

Navy in Review of the Defense Authorization Request for FY24 and the Future Years Defense Program

April 18, 2023

U.S. Senate - Committee on Armed Services

MEMBERS PRESENT:

Jack Reed (D-RI) [presiding]
Jeanne Shaheen (D-NH)
Richard Blumenthal (D-CT)
Mazie Hirono (D-HI)
Tim Kaine (D-VA)
Angus King (I-ME)
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Roger Wicker (R-MS)
Deb Fischer (R-NE)
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Mike Rounds (R-SD)
Joni Ernst (R-IOWA)
Dan Sullivan (R-AK)
Kevin Cramer (R-ND)
Rick Scott (R-FL)
Tommy Tuberville (R-AL)
Ted Budd (R-NC)
Eric Schmitt (R-MO)

WITNESSES:

Honorable Carlos Del Toro - Secretary of the Navy

Admiral Michael M. Gilday, USN - Chief of Naval Operations

General David H. Berger, USMC - Commandant of the Marine Corps

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CHAIRMAN REED: Good morning. The committee meets today to receive testimony on the President's budget requests to the Department of the Navy for fiscal year 2024.

I would like to welcome the Secretary of the Navy Carlos Del Toro, Chief of Naval Operations Admiral Michael Gilday, and Commandant of the Marine Corps General David Berger.

We are grateful for your service, for the service of the men and women under your command, and for the support of all Navy and Marine Corps families. Thank you.

Admiral Gilday, General Berger, this will be your last posture hearing before the committee in your current role.

I would like to thank you for your remarkable leadership of the Navy and the Marine Corps as well as your many decades of service to the nation.

You have guided your services through significant challenges with resolve and vision and we are deeply grateful.

The Navy and Marines are faced with a dangerous and evolving global security environment. Certainly, threats from Russia, Iran, North Korea, and violent extremist groups remain persistent and the Navy has an important role to play in addressing them.

But the clear pacing challenge for our naval forces is **China**. In the **Indo-Pacific** and in seas and ports around the world the United States Navy and the Marine Corps will continue to be the first line of deterrence and defense against the **PRC's** expanding global ambitions.

Recognizing this challenge, the Biden administration has requested approximately \$256 billion in funding for the Department of the Navy for fiscal year 2024. This represents an increase of \$12.8 billion more than the 2023 enacted budget, the largest increase among the services.

Within this budget the Navy has requested nine new ships, the procurement of several new submarines, destroyers, frigates, and logistics vessels well within

reason. At the same time, the Navy is proposing to retire a number of ships before the end of their service lives including several littoral combat ships and dock landing ships.

I understand the Navy made the difficult choice to retire some of these ships now to free up more resources in the future. But it seems that this plan would take us in the opposite direction of the Navy's goal for a 355-ship fleet, particularly regarding the amphibious force structure.

The committee will want an update on these issues as well as the Navy's forthcoming 30-year shipbuilding plan.

Even as the Navy requests newer, more advanced ships I am concerned by the continued struggles to maintain our current fleet. Deferred ship maintenance, reduced steaming and flying hours, and canceled training and deployments have created serious readiness problems within the Navy.

These problems are also being experienced by private shipyards and Navy shipyards. The 2022 National Defense Authorization Act directed the Navy to study how to improve the capacity in our shipyard industrial base and the department has since begun the Shipyard Infrastructure Optimization Program, or SIOP.

This program represents more than \$25 billion in planned investments over the next 25 years to modernize and improve our shipyards.

Admiral Gilday, I would ask for an update on SIOP and the outlook for Navy maintenance efforts.

The Marine Corps, while maintaining its ability to operate worldwide, is continuing to restructure around two concepts, littoral operations in a contested environment and expeditionary advanced base operations.

The key elements of these concepts is a more flexible amphibious force that can support a broader naval fight once ashore. Rather than simply acting as a landing force the Marine Corps intends to help control the sea and air in support of the Navy and as part of the joint force.

