

Stenographic Transcript  
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.

ALDERSON COURT REPORTING  
1111 14TH STREET NW  
SUITE 1050  
WASHINGTON, D.C. 20005  
(202) 289-2260  
[www.aldersonreporting.com](http://www.aldersonreporting.com)

1 HEARING TO CONSIDER THE NOMINATIONS OF:

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

9  
10 Tuesday, March 22, 2022

11  
12 U.S. Senate  
13 Committee on Armed Services,  
14 Washington, D.C.  
15

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

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

23 Also Present: Senator Tester.  
24  
25

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

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

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

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

23           We are grateful to each of you for your support. Dr.  
24 LaPlante, you are well qualified to be Under Secretary of  
25 Defense for Acquisition and Sustainment, or USD (A&S). You

1 have decades of technical expertise from your current role  
2 as President and CEO of Charles Stark Draper Laboratory, as  
3 well as your previous service as the Assistant Secretary of  
4 the Air Force for Acquisition during the Obama  
5 Administration.

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

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

25 Mr. Raven, you were nominated to the second highest

1 position in the Department of the Navy. Your experience on  
2 the Senate Appropriations Defense subcommittee will serve  
3 you well in this role. If confirmed, you will face a  
4 number of critical issues that confront the Department of  
5 the Navy.

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

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

1 of Military Law.

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

10 I hope you will share your views on the Court of  
11 Appeals' role in reviewing challenges and issues with the  
12 recent sexual assault and sexual harassment statutes,  
13 including your view on defendants' rights under the UCMJ.  
14 Dr. Adams, you are nominated to be Deputy Administrator for  
15 Defense Programs for the National Nuclear Security  
16 Administration or NNSA. You have had a distinguished  
17 career at Texas A&M University, conducting research on  
18 nuclear science, serving on numerous advisory boards at the  
19 NNSA, and recently helping Los Alamos National Laboratory  
20 develop its plutonium manufacturing operations.

21 If confirmed, you will assume an expansive range of  
22 duties. You will oversee more than 50,000 contractors and  
23 NNSA Federal employees with a budget of \$16 billion, while  
24 simultaneously meeting the Defense Department's  
25 construction and stockpile requirements. Dr. Adams, I

1 would like to know your views on how to meet the Defense  
2 Department's requirements, while at the same time  
3 preserving the core scientific capabilities at our national  
4 laboratories.

5 Again, I would like to thank our nominees, and I look  
6 forward to your testimonies. I understand that Senator  
7 Tester has an engagement beginning shortly, so I would ask  
8 that he delivers an introduction immediately following  
9 Senator Inhofe's opening statement. Now let me turn to the  
10 ranking member.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

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

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

20 We need the sense of urgency to make bold smart  
21 decisions at the Department of Defense, and that starts  
22 with senior civilian leadership. We have got to take some  
23 risk. Congress is an eager and willing partner, but you  
24 got to ask us, we want to work with you. Dr. LaPlante, you  
25 have been nominated to be the DOD's top acquisition job.

1 It is a shame it took us a whole year because you have got  
2 a lot of catching up to do. Congress and the Pentagon  
3 working together have made huge strides in acquisition, but  
4 the Chinese are still moving faster than we are.

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

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

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

24 Ms. Johnson, I would like to hear how you turn to the  
25 Constitution first whenever considering the application of

1 these efforts and look forward to hear from each one of  
2 you. Thank you, Mr. Chairman.

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

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

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

1 Department of Defense.

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

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

20       For the past 15 years, 7 as a professional staff  
21 member, and 8 as staff director, Erik has served Senators,  
22 the Senate, and our Nation. As a Staff Director, he is the  
23 principal advisor to the committee on budgetary matters  
24 relating to the Department of Defense and the National  
25 Intelligence Community.

1           And during his time on the committee, Erik has been  
2 responsible for the oversight of national intelligence  
3 programs, National Security space programs, special  
4 operations procurement, Army aviation, and Navy Research  
5 and development matters, as well as staff lead on wartime  
6 intelligence, surveillance, and reconnaissance initiatives.

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

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

20           He is exceptionally qualified and deserving of this  
21 committee's favorable endorsement, and I am sure that the  
22 distinguished members of this committee will agree after  
23 getting a chance to question him. Erik, I just want to  
24 congratulate you on your nomination, and get in there and  
25 give them hell, okay. Thank you, Mr. Chairman.

1 Chairman Reed: Thank you, Senator Tester. Secretary  
2 Carter, please.

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

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

18 In the years thereafter, Bill went to APL to MITRE to  
19 Draper, some of our great institutions that serve the  
20 Department of Defense and the wider community from a  
21 technology point of view. And then he served, when I was  
22 Under Secretary of Defense for Acquisition, Technology, and  
23 Logistics and Deputy Secretary of Defense before I became  
24 Secretary of Defense, as Assistant Secretary of the Air  
25 Force for Acquisition, an important job. And a few things

1 to mention about that time that are relevant today.

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

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

18 And we need that today because we need to work at the  
19 same pace as technology if we are to continue to be able to  
20 dominate our potential opponents, particularly China and  
21 Russia. And in that connection, yet another trait of Bill  
22 LaPlante, is that Bill recognizes that the secret sauce of  
23 our superiority has been, since Sputnik, the ability of the  
24 Department of Defense to work closely with private  
25 enterprise and the private tech sector. The tech sector is

1 now bigger than it used to be. It is bigger than our own  
2 tech sector, our Government tech sector, by a wide margin.  
3 It is global.

