yet the barrier to entry for these businesses is too high for many of them to achieve success, and the small business industrial base has shrunk over the past decade.

The Department's February report on the State of competition in the defense industrial base cuts out the need to remove these barriers and increase opportunities for small businesses. In Illinois, we have one of the largest concentration of tulle and dye manufacturers for the aerospace industry, for example.

Dr. LaPlante, what role do you see small and disadvantaged businesses playing in our defense industrial base? If confirmed, how do you plan to address our recommendations in this report and make sure that DOD is supporting small, women owned, and other disadvantaged businesses?

Mr. LaPlante: Senator, I certainly appreciate the question. And I just State what I think you know, and this committee knows, is GAO says often 70 percent of the life cycle costs of a weapons system are in the sustainment. Okay, the other piece of it is we need these small business and these startups to be in our industrial base. That is the ace in the whole of the country, and the fact that the number of small business is going down has to be reversed.
Now what are those obstacles that these reports point out?

My understanding, they typically point out things like cost accounting standards, IP, intellectual property concerns, how long it takes to get on contract. Another piece of it, which maybe doesn't come up very much in public, but it should is something called authority to operate.

If you get a network, even for critical unclassified information, it may take a small business months to have the Government come in and give them the authority to operate their network, even if they are making parts. So all of these things have to be driven collectively and work collectively so small business can say they have confidence that it is going to get better for them. And if confirmed, that is what I am going to focus on.

Senator Duckworth: And I do think that a strong collaboration between the Department and Congress to address a lot of these hurdles is important. Would you commit to working with my office, if confirmed, to take any necessary steps to fix these issues?

Mr. LaPlante: Absolutely, Senator.

Senator Duckworth: Thank you. Switching topics slightly, I would like to quickly touch on the issue of defense contractors are facing in the supply chain, which we have all seen exposed through the past two years of the
pandemic. Contractors and suppliers have lived through delays and shortages of critical components during COVID but operating in a contested environment would present additional challenges we may not be ready for.

In order to make sure our industrial base can scale to the needs during a potential conflict, the Department needs to understand these choke points and plan for them in advance. Dr. LaPlante, if confirmed, what strategy would you use to identify these present and future choke points, especially for contested logistics environment?

And what are some steps you would recommend taking to mitigate these types of risk for both acquisition and sustainment?

Mr. LaPlante: Yes, Senator. I would say to start with, we as a country have to have more hot production lines, period. Sometimes it means redundant production lines to deal with some of these single point failures.

Second, is that on the good news side is there has been developments in big data analytics using open source as well as other sources of information and machine learning to actually dove into some of these supply chain and find out critical nodes that they didn't even know they had.

These are starting to come out there. Some of them are quite good. What I intend to do is find the best of
breed of these, get Department to use them, and also make
them available to small businesses so they understand their
critical node as well as the primes.

Senator Duckworth: I think there is also an
opportunity to work with their arsenals as well. Rock
Island Army arsenal, for example. It is the last
vertically integrated metals manufacturing facility in the
DOD, and I think they can play a role in helping keep those
hot production lines.

Mr. LaPlante: Absolutely.

Senator Duckworth: Thank you. I yield back, Mr.
Chairman.

Chairman Reed: Thank you, Senator Duckworth. Senator
Rosen, please.

Senator Rosen: Oh, there it is. Sorry, my mic didn't
come on. Thank you, Chairman Reed, for holding this
hearing. And thank you to the nominees for testifying
today and for your willingness to serve. We appreciate
you. I want to speak a little bit about Fallon Naval Air
Station and the land withdrawal, because in Nevada, we are
really proud to host the Naval Air Station. It is home to
TOPGUN and our nation's premier carrier Airway, and it is
our Navy SEAL Training Center.

And so Mr. Raven, as you know, the Navy is seeking an
expansion of 600,000 acres of Federal land, over 65,000
acres of non-Federal land. It would expand the Fallon Training Range Complex to about 900,000 acres. This proposal would impact local counties, tribes, sportsmen, farmers, energy companies who currently access and operate on these lands.