To achieve this the Marine Corps is prioritizing a number of modernization efforts including deep-sensing long-range fires to include anti-surface

capabilities, enhanced air and missile defense, and improved ground and amphibious combat vehicles.

These platforms will equip the Marines with improved force protection and enhanced lethality with a particular emphasis on providing highly mobile capabilities and addressing contested logistics.

General Berger, I appreciated your thoughtful approach throughout this restructuring. Your posture towards adjusting Marine Corps requirements based on the results of experimentation and wargaming has yielded valuable outcomes such as updating the number of cannon batteries and the size of fighter attack squadrons.

The committee looks forward to continued engagement on these modernization efforts as they proceed.

Finally, I would note that the United States' greatest competitive advantage over **China** is our global network of allies and partners.

The recent agreement between the United States, Australia, and the United Kingdom to collaborate on nuclear submarine production through the AUKUS partnership is a meaningful step forward in ensuring a free and open Indo-Pacific.

Successful implementation of this plan will require responsible oversight and a stable industrial base. I would ask our witnesses for their views on what we have the capacity to produce now and in the future and how we can provide the budget and resources to match.

Again, I want to thank the witnesses for appearing today. I look forward to your testimonies, and now let me recognize the ranking member, Senator Wicker.

SENATOR WICKER: Thank you, Mr. Chairman.

I welcome our witnesses and thank them for their years of distinguished service. I want to associate myself with the generous words of appreciation that the distinguished chairman has made with regard to Admiral Gilday and General Berger.

I would add to that my appreciation for the talented team of Marines and sailors

who are seated behind you and have been such a great help to all of us in our efforts to get this right.

I do – I also want to share and associate myself with the remarks made by the distinguished chairman and his concern that the budget proposal would take us in the wrong direction and I think on a bipartisan basis we will be able to rectify that.

Members of this committee know all too well that the **Chinese** Communist Party represents a major threat to the nation. Today, we are in a more complex and sobering threat environment than we have been in since World War II.

In that war our economy was larger than all of our adversaries combined with an unmatched industrial base. We no longer enjoy that advantage, not by a long shot. The evidence is clear **China** has launched 75 new warships since 2018 compared to our 35. Seventy-five to our 35.

China has over 200 hardened aircraft shelters, more than eight times what we have available in the Western Pacific, and there are other examples of this imbalance.

I am troubled by **China's** recent creation of defense mobilization offices, air raid shelters, and wartime emergency hospitals. **China** is rapidly expanding its military forces and preparedness. We cannot be complacent in our response.

And, yet, late yesterday the Navy submitted its statutorily required 30-year shipbuilding plan, which seems to embrace complacency. Even in the most aggressive alternative plan the Navy would not reach the statutory 355- ship requirement until fiscal year 2042.

Compared to last year's plan, it trades 35 – trades 35 amphibious warfare ships for support vessels, harming the ability of our Marines to project force. The Navy's fiscal year '24 budget request is anemic. Under the President's proposal the size of the fleet would shrink further.

Let me be clear. This budget request has failed yet again to build a U.S. Navy fleet that is capable of meeting even basic tasks to say nothing of growing strong enough to deter near-term threats.

Thankfully, there is bipartisan agreement that we must substantially increase

the shipbuilding budget. I am concerned with production constraints at our shipyards.

Despite congressional support the Navy has proved unable to achieve delivery of two attack subs per year, three destroyers per year, and two frigates per year.

This trend puts us further and further behind the goal to build the Navy we need. Expanding our shipbuilding capacity will require generational investments combined with new approaches to growing the workforce.

Growing our shipbuilding capacity will also require stable demand signals to industry. The Navy introduced uncertainty in the shipbuilding industry by excluding the LPD amphibious ship from the fiscal year '24 budget.

Congress has reversed decisions like this in the past and I certainly hope and I actually am confident that we will do so again this year for LPD 33.