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

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

17 Since the time I was Under Secretary for Acquisition,  
18 Technology and Logistics, furthermore, the -- that job has  
19 been divided into the Under Secretary for Acquisition and  
20 Sustainment on the one hand and the Under Secretary for  
21 Research and Engineering on the other. And it is important  
22 also that someone entering Bill's job be able to work  
23 across that boundary as well, because the boundary between  
24 product and research is the hardest boundary to bridge in  
25 technology programs.

1           And Bill's long standing relationship when she was  
2 Army Acquisition Executive with Heidi Shyu, who is now the  
3 Under Secretary for Research and Engineering, that bodes  
4 well, as does Bill's acquaintance with the now Secretary  
5 and the now Deputy Secretary, all of whom he worked with  
6 earlier. So chairman, ranking member, and members of the  
7 committee, you got here a guy who is really very well  
8 qualified for this job. I hope you give Bill your  
9 speediest and most favorable consideration.

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

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

22           Chairman Reed: Thank you, Mr. Secretary, for your  
23 comments and thank you also for your service to the Nation.  
24 Let me recognize Secretary Johnson.

25           Mr. Johnson: Chairman Reed, Ranking Member Inhofe,

1 members of this committee, I welcome the opportunity to  
2 come here to testify in support of the nomination of  
3 retired Colonel Tia Johnson to be a member of the Court of  
4 Appeals for the Armed Forces. I know Colonel Johnson to be  
5 an outstanding lawyer, an outstanding public servant, and  
6 an outstanding American.

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

14 Long before I became General Counsel of DOD or  
15 Secretary of DHS, in private law practice, I was Chair of  
16 the Judiciary Committee of the New York City Bar  
17 Association, which evaluates all elected and appointed  
18 candidates for Federal, state, and local judgeships in the  
19 city of New York. In three years, I personally interviewed  
20 500 people who were candidates for judgeships, ranging from  
21 the U.S. Court of Appeals for the 2nd Circuit to Housing  
22 Court Kings County.

23 I therefore think I know something about how to  
24 evaluate a judge. In my experience, wisdom is the best  
25 attribute of a good judge. And a wealth of life

1 experiences is the best predictor of wisdom. In my time in  
2 National Security, I don't think I have encountered a  
3 military lawyer with a broader range of experience than  
4 Colonel Johnson. Tia was an active duty soldier for 30  
5 years. As a young JAG, she built a considerable track  
6 record as a first chair prosecutor in military justice.

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

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

21 Finally, on my recommendation, in 2015, Colonel  
22 Johnson was appointed by the President to be Assistant  
23 Secretary of DHS for Legislative Affairs. A big job. As  
24 you know, DHS has more than a few Congressional committees  
25 of oversight. The task of sitting in judgment of others is

1 not an easy one.

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

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

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

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

23 In his 15 years on that group, Dr. Adams has been  
24 involved in over 20 major studies of nuclear weapons  
25 activities for both DOD and NNSA, serving as director of

1 most. Time and time again when the country requires strong  
2 technical advice, it turns to groups led by Dr. Adams.

3 Second, the greatest near-term challenge facing NNSA is to  
4 meet the Department of Defense requirements for delivering  
5 nuclear weapons on schedule.

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

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

20 Dr. Adams is exactly the right person to help bring  
21 defense programs into conformity with the needs of today's  
22 world. Finally, if Dr. Adams is confirmed, he will be  
23 leading a large, complex organization. Leadership is not  
24 quite the same thing as management. He will have strong  
25 support in the day to day management responsibilities he is

1 assuming, but only he can set the vision and inspire his  
2 organization to evolve to meet today's requirements.

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

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

13 Chairman Reed: Thank you, Ambassador Brooks, for your  
14 comments and again for your service to the Nation. Deeply  
15 appreciate it. Now let me recognize Dr. LaPlante for his  
16 opening statement. Dr. LaPlante, please.

17

18

19

20

21

22

23

24

25

1           STATEMENT OF HON. WILLIAM LAPLANTE, NOMINEE TO BE  
2 UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT

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

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

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

1 today.

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

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

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

23 Looking forward, the defense acquisition system must  
24 be focused laser like on delivering capability that meets  
25 the needs both current and future of the warfighter forces,

1 at speed, at scale. Our troops must have what they need to  
2 confront and overcome a rapidly evolving challenges not  
3 just the threat, but as Secretary Carter said, technology  
4 changing. We will do this by transitioning emerging  
5 technologies, whether it is quantum sensing, hypersonics,  
6 artificial intelligence, autonomy, directed energy.

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

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

21 If confirmed, I strive to accomplish these and other  
22 priorities as determined by the Secretary of Defense and  
23 the Deputies Secretary of Defense, and I will devote myself  
24 to this critical mission. In all that I do, I pledge to  
25 work closely and transparently with this committee and with

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

3 [The prepared statement of Mr. LaPlante follows:]

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 Chairman Reed: Thank you very much, Dr. LaPlante.

2 Mr. Raven, please.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATEMENT OF ERIK RAVEN, NOMINEE TO BE UNDER  
2 SECRETARY OF THE NAVY

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

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

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

24 Together, their exquisite capabilities deter  
25 aggression, deepen our ties with allies and partners, and

1 when necessary, respond to crises around the globe. We are  
2 a maritime Nation, and the capabilities of our naval forces  
3 are directly related to the security, prosperity, and the  
4 future of the United States.