And so it is why last year I invited Secretary Del Toro and Acting Under Secretary Berger to come to Nevada and meet with local stakeholders. I am grateful they did both travel to my State to hear firsthand how this proposed expansion would affect our local economies, recreation, wildlife, and of course, cultural resources.

So Mr. Raven, as the Navy pursues modernization of the range, can you commit, if confirmed, to continuing the Navy's engagement with local, state, and tribal Governments? And can you commit to working with me and the rest of the Nevada delegation to craft a consensus based proposal that enhances our National Security, we know we need to do that, but we have to address two stakeholder concerns.

Mr. Raven: Senator, yes. I had the pleasure of visiting Fallon just a few years ago and saw the outstanding capabilities there. And of course, with future weapons systems coming online in the near future, the ability of ranges are essential to making sure our service members are trained.
And as you rightly point out, to make that happen requires partnerships across Federal Government, State Government, local Government, and tribal Governments, and I commit to working on that with you.

Senator Rosen: Well, I am glad that you mentioned partnerships because the Navy's legislative proposal last year unfortunately did not incorporate any suggested changes or feedback from local stakeholders or the Nevada delegation. So if you are confirmed, will you ensure that the Navy submits an improved legislative proposal and map which incorporates stakeholder input?

Mr. Raven: Senator, I know this is a key issue within the Department of the Navy, and if confirmed, I want to understand what happened last year and what will happen in the future. But I want to work with you on these issues. This partnership is very important.

Senator Rosen: Thank you. I want to move a little bit now to Dr. Adams because I want to talk about the Nevada National Security site and our infrastructure upgrades. We had an opportunity to speak over Zoom last week. And for those of you who don't know, the Nevada National Security Site oversees the nuclear stockpile stewardship program, principally at the Ula facility.

It is an underground laboratory where scientists conduct subcritical experiments that verify the reliability
and the effectiveness of our nuclear stockpile. Ula is undergoing major construction. It is going to soon host the most capable weapons radiographic system in the world.

However, the NNSA currently faces significant infrastructure delays, including at the Nevada National Security site. So Dr. Adams, if confirmed, how will you address NNSA's infrastructure modernization challenges and delays, particularly when it comes to upgrades at Ula, so they don't impact the agency's ability to fulfill its mission of performing these subcritical tests?

Mr. Adams: Thank you, Senator, for that question. First, let me reaffirm the importance of that site. It is a national treasure, and the enhanced capabilities for subcritical experiments that you are referring to is absolutely vital to our ability to answer some of the pressing stockpile questions that we are going to have in the future.

As far as the schedule and cost issues, I am not privy to exactly the details of what is going on there, but if I am confirmed, I will certainly dove into that and try to understand what is going on and mitigate any problems that are there.

Senator Rosen: Thank you. And finally, for Dr. LaPlante, the DOD innovation cycle, I would like to ask you about the valley of death, where cutting edge military
technologies die before they can win a DOD contract to produce software or equipment at scale.

If confirmed, what specific steps would you take to improve the transition of successful prototypes to the point of production and then rapidly field those technologies at scale so we can leverage technology to better compete with our adversaries?

Mr. LaPlante: Thank you for the question, Senator. All of those prototypes that you described and those innovations, they all should have a plan of, if successful, what weapon system are they going to transition into? And then the other side of it, the weapons system has to have a tech insertion plan to accept it, and it has to be all part of it.

And also production and sustainment has to be thought of at the very beginning of these innovations. Otherwise, it will just fall into the valley of death. So that is where I am committed to really work hard on and also work with Ms. Heidi Shyu, who has the R&E job. We are going to be joined at the hip to get these technologies across the valley of death and get them to our warfighter.

Senator Rosen: Thank you.

Chairman Reed: Thank you, Senator Rosen. Let me thank the nominees for their excellent testimony, and we will move, I hope very rapidly, to a vote on your
confirmation. Thank you for your commitment to public service. And with that, let me adjourn the hearing. Thank you.

[Whereupon, at 11:40 a.m., the hearing was adjourned.]