I am also concerned about ship maintenance, which is essential to avoiding a smaller fleet available in the near term. Lack of investment and maintenance together with rising requirements has left the fleet in brittle condition as a result of decades of deferred maintenance.

The Navy wants to decommission 11 ships including eight before the end of their expected service life. This strategy of divest to invest does not work. In fact, that failed doctrine is a contributing reason we are in this predicament.

The assumptions included in this budget have the size of the fleet shrinking even more in the next five years. I see a whole lot of divest and very little invest in this budget.

I fully expect that Congress will work together in a bipartisan and patriotic way to put a stop to this disgraceful lack of commitment to our naval forces.

And, finally, I am concerned that the Navy is not sufficiently leveraging promising new technologies. This is in contrast to the Marine Corps, which has embraced innovative concepts and equipment relevant to the high-end fight.

The Navy should adopt resilient communication advances, invest in autonomous technology, make use of additive manufacturing such as 3D printing, and move to alternative materials such as composites.

Navy acquisition must do a better job of moving cutting-edge programs into production and do so urgently. A **Western Pacific** conflict would lean heavily on our naval and air forces.

Congress needs to exercise its constitutional obligation to provide these resources, the equipment, and ships necessary to provide for the common defense and I am certain we will.

So thank you all for your service and thank you very much, Mr. Chairman.

CHAIRMAN REED: Thank you, Senator Wicker.

Mr. Secretary, please?

MR. DEL TORO: Good morning, Chairman Reed, Ranking Member Wicker, distinguished members of the committee. It is an honor to appear before you today alongside General Berger and Admiral Gilday to discuss the posture of our Department of the Navy.

Today, our nation, as you both have highlighted, does face challenges in every region and domain that we operate in. From the seabed to the stars, we recognize principally the People's Republic of **China** is our pacing threat, executing a strategy aimed at up ending international order.

To preserve our way of life, the National Defense Strategy calls upon the joint force to deter aggression while being prepared to prevail in conflict. A strong Navy and Marine Corps are the foundation upon which the successes of the joint force exists.

The President's 2024 budget does send a strong signal to the American people of the value that President Biden and Secretary Austin place in maintaining a robust Navy and Marine Corps to confront the threats that we face to the tune of an increase of \$11 billion.

This year's budget request supports our three enduring priorities: to strengthen our maritime dominance, to build a culture of warfighting excellence, and enhancing our strategic partnerships around the globe.

With your support over the past year we have made major strides to modernize our fleet and our force. 2022 saw the deployment of the aircraft carrier USS

Gerald R. Ford, providing the Navy with lessons learned that will benefit future Ford-class carriers.

Construction of high-end surface combatants continue, including the first Constellation-class frigate, USS Constellation, and the first of our Arleigh Burke Flight III destroyers, the USS Jack Lucas.

We continue progress on our first Columbia-class ballistic missile submarine, the USS District of Columbia, while preconstruction activities on the second Columbia SSBN, USS Wisconsin, have also begun.

On the innovation front, Task Force 59, just as one example, in Bahrain continues to test a wide range of unmanned surface vessels and we are looking forward to expanding this effort to Fourth Fleet this coming year.

When we consider the composition of our fleet we seek to strike a balance between readiness, modernization, and capacity with an immediate emphasis on readiness. This year our divestment request includes three amphibious ships and at least two cruisers in poor material condition that offer very limited warfighting capability.

Further investment in these platforms just simply does not make sense. It is a waste of the taxpayers' money. Our decisions to divest or extend a ship life are based on a hull by hull evaluation.

For example, we recently announced the modernization of the destroyer USS Arleigh Burke DDG-51 to keep it sailing through 2031, five years beyond its estimated service life.

We hope to be able to continue that trend with other ships when possible in the Arleigh Burke-class and even with our cruisers, the Ticonderoga-class cruisers.

We owe it to the American people to be responsible stewards of taxpayer dollars. Investing in platforms with limited capability conflicts with that responsibility.