5 If confirmed to be Under Secretary of the Navy, I  
6 would be responsible for assisting the Secretary of the  
7 Navy in carrying out his duty to recruit, train, and equip  
8 the Navy and Marine Corps to meet the security challenges  
9 of our era. To carry out these tasks, first and foremost,  
10 I would be an advocate for the Department of the Navy,  
11 especially for the 620,000 sailors and marines and the  
12 220,000 civilians who serve side by side today.

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

20 I wish to leverage my 15 years of experience on the  
21 Senate Defense Appropriations subcommittee to maximize the  
22 power of every dollar that Congress provides. This means  
23 identifying the capabilities that are needed, setting a  
24 plan for acquiring them, and working with partners and  
25 industry to deliver them efficiently.

1           The need to modernize applies not only to major  
2 platforms and breakthrough technologies like hypersonic  
3 missiles and artificial intelligence, it also applies to  
4 facilities and infrastructure that generate readiness for  
5 Navy and Marine Corps forces.

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

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

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

23           [The prepared statement of Mr. Raven follows:]

24

25

1 Chairman Reed: Thank you very much, Mr. Raven. Ms.  
2 Johnson, please.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1           STATEMENT OF M. TIA JOHNSON, NOMINEE TO BE A JUDGE OF  
2 THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

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

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

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

1 to attend college and graduate school.

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

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

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

22 Congress also understood that need and in 1950  
23 reformed the military justice system by enacting the  
24 Uniform Code of Military Justice to ensure the service  
25 members enjoy, to the extent possible given the unique

1 nature of military service, the same Constitutional and  
2 legal protections as civilians.

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

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

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

17 [The prepared statement of Ms. Johnson follows:]  
18  
19  
20  
21  
22  
23  
24  
25

1 Chairman Reed: Thank you very much, Ms. Johnson. Dr.  
2 Adams, please.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1           STATEMENT OF MARVIN ADAMS, NOMINEE TO BE DEPUTY  
2 ADMINISTRATOR FOR DEFENSE PROGRAMS, NATIONAL NUCLEAR  
3 SECURITY ADMINISTRATION

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

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

21           She and many friends and family members are watching  
22 remotely. I thank them in advance for the love, support,  
23 and encouragement that I know will sustain me if I am  
24 confirmed into this new role. I especially thank Jenny, my  
25 partner and companion for the last 43 years of the roller

1 coaster ride from a small high school in rural Mississippi  
2 to the seat in front of you, for accepting the sacrifices  
3 that we must make if we take on this new service role upon  
4 confirmation.

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

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

23 In recent years, I have chaired the Los Alamos Mission  
24 Committee, whose purview includes plutonium pit production  
25 in addition to all other weapons activities. This is

1 required knowledge of weapons, design, and assessment  
2 activities, warhead delivery schedules and mandates,  
3 activities that coordinate with Pantex, Y-12, the Kansas  
4 City National Security Campus, the Nevada National Security  
5 Site in Savannah River, as well as coordination with  
6 Lawrence Livermore National Laboratory and Sandia National  
7 Laboratory, is required knowledge of the management of  
8 large capital projects, knowledge of supply chain issues,  
9 the science and engineering challenges of producing  
10 specialized components such as plutonium pits, while  
11 meeting stringent requirements for quality, safety, and  
12 security.

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

20 I understand what it takes to build and maintain the  
21 unique capabilities that defense programs must employ to  
22 design, assess, transport, surveil, dismantle, and  
23 manufacture nuclear warheads. I understand the importance  
24 of delivering on commitments and meeting military  
25 requirements.

1           If I am confirmed, my top priorities will be to  
2 maintain the safety, security, and effectiveness of the  
3 current stockpile, as well as to deliver on commitments for  
4 stockpile modernization. The latter requires development  
5 and deployment of more agile infrastructure, including  
6 plutonium pit manufacturing capabilities and construction  
7 of essential infrastructure. While focusing on these  
8 priorities, I will also work to develop and nurture the  
9 capabilities for future challenges.

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

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

23           [The prepared statement of Mr. Adams follows:]

24

25

1 Chairman Reed: Thank you, Dr. Adams. I have a series  
2 of questions which are asked of all nominees. You may  
3 respond in unison. Have you adhere to applicable laws and  
4 regulations governing conflicts of interest?

5 [All four witnesses answered in the affirmative.]

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

9 [All four witnesses answered in the negative.]

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

17 [All four witnesses answered in the affirmative.]

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

24 [All four witnesses answered in the affirmative.]

25 Chairman Reed: Will you ensure that your staff

1 complies with deadlines established by this Committee for  
2 the production of reports, records, and other information,  
3 including timely reporting to hearing questions for the  
4 record and responding to them?

5 [All four witnesses answered in the affirmative.]

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

9 [All four witnesses answered in the affirmative.]

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

12 [All four witnesses answered in the affirmative.]

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

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

1 bilateral, the Soviet Union and the United States, no, it  
2 is China, Russia, and the United States.

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

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

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

20 I think that is very good. We have got to get those  
21 capabilities rapidly into the weapons systems, and  
22 sometimes bridge what they call the valley of death. So I  
23 pledge to work with the program officers to make it their  
24 job to do continuous upgrades of technology so we can get  
25 back into this race that you talked about. Thank you.