Our naval forces are more than just platforms and systems, however. It is our sailors, our Marines, that are truly our greatest strength. This year's budget request contains multiple investments to support them and their families with services, benefits, housing, and education that they deserve.

In addition to our commitments to our people we are reinforcing our international relationships including those with our Ukrainian partners as they defend their sovereignty in response to Russia's illegal and unprovoked invasion.

In the **Indo-Pacific** we continue to play a leading role in the AUKUS security partnership. Our Navy will be critical to this initiative's success as we support Australia's acquisition of conventionally-armed nuclear- powered fast attack submarines.

We continue to hone our skills with allies and partners in the Arctic, ensuring we are prepared to operate in this challenging and unforgiving environment. Along with our partnerships abroad we are committed to also strengthening our relationships here at home. We value your support and we recommit our leadership toward defueling and remediating the Red Hill bulk fuel storage facility spills.

We are committed to doing what it takes to address the concerns of service members, their families, the people of Hawaii, and all other communities throughout the United States.

As I have said before, we build trust one day at a time, one action at a time.

As I close, I would like to emphasize that to meet these commitments and obligations the Department of the Navy does require a strong cadre of senior leaders. Delaying the approval of our flag and general officer nominations before the Senate is especially harmful to our readiness. I urge all of you to reconsider this situation and allow our nominations to please move forward.

Finally, I am grateful for the trust that you have placed in me to lead this department. I look forward to discussing how best to support our sailors, Marines, and their families and defense of our nation working very collaboratively with each and every one of you.

Thank you.

CHAIRMAN REED: Thank you, Mr. Secretary.

Admiral Gilday, please?

ADMIRAL GILDAY: Chairman Reed, Ranking Member Wicker, distinguished

members of the committee –

CHAIRMAN REED: Could you bring that closer to your face, sir?

ADMIRAL GILDAY: For the chairman and ranking member, I appreciate your thanks for our service this morning, and my wife has joined me this morning. I would like to thank her as well for her support. And I appreciate the opportunity to appear with both the Secretary of the Navy Del Toro and General Berger this morning.

For more than three quarters of a century the United States Navy has been an anchor of world stability, deterring war, upholding international law, and ensuring access to the seas. Today, our Navy's role has never been more expansive or more consequential.

This past year the Navy and Marine Corps team executed more than 22,000 steaming miles and nearly 1 million flying hours. We participated in, roughly, 100 exercises with allies and partners around the globe including the Arctic.

At this moment we have about a hundred ships at sea, a third of the force, reassuring America's allies and partners that we stand the watch alongside them and remind the world that we seek to preserve peace but we are prepared for any fight.

We are America's away team, constantly present, in contact with allies, partners, and potential adversaries every single day. Operating forward, your naval forces defend the rules-based international order. Our Navy flies, it operates, and it steams wherever international law allows so that others can, too.

The United States has always been a maritime nation.

To preserve our security and our prosperity America needs a combat credible naval force to protect our interests in peace and to prevail in war, not just today but for the long run.

Our fiscal year 2024 budget request remains consistent with the Navy's enduring priorities. As the Secretary stated, we are prioritizing readiness first with an emphasis on the sailors who empower everything that we do, ensuring that we are always combat ready.

Next, we are modernizing our current fleet, 70 percent of which we will have in the water a decade from now, and third, we are continuing to build our capacity, ensuring we have relevant lethal platforms to achieve warfighting advantage with a hybrid fleet of manned and unmanned platforms on, above, and below the seas.

Our budget request reflects the Navy's commitment to deliver, to deploy, and to maintain that fleet. It fully funds the Columbia-class submarine, ensuring the on time delivery of the most survivable leg of the nation's strategic deterrent triad.

It keeps our fleet ready to fight tonight, dedicating the resources necessary to train and educate resilient sailors that can out think, that can out decide, and that can outfight any potential adversary.