1 Chairman Reed: Well, thank you very much, Dr.  
2 LaPlante. Mr. Raven, we all talk about the number of  
3 ships, and that is an interesting and admirable discussion,  
4 but if those ships can't leave the ports because they need  
5 repairs and we have limited shipyard capacity, we have a  
6 problem. In fact, in last year's National Defense  
7 Authorization Act, we directed the Navy to investigate  
8 options for increasing ship repair capacity. If you are  
9 confirmed, can you give us assurances you will get right on  
10 this and get it done?

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

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

23 Ms. Johnson: Thank you, Mr. Chairman. I think that  
24 the greatest strength is it was just recently ratified by  
25 the Supreme Court in the Ortiz v. United States, when they

1 held that the essential character of the military justice  
2 system is judicial and that the Court of Appeals for the  
3 Armed Forces operates on par with other courts of appeals,  
4 both Federal and state. And so the legitimacy of the  
5 system is its greatest strength.

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

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

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

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

24 Chairman Reed: Thank you very much. Dr. Adams, very  
25 quickly. You have this tension, DOD requirements and core

1 scientific capability. Sometimes they correspond, other  
2 times they diverge. How will you try to reconcile those?

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

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

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

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

1 stingers to Ukraine, and we don't even have the hot  
2 production line.

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

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

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

21 At the same time, there is a well-founded sense of  
22 urgency to develop and field new systems faster. Where do  
23 you think we should be innovating faster and taking on more  
24 risk, and where do we need to have more rigor in our  
25 analysis?

1           Mr. LaPlante: Yes, Senator. I would say this, we  
2 learned the lesson from both Ford, and we would like to  
3 think we learned the lesson from F-35 that you have to have  
4 mature technologies and you have to be thoughtful in the  
5 design and you have to adhere to independent cost estimates  
6 right from the beginning. It takes a little bit of time at  
7 the beginning, saves a lot of trouble later. But to get  
8 innovation, what you have to do is we have to build the up  
9 the modular open systems like we did for the B-21.

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

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

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

23           Mr. Raven: Senator, thank you for that question. If  
24 confirmed to this position, let me first say that you can  
25 count on me to be an advocate for Navy Marine Corps

1 capabilities. In terms of --

2 Senator Inhofe: I am fully aware of that.

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

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

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

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

20 Senator Inhofe: Thank you, Mr. Chairman.

21 Chairman Reed: Thank you, Senator Inhofe. Let me  
22 recognize Senator King, please. Excuse me, Senator Warren  
23 has just arrived. Are you ready, Senator Warren? Is that  
24 a maybe? Senator Warren.

25 Senator Warren: There we go. Thank you, Mr.

1 Chairman. I want to thank all the nominees for being here  
2 today. And Dr. Adams, if I can, I would like to start with  
3 you. You are nominated to oversee nuclear weapons program  
4 for NNSA, which puts you in charge of projects that are  
5 complex and dangerous and also very, very, very expensive.

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

14 In 2015, Congress set a requirement to produce 80 pits  
15 per year by 2030, a big increase from our previous level of  
16 no more than 20 pits a year that we had been able to  
17 produce. Dr. Adams, will we reach 80 pits per year by  
18 2030?

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

22 Senator Warren: Yes. So, I understand, these are  
23 complex projects, and the original estimates may have been  
24 off, but I am deeply concerned that we are not even sure  
25 how much increased pit production is going to cost us. The

1 estimated budget for this work at just one pit production  
2 site doubled over the course of just a couple of months.

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

9 Mr. Adams: Thank you, Senator. I agree that we can't  
10 get to 2030 just by throwing more money at it, to 80 by  
11 2030, by just throwing more money at it.

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

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

22 Mr. Adams: I certainly will, Senator.

23 Senator Warren: Now, I am glad to hear that, because  
24 I think that sticking to the current plan just defies  
25 common sense. It is unfathomable to me that NNSA would not

1 reconsider the plan, and I hope that you will give this  
2 issue a serious look, if you are confirmed. It is no  
3 secret that I think that our nuclear weapons policy is  
4 dangerous and unsustainable.

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

13 We are going to spend more than \$630 billion over the  
14 next 10 years, and that spending is only going to rise if  
15 we double down on plans that we know will not succeed.  
16 Thank you, Mr. Chairman. I yield.

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

19 Senator Cotton: Thank you all. Congratulations on  
20 your nomination. Mr. LaPlante, I would like to say that I  
21 am worried about the continued over classification, you  
22 might even say hyper classification, at the Department of  
23 Defense. It seems like a majority of new programs get  
24 special access program classification, which makes  
25 oversight by the committees and our staffs harder.

1           The classified program budget lines in the most recent  
2 omnibus bill were over 20 percent of the procurement  
3 budget, and once we get these great capabilities, there is  
4 often not a great way to test or train on them. I am  
5 reminded what Bob Gates, the Former Director of the CIA  
6 said, that he had security clearances that he didn't know  
7 existed for programs he couldn't remember ever being  
8 briefed on.

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

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

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

23           Mr. Raven: Yes, I have, Senator.

24           Senator Cotton: Do you have any thoughts on it?

25           Mr. Raven: Senator, I think the studies showed that

1 warfighting capability is the number one mission of the  
2 Navy and Marine Corps. And if confirmed, I intend to  
3 support that goal of increasing Navy Marine Corps  
4 warfighting capabilities.

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

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

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

22 Mr. Raven: Absolutely, Senator. Thank you.

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

25 Ms. Johnson: Military justice and civilian cases

1 combined, it would be over 2,000.

2 Senator Cotton: Criminal cases?

3 Ms. Johnson: Yes.

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

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

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

22 And I think the point of that was that this is  
23 civilian oversight to the military justice system. And if  
24 a lance corporal or private sees a retired colonel or flag  
25 officer who made their life in the military justice system,

1 they may view them as part of the system. Do you have a  
2 concern that if you are confirmed, I believe a majority of  
3 the active judges will be retirees from the system, either  
4 active or reserves, and whether or not litigants in front  
5 of your court are going to perceive that they are going to  
6 get a fair shake?

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

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

20 Senator Cotton: Well, thank you for that commitment,  
21 and I do think it is important that we be mindful of it,  
22 and I think it may be even something the committee needs to  
23 review. It is akin to the waivers we gave to Secretary  
24 Mattis and Secretary Austin. I think those are ill  
25 advised. I voted for one, Secretary Mattis.

1 I regret that. Not anything particular about him. I  
2 think civilian oversight of the Department is very  
3 important, whether it is at the Secretary level or at the  
4 Court of Appeals. Again, nothing about your distinguished  
5 record of service. But I think it is something the  
6 committee needs to consider. Thank you.

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

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

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

22 At the same time, we have budgetary overruns and  
23 bureaucratic challenges. While I have supported bipartisan  
24 efforts to develop new technologies, I also know that we  
25 can't spend our way out of these challenges. We need to

1 spend smarter and find better ways to quickly advance  
2 development in the fielding of these game changing  
3 technologies, around the country, there are innovative  
4 ecosystems working to enhance our capabilities.

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

11 In the heart of it all, Arizona State University is  
12 uniquely suited to translate new technologies to meet  
13 current and future DOD challenges with its robust technical  
14 capabilities and extensive innovation ecosystem, in  
15 partnership with DOD industry and venture capital firms.  
16 So, Mr. or Dr. LaPlante, I know that you have a solid  
17 background and understanding of the industry and the  
18 emerging threats that we face.

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

23 Mr. LaPlante: Thank you for the question, Senator.  
24 What you talked about a regional ecosystem in Arizona, as  
25 you point out, that is the future. There are several

1 ecosystems all over the country. I am actually on the  
2 board of a nonprofit of an advanced manufacturing institute  
3 in Michigan that is transforming how a new manufacturing  
4 and engineering techniques are being used.

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

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

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

23 In fact, I am focused on our Merchant Marine because I  
24 believe not doing so puts our military and our Nation at a  
25 strategic disadvantage, particularly as our military pivots

1 to great power competition with China especially, a Nation  
2 that is putting significant resources in the modernizing  
3 its fleet and conducting a growing number of naval  
4 operations and maritime activity in more distant waters.

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

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

16 Senator Kelly: Well, I hope you work with our office,  
17 because right now you say take a look at commercial  
18 vessels. So the Chinese have a merchant fleet of about  
19 5,500 ocean going merchant ships. We have about 85, I  
20 think the number is.

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

1 Chairman Reed: Thank you, Senator Kelly. Senator  
2 King, please.

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

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

20 So what I plan to do, if confirmed, is check on the  
21 cyber status across the major programs that we have,  
22 including red teams, including making sure there is  
23 constant mitigation going on to the cyber threat. It  
24 requires continuous education, continuous engagement with  
25 industry.

1           Every day, the threat changes. And, but it is the  
2 cyber resiliency of our weapon systems have to be able to  
3 fight through cyber just like any other enemy effect.

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

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

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

21           Mr. LaPlante: Yes, I agree. A failed test is one  
22 where you don't learn. And one has to continue to do  
23 testing, to your point. We tested in 2010, 2011 a combined  
24 DARPA, Air Force experiment to fly a hypersonic glide  
25 vehicle from Vandenberg Air Force Base to Kwajalein.

1           The two tests, they both failed, and the United States  
2 stopped hypersonic glide vehicle work. China and Russia  
3 just kept going. And so you have to test, you have to  
4 learn from the tests, and should keep going.

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

7           Mr. LaPlante: It is how you learn.

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

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

22          Senator King: Two other quick questions on  
23 acquisition. One is, I believe we need to be more  
24 cognizant of the advantages of off the shelf technology or  
25 technology has been developed somewhere else in the world

1 that we can adapt. We don't have to start from scratch on  
2 everything. If Senator Tillis were here, he would probably  
3 have his foot high spec for a handgun, special handgun for  
4 the military, as opposed to the handguns that are  
5 available.

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

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

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

19 Chairman Reed: Well, thank you, Senator King. And I  
20 have -- I will take the opportunity to ask several  
21 questions. I am informed that several of our colleagues  
22 are finishing up a Commerce committee hearing and will join  
23 us shortly. But Dr. LaPlante, one of the current issues we  
24 have is the defense industrial base. Several factors I  
25 have observed.

1           One is there has been a massive consolidation of the  
2 defense industrial base so that several different  
3 competitors no longer exist, and so, ideas aren't as  
4 forthcoming. And that affects price, in addition.

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

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

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

23          One of the challenges there is a legal term called  
24 contract privity, where sometimes the prime is not allowed  
25 to know maybe third or fourth levels down. There are ways

1 around that. There are tools that you can use using open  
2 source software as well as AI to really make the primes  
3 understand their subs and know where their critical  
4 failures and critical point of failures are.