It funds private and public sector ship maintenance to 100 percent, increasing the capacity and retaining highly skilled labor to get our ships back to sea faster with full magazines and spare parts in our storeroom to be prepared for any contingency.

It invests in modernizing our fleet, procuring weapons with range and speed along with integrated systems to improve fleet survivability and a resilient cyber secure network infrastructure at an invest and capable capacity building towards a larger distributed hybrid fleet, fielding a ready fleet today while modernizing for the future.

Our competitors are investing heavily in warfighting capabilities of their own and the oceans we are operating in are growing more lethal and more contested every single day.

Failing to modernize and meet those threats would erode America's maritime superiority at a time when command of the seas will determine the balance of power for the rest of this century.

This means we can no longer afford domain ships designed for a bygone era, especially at the expense of readiness and modernization or at the expense of buying new ships most relevant to today's fight.

America cannot afford to field a hollow force. We have been there before and we have seen the tragic results. It is a mistake that we must never repeat. Ships,

submarines, and aircraft are no doubt expensive instruments of national power as are the costs of maintaining them. But history shows that without a powerful navy the price tag could be much higher.

Thank you again for inviting me to testify today. I look forward to answering your questions.

CHAIRMAN REED: Thank you, Admiral Gilday.

General Berger, please?

GENERAL BERGER: Chairman Reed, Ranking Member Wicker, and distinguished members of the committee, I also thank you for your comments, and my wife, Donna, is here also as is the sergeant major of the Marine Corps and his wife, and it has been the privilege of a lifetime and this is the best team you could ever hope to match up with.

Three years ago I appeared before you and described how change, in my opinion – rapid change was required to meet our statutory requirements and the mandates of the National Defense Strategy for the future, and with the bipartisan help of this committee and the civilian leadership in the Pentagon I am here to tell you that Force Design for the Marine Corps is not a future aim point. It is a reality and it is here today.

A couple of examples. In the Pacific and **INDOPACOM** Task Force 76.3, they were built to create advanced information sensing maritime awareness for Admiral Aquilino, which he desperately needs in the Pacific.

They took what they learned during experimentation and they applied it in exercises. They turned kill webs – what they call kill webs into reality and they did it in the Philippines and they did it in Japan right in **China's** backyard.

In EUCOM last fall Task Force 61.2, using some new technology and a different way of organizing, created both air and maritime domain awareness for the European commander and Sixth Fleet and they focus their efforts on the Russian air and naval activities, and Marines, in fact, are in Estonia right now doing the same and they will be there for the next four months.

In CENTCOM General Kurilla has our Marine Corps MQ-9s.

He needs ISR. He needs persistent ISR and that is what we are giving him in the key maritime terrain. And this month, in fact, while we are sitting here the new Marine littoral regiment out of Hawaii is in the Philippines, Third MLR.

They are using new sensing capabilities and lethal capabilities in the Philippines and they are demonstrating that right alongside of our Philippine counterparts and other allies and partners in exercise Balikatan and that is how it should be.

A couple of months ago Japan announced that they would host the second – the next Marine littoral regiment forward. It would stay in Japan in the First Island chain and that is exactly where I think you want Marine Corps presence.

In short, your Marines are forward. I think they are where it matters most and that is exactly how it has always been. Three years ago I described how the Marine Corps would not just modernize quickly but we would self-fund that effort. We would get leaner, lighter, more naval, and three years later your Marine Corps – your Marines have done just that and the results are in the field now.

And we are not waiting for 2027 or 2025. We are not waiting for 2030. Your Marines are ready to handle any crisis anywhere on the globe now, today.

Our major divestments, which we had to do, they are done. We are at our fighting weight. Now we have to sustain our modernization efforts while we focus on the quality of life issues most important to Marines and sailors and their families.

People – as both the Secretary and the CNO have mentioned, people are the real source of our competitive advantage as a nation, as the Marine Corps, and I ask for your help now to invest in their quality of life.

We have to focus on where Marines live, where they work, where they eat. Marines and their families expect that from us. They have earned it and they deserve it and now we have to deliver.