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

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

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

21 Chairman Reed: Thank you very much. Ms. Johnson, one  
22 of the issues that is perennial with respect to the Uniform  
23 Code of Justice and the military justice system in general  
24 is the issue of unlawful command influence. And how well  
25 do you think the military is doing in eliminating that?

1 And what would be the role of your court in dealing with  
2 that issue?

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

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

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

20 But my memory of judicial proceedings is that the vast  
21 majority of judicial actions taken within the military is  
22 an administrative processes through Article 15 principally.  
23 And one concern is how these new changes with respect to  
24 the UCMJ might affect the Article 15 process. You have any  
25 ideas or insights in that regard?

1 Ms. Johnson: Well, Senator, certainly whenever new  
2 legislation is passed, there is always -- there will always  
3 be issues with regards to its scope, its meaning, its  
4 interpretation, even its Constitutionality.

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

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

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

24 This Administration is committed to rebuilding the  
25 half finished mixed oxide or mock fuel plant at the

1 Savannah Riverside, in addition to operating the existing  
2 plant at Los Alamos in order to achieve the 80 pits per  
3 year. The cost of converting the plant to produce  
4 plutonium pits has increased from the initial 2018 estimate  
5 of some \$4.6 billion to December 2021 estimate of \$8 to \$11  
6 billion.

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

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

24 I just cannot tell you exactly when the Savannah River  
25 production will come online. As far as the cost estimates

1 at Savannah River, the NNSA has gotten a lot better at its  
2 cost estimates, once the facility in question has been  
3 designed fairly thoroughly and the scope and size of the  
4 facility itself and its supporting infrastructures are  
5 known. We are not there yet with Savannah River.

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

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

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

22 Mr. Adams: Yes, thank you for reminding me of that  
23 question, Senator. That was a concern that I had also  
24 early on. What I have seen actually happen is a win, win  
25 situation that is in progress right now and that Savannah

1 River employees are coming to Los Alamos to not only learn  
2 the business of pit production, but also to help out at Los  
3 Alamos with pit production.

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

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

15 [Recess.]

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

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

25 If we did that in business, we would all go bankrupt.

1 And so what do you think you can do that is going to change  
2 that where we don't just research everything and never  
3 develop it to something that is going to help us defend the  
4 country?

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

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

15 Mr. LaPlante: Yes. Two things, Senator. One would  
16 be to make --to up the production lines of the production  
17 lines we currently have to put munitions, UASs, just get  
18 them -- higher production. But the second is work on all  
19 the weapons systems across the valley of death to make sure  
20 we are injecting technology into the systems we have.

21 Because we have the program officers over here that  
22 have the weapons systems with the technologists over here.  
23 We have to make those -- that pipeline go and make it a  
24 metric for success.

25 Senator Scott: So what would you -- so what is a

1 private company that you would say, they know how to take  
2 something from research and development to actual use  
3 quickly that you would use as a best practices --?

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

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

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

21 Mr. LaPlante: Well, I think what I understand the  
22 private sector does, and we saw this when we were doing  
23 agile software study, was they do it incremental all the  
24 time. They will do some research, come back in 90 days,  
25 two months, three months, say, what do you got for it?

1           And if it is not paying off within six months, they  
2 will stop and go to something else. But so that is  
3 something the DOD does not do, generally. We have got to  
4 move to those much more agile approaches. So a lot of  
5 private business, they are simultaneously having a lot of  
6 these R&D efforts going on at the same time, but they will  
7 stop them immediately if it is not paying off.

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

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

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

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

22          Mr. Adams: Thank you for that question, Senator. I  
23 do support the current modernization efforts. I have  
24 concerns in general about our ability to meet schedule. If  
25 confirmed, I will dig into the details of that and see if

1 there are looming problems that would cause us to not meet  
2 schedule.

3 Senator Scott: Are you committed to make sure that  
4 the annual budget request for defense programs will be  
5 sufficient to support the DOD military requirements?

6 Mr. Adams: Yes, Senator.

7 Senator Scott: And what if they weren't, what would  
8 you do? What if you said we have to have this and the  
9 people above you said, no, we are not going to do that? We  
10 just don't spend the money like that. What would you do?

11 Mr. Adams: Well, I would certainly have the  
12 conversation with Jill Hruby, and I have got a lot of  
13 confidence in her as far as being receptive to that  
14 message.

15 Senator Scott: Alright. Thank you, Chair.

16 Chairman Reed: Thank you, Senator Scott. Senator  
17 Peters, please.

18 Senator Peters: Thank you, Mr. Chairman. Mr.  
19 LaPlante, in your opening statement and in your written  
20 testimony, you identified the need to tap into the private  
21 sector's innovation by lowering barriers to doing business  
22 with the Department of Defense, particularly for small  
23 businesses.

24 In your view, to let the committee know, what do you  
25 believe is the proper balance between the untapped

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

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

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

22 Senator Peters: Mr. LaPlante, in my committee  
23 assignments, I serve as chair of Homeland Security and  
24 Government Affairs, I am a member of the Commerce, Science  
25 and Transportation committee, and, of course, a member of

1 the Armed Services committee. So I am frequently working  
2 on concepts that address kind of the crossroads between  
3 industry, Department of Defense, as well as general  
4 Government accountability.