I think restoring, modernizing our infrastructure, which many of you all have spoken about, is directly tied to recruiting, directly tied to retention. That is how we support families. That is how we generate readiness.

So on behalf of all Marines I ask for your support now as we bring our

infrastructure up to par with the quality of Marines and sailors who operate from those warfighting platforms.

And I also ask for your help, your support for the amphibious fleet. That is how we project power. The CNO and I agree on three key principles when it comes to amphibious fleet.

First, the absolute minimum number of amphibious warships the nation needs is 31. That is the operational requirement minimum.

Second, both of us agree block buys do two things.

They save the taxpayer money and they give the industry what the CFO calls headlights, which they need.

And, third, divesting without replacing, I think, is a dangerous approach. That creates unacceptable risk.

Amphibious ships are critical to crisis response. They are critical to deterrence. That is how we evacuated citizens out of Lebanon. That is how the U.S. made our initial entry into Afghanistan in 2001, all from the sea.

Today, we are asking them to do all that plus deterrence plus integrated deterrence and campaigning, and my concern here is the first time this nation cannot respond to a crisis and someone else does is the last time they trust us.

So in my final year of commandant I will just finish up by saying thank you. Thank you to the individual members of this committee. Thank you for your coaching and your mentoring and your guidance.

With that, I look forward to your questions. Thank you.

CHAIRMAN REED: Thank you very much, General Berger.

Mr. Secretary, submarines are critical, in fact, I would argue the most critical aspect of our Navy, and looking at the contract right now they are beginning to work on Block V.

But going back to Block IV we are seeing already delays, which will translate into the next block – the multiyear acquisition of these submarines. Block IV has been running about 12 to 18 months behind, costs have been increasing, and

we are trying to bring the Columbia in on course and on schedule. But when you see these reverberating cascading effects you wonder if that is possible, too.

What are you doing and what is the Navy doing to get these course and schedule – schedule issues on track?

MR. DEL TORO: Thank you, Mr. Chairman. There is numerous steps that we are taking, first and foremost, obviously, providing proper oversight over the construction contracts themselves.

We believe by several estimates that they are at about 1.2 to 1.4 submarines a year when they need to be at 2.0 submarines a year. I do not think no one ignores the fact that we have been living in COVID and COVID has actually had a significant impact on our supply chains and our providers and so this takes all hands on deck basically to get to a better place and I hope and I am actually optimistic that we can get to a better place in the next five years.

But it is going to demand a lot of incremental progress and a lot of continued investment in the submarine industrial base. So last year, for example, there was approximately \$700 million that was invested alone in projects like the regional training centers or systems that are so critical to getting to a better place.

Those regional training systems have been implemented in the Northeast. They have also been implemented in Virginia as well, too, and out in San Diego working with the community colleges, working with numerous suppliers and vendors throughout the area so that then we can make the CAPEX like investments in those companies to help them get to a better place with their own capital investments as well, too.

Fundamentally, we also have a challenge, obviously, with regards to workforce training and recruitment and so I believe, as I have visited all the shipyards and met with all the senior leaders of the shipyards, that they are committed now to actually increasing benefits at the shipyards themselves, making the shipyards more amenable to workers coming and working there, looking for housing solutions in the local communities as well in places where housing is a real problem.

So I am hopeful that over the course of the next few years we are actually going

to see some significant increased improvements and getting us to the right place closer to two boats per year on the Virginia-class.

CHAIRMAN REED: I hope we can because it is essential to the Navy. It is one of our greatest assets, particularly in the Pacific if there is any conflict there.

Admiral Gilday, I recently received a briefing from Secretary Raven about the suicides on the George Washington.

The first phase was focused on the individual sailors who were involved.

This new phase is more about collective causal conditions, environmental conditions. But with respect to the first phase, I think not only myself but some of my colleagues were interested about accountability for commanders.

Was there a thorough investigation of commanders' responsibilities and was it formally concluded that there was no command or leadership gaps or, in fact, is that still pending?

ADMIRAL GILDAY: Sir, in the first investigation we did not take action against the commander of the George Washington. The Secretary and I have both been to that ship. We have walked those deck plates. We have met with those sailors before and after that – before and after that investigation was completed.

The investigation found that those suicides, tragic as they are, were independent and there were no common causal factors across those three.

With respect to improvements, although the second investigation has not yet been signed out there are many improvements that we have made across the force. They include investments in things that we learned from the George Washington.

As an example, parking was a problem at the shipyard so we are investing in two parking lots, two multipurpose fitness facilities. We brought minimarts, if you will, closer to the ships. We improved wifi. We moved sailors off the ship. We invested in new berthing barges. Yes, sir.

CHAIRMAN REED: I appreciate that. But, very succinctly, was there an investigation of the command –

chain of command? Was it completed with a conclusion by the Secretary that

there was no leadership failings?

ADMIRAL GILDAY: Yes. That was a rigorous investigation, sir. There were things that that went wrong.

But by tying those – tying those specific failures to the specific death by suicide did not – were not clear.

CHAIRMAN REED: Let me make one other comment, no questions. But as we went through the reports on the George Washington we noticed that one factor was sleep deprivation.

That was also a factor in the investigation regarding the McCain and Fitzgerald collision.

I would presume that you are now relooking at policies and procedures so that that is not a factor and I will –

ADMIRAL GILDAY: Sir, for ships that are underway we absolutely have and we have sleeping policies in effect now based on what we learned from the collisions in '17.

The particular issue that you spoke to with respect to GW is the fact that one sailor in particular was having trouble sleeping on the ship. As I mentioned a moment ago, we have tried to move everybody in the duty sections off the ship and the new berthing barges and other facilities to get after that problem.

CHAIRMAN REED: Thank you very much.

Senator Wicker, please?

SENATOR WICKER: Thank you very much, Mr. Chairman.

General Berger, let us talk about LPDs. I think you said that there is a minimum – absolute minimum requirement of 31 amphibs. Also, you have asked for \$1.7 billion as your number-one unfunded requirement to fully fund the LPD 33. Why have you done that and why is this so important?

What if we do not do it?

GENERAL BERGER: Sir, the study that the Secretary of the Navy directed us to

do last year determined the operational requirement. Pretty rigorous study. Thirty-one is the minimum and that made some assumptions on readiness but 31 is the minimum of 10 big decks and 21 medium and small.

So 31 is both the operational requirement and now the statutory law minimum. That is where the minimum came from.

In the shipbuilding plan and the budget submitted there is no plan to get to that number and that is why I put it as the top of the unfunded list. I understand it – I know it to be the operational requirement and the law and I saw no plan to get there.

SENATOR WICKER: What if we – where will that disadvantage us the most if we do not do that?

GENERAL BERGER: It may be a paraphrase but in the chairman's opening statement he said that the Navy and the Marine Corps are the nation's first line of deterrence, first line of defense. I agree with that.

If we do not have enough amphibious ships or other naval vessels, then you put at risk both deterrence and defense and the ability to respond to a crisis. So the short answer is my concern is if something happens around the world we will not have the right capability nearby where the combatant commander needs it.

SENATOR WICKER: In particular, how would that help us in the Pacific?

GENERAL BERGER: If something happened in Taiwan or any of the regions of the Pacific where there was an aggressive action and we did not have a naval expeditionary force nearby, then time – if you are a combatant commander, if you are an operational commander, as you know, sir, time matters.

I think the same you could say in Central Command, same in European Command. There are times when you can fly in and land a force but not always. In fact, most of the cases you need a seaborne force and you need Marines that can project power ashore when you need to.

SENATOR WICKER: Let us also talk about production line. Now, we are building LPDs now but if this current budget is not changed what will happen to that production line? What will be the consequences of it?