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

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

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

21 Mr. LaPlante: Senator, absolutely.

22 Senator Peters: Right. Thank you, Mr. Raven, Mr.  
23 Putin's unlawful and immoral invasion of Ukraine has  
24 reminded many in Washington of the enduring need for the  
25 United States to maintain and to deploy effective missile

1 defense systems all across the globe.

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

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

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

21 Senator Peters: Alright, thank you. And also, Mr.  
22 Raven, to continue with the theme of resource constraints  
23 on the Navy in the midst of introducing a host of new  
24 platforms and technologies to the fleet, these include the  
25 Constellation class frigates, which I would add very

1 proudly are built by Michigan workers in the shipyard the  
2 Marionette just across the border in Wisconsin, as well as  
3 Ford class carriers, unmanned surface vessels, Columbia  
4 class submarines.

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

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

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

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

23 Senator Wicker: Thank you, Mr. Chairman. Senator  
24 Peters has expressed a concern about the fleet, and I want  
25 to echo that in questions for both Mr. Raven and Dr.

1 LaPlante. The most recent 30 years shipbuilding plan  
2 submitted last year calls for a Navy of between 321 and 372  
3 ships. A December 2020 version of the plan calls between  
4 382 and 446 ships. The Navy's most recent publicly  
5 released force structure assistance called for 355 ships,  
6 and as you know, that is the statutory requirement passed  
7 by this Congress and signed into law by the President of  
8 the United States.

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

17 This was \$4.1 billion more than President Biden asked  
18 for in his request. So, Mr. Raven and Dr. LaPlante, please  
19 respond to this set of facts. What are your views on the  
20 most recent 30 year shipbuilding plan and the various  
21 analysis and requirements for the size of the Navy? What  
22 mix of ships do you believe should be emphasized? And what  
23 are your plans to fund the Navy, particularly shipbuilding?  
24 We will start with Mr. Raven first and then go to Dr.  
25 LaPlante.

1           Mr. Raven:  Alright.  Thank you, Senator Wicker.  In  
2 terms of establishing a good shipbuilding plan for the  
3 Navy, I think there is a couple of elements here.  First of  
4 all, is, of course, as you mentioned, the 30 year  
5 shipbuilding plan that is the signal to industry of what to  
6 expect for future years so industry can prepare to build  
7 those ships in the most effective manner possible.

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

12          Senator Wicker:  Absolutely.

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

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

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

25          Senator Wicker:  Dr. LaPlante, what do you say to

1 this, and will you commit to working with the Navy and the  
2 Marine Corps on their requirements and not simply letting  
3 OSD and OMB determine the requirements for the services?

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

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

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

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

22 Senator Wicker: Okay. And quickly. In the recently  
23 passed 2022 omnibus, Congress responded to needs by  
24 appropriating \$625 million for shipyard infrastructure  
25 optimization plan. This was \$219 million above President

1 Biden's budget. How will you work to ensure that our  
2 Government's depots, ammunition plants, labs and shipyards  
3 are sustained and modernized? And can you say whether you  
4 support increased funding to these areas? Dr. LaPlante.

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

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

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

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

22 Senator Wicker: Thank you, Mr. Chairman.

23 Chairman Reed: Thank you very much, Senator Wicker.  
24 Senator Gillibrand, please.

25 Senator Gillibrand: Thank you, Mr. Chairman.

1 Scientific studies have demonstrated that exposure to PFAS  
2 in the environment is linked to harmful health effects in  
3 both humans and animals. Due to the presence of this  
4 harmful forever chemical on DOD installations, the Fiscal  
5 Year 2022 NDAA requires the DOD to test the groundwater of  
6 all installations by the end of 2023 for PFAS  
7 contamination.

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

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

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

21 Senator Gillibrand: Excellent. Millions of service  
22 members likely drank water contaminated with PFAS for  
23 decades. If confirmed, when will DOD alert veterans and  
24 service members they may have been drinking contaminated  
25 water?

1           Mr. LaPlante: Well, I don't -- I think what -- if  
2 confirmed, we need to find out when the survey of all the  
3 facilities is done, and as soon as that is done, we should  
4 notify people immediately. I just I don't know of sitting  
5 here what that date would be, but it can't be soon enough.

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

8           Mr. LaPlante: Absolutely.

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

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

20          Senator Gillibrand: Yes, thank you. Ms. Johnson, in  
21 the civilian justice system across the country, criminal  
22 charging decisions are made by district attorneys that are  
23 experienced prosecutors. Yet this is not the case in the  
24 military justice system, where Military Commanders make the  
25 decisions whether to charge service members with serious

1 crimes. Could you explain why this is important for the  
2 military justice system to mirror civilian justice systems?

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

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

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

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

22 Senator Gillibrand: No, what is the perception of the  
23 civilian world to the military in that the Commander  
24 chooses the jurors based on a pool of officers and  
25 noncommissioned officers that they may know?

1 Ms. Johnson: Well, Senator, again, I -- because  
2 Congress has expressed concern about that, they have made  
3 changes with regards to how panels are selected and the  
4 rights of the accused with regards to expanding the pool of  
5 the selectees.

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

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

22 Ms. Johnson: Thank you, Senator. Again,  
23 Constitutional rights have been affirmed. Servicemembers  
24 do not lose their Constitutional rights, their civil  
25 rights, and civil liberties when they put on the uniform.

1 The Supreme Court and CAAF and its predecessor, COMA, has  
2 taken to account the uniqueness of the military context.

3 And so some Constitutional rights may not be as broad.  
4 As you noted, Senator, several years ago, Congress changed  
5 the level, the threshold for arriving at a conviction from  
6 two-thirds to three-quarters. And again, we have seen  
7 those cases bubble through the system, and so it would  
8 again be inappropriate for me to comment on that.

9 Senator Gillibrand: Thank you, Mr. Chairman.

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

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

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

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

25 Mr. LaPlante: Absolutely. I commit to that Senator.

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

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

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

19           Senator Blumenthal: Has that begun?

20           Mr. LaPlante: Pardon me, I am sorry?

21           Senator Blumenthal: Has that enterprise wide review  
22 been started?

23           Mr. LaPlante: Of the Executive Order, I am not aware  
24 of it, but it may be. I have not been in the discussions,  
25 in the policy discussions.

1           Senator Blumenthal: There are safer alternatives, for  
2 example, to firefighting foam that don't involve PFAS,  
3 correct?

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

7           Senator Blumenthal: Will you commit to accelerate it?

8           Mr. LaPlante: Yes, absolutely.

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

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

24           Mr. LaPlante: I will take the first chance and then  
25 turn it over to my colleague here. I think the first thing

1 that needs to be done, if it hasn't been done, is to do an  
2 independent schedule estimate. GAO has a very good  
3 references and validations for doing independent schedule  
4 estimating. So what we should do, if it hasn't been done,  
5 is do an independent schedule estimate and see how it can  
6 be sped up, either with contractor incentives or other  
7 items.

8 Senator Blumenthal: Thank you. Mr. Raven.

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

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

18 Senator Blumenthal: I agree that it is an essential  
19 program for the Marines to do their job, and that is the  
20 DOD assessment. I hope that you would pursue it as well  
21 and move the program forward as expeditiously as possible.  
22 Thank you very much, Mr. Chairman.

23 Chairman Reed: Thank you, Senator Blumenthal.  
24 Senator Duckworth, please.

25 Senator Duckworth: Thank you, Mr. Chairman. And just

1 a point of pride, I have to say, while the CH-53K is a  
2 remarkable aircraft, I wouldn't say that it is better than  
3 the Blackhawk, so just wanted to put that out there. I  
4 would like to start by focusing in on acquisition and  
5 sustainment and your role if confirmed, Dr. LaPlante.

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

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

21 Our acquisition and maintenance need to be able to  
22 grow more agile, more innovative, and if we can't get there  
23 quickly, we may lose the opportunity to truly maintain our  
24 over match against our adversaries. Our small and  
25 disadvantaged businesses are drivers of agility and

1 innovation, and as such, they must play a larger role in  
2 our defense industrial base. Yet the barrier to entry for  
3 these businesses is too high for many of them to achieve  
4 success, and the small business industrial base has shrunk  
5 over the past decade.

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

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

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

1 Now what are those obstacles that these reports point out?

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

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

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

21 Mr. LaPlante: Absolutely, Senator.

22 Senator Duckworth: Thank you. Switching topics  
23 slightly, I would like to quickly touch on the issue of  
24 defense contractors are facing in the supply chain, which  
25 we have all seen exposed through the past two years of the

1 pandemic. Contractors and suppliers have lived through  
2 delays and shortages of critical components during COVID  
3 but operating in a contested environment would present  
4 additional challenges we may not be ready for.

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

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

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

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

24 These are starting to come out there. Some of them  
25 are quite good. What I intend to do is find the best of

1 breed of these, get Department to use them, and also make  
2 them available to small businesses so they understand their  
3 critical node as well as the primes.

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

10 Mr. LaPlante: Absolutely.

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

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

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

24 And so Mr. Raven, as you know, the Navy is seeking an  
25 expansion of 600,000 acres of Federal land, over 65,000

1 acres of non-Federal land. It would expand the Fallon  
2 Training Range Complex to about 900,000 acres. This  
3 proposal would impact local counties, tribes, sportsmen,  
4 farmers, energy companies who currently access and operate  
5 on these lands.

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

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

20 Mr. Raven: Senator, yes. I had the pleasure of  
21 visiting Fallon just a few years ago and saw the  
22 outstanding capabilities there. And of course, with future  
23 weapons systems coming online in the near future, the  
24 ability of ranges are essential to making sure our service  
25 members are trained.

1           And as you rightly point out, to make that happen  
2 requires partnerships across Federal Government, State  
3 Government, local Government, and tribal Governments, and I  
4 commit to working on that with you.

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

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

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

24           It is an underground laboratory where scientists  
25 conduct subcritical experiments that verify the reliability

1 and the effectiveness of our nuclear stockpile. Ula is  
2 undergoing major construction. It is going to soon host  
3 the most capable weapons radiographic system in the world.

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

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

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

23       Senator Rosen: Thank you. And finally, for Dr.  
24 LaPlante, the DOD innovation cycle, I would like to ask you  
25 about the valley of death, where cutting edge military

1 technologies die before they can win a DOD contract to  
2 produce software or equipment at scale.

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

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

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

22 Senator Rosen: Thank you.

23 Chairman Reed: Thank you, Senator Rosen. Let me  
24 thank the nominees for their excellent testimony, and we  
25 will move, I hope very rapidly, to a vote on your

1 confirmation. Thank you for your commitment to public  
2 service. And with that, let me adjourn the hearing. Thank  
3 you.

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

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25