GENERAL BERGER: That line would stop, sir.

SENATOR WICKER: And how – in the future when we decide we finally want another amphib how will that disadvantage us? You got to go find the workers again, do you not?

GENERAL BERGER: That is correct.

SENATOR WICKER: Okay.

GENERAL BERGER: You got to retrain them, hire them.

You got to start from scratch.

SENATOR WICKER: Also, with regard to cost savings I understand the LPD has already gone through cost saving programs and someone has suggested a dramatic reduction in flight decks and you view that as unacceptable. Would you explain that to us?

GENERAL BERGER: In 2014 the Navy and the Marine Corps, directed by the Secretary of the Navy, took under a – looked at a study or undertook a study for about 18 months looking at the LPD 17 and what could be an affordable but capable replacement for the LSD and that became the Flight II – the LPD Flight II.

So reduction of what was an LPD 17 version into a Flight II status, every bit of efficiency squeezed out of that. I think the input from Huntington Ingalls was really important. So now if there is another effort to reduce that further I know that we went to the minimums in 2014.

Nothing less will do.

SENATOR WICKER: Okay. Good. Let us leave it there and, Secretary Del Toro, let us talk briefly about frigates.

Now, we are building those in Wisconsin now?

MR. DEL TORO: That is correct, sir.

SENATOR WICKER: And the decision has been made to build the frigates there and at another shipyard. Is that correct?

MR. DEL TORO: No, sir, not as of right now. The decision –

SENATOR WICKER: That has not been made?

MR. DEL TORO: No, sir. That decision has not been made.

SENATOR WICKER: Okay. Well, where are we on that?

MR. DEL TORO: We are actually waiting for the completion of the technical design package, which is expected by the end of this year.

Once that technical design package is fully mature and submitted for review we will review it and at that point we will make a decision on whether we have the ability to actually take that technical data package and make sure that it is mature enough to actually compete – perhaps, compete with another shipyard so that we could have two shipyards building the Constellation-class frigate.

SENATOR WICKER: Well, we are going to need four a year. Is that right?

MR. DEL TORO: I am sorry, sir?

SENATOR WICKER: We are going to need four frigates a year and that that concept is a way to get that. Is that correct?

MR. DEL TORO: No, sir. Right now the President's budget recommends a saw tooth pattern of two one two one, moving forward. So it is two frigates a year that we will initially need.

SENATOR WICKER: Admiral Gilday, how important would it be to move to four?

ADMIRAL GILDAY: I think very important, based on the comments of both you and the chairman at the opening of the committee. If we could get a second shipyard and two a year from each shipyard – two destroyers, two to three destroyers a year, we would be in a much better place. We are catching up and you cannot buy back time, sir, with the seven shipyards that we have relative to the 30 that we had years ago.

SENATOR WICKER: It is going to be hard to get to four a year without designating two shipyards. Do you agree?

ADMIRAL GILDAY: I agree. I also agree with the Secretary's comments. I think

two shipyards is in the plan.

We want to make sure that we are measuring twice and cutting once before that decision is made.

SENATOR WICKER: Thank you, gentlemen.

ADMIRAL GILDAY: Yes, sir.

CHAIRMAN REED: Thank you, Senator Wicker.

Senator Hirono, please?

SENATOR HIRONO: Thank you, Mr. Chairman. Thank you very much for your service and especially for Mr. Secretary and General Berger. These are – this will be your last, I guess, year of service so I thank you.

I note, Mr. Secretary, that recently the DOD opened up its Red Hill Clinic to people who were not in the service and that is very much appreciated by a community that has been rocked by the disaster at Red Hill and continue to raise many questions about what the military is doing and how they are doing it.

There were a number of recommended changes to the –

based on what happened at Red Hill and characterizing what happened at Red Hill as having had a culture of procedural noncompliance, a lack of ownership, and poor training.

These were among the descriptions of what led to the disaster at Red Hill and there were a number of recommendations made, Mr. Secretary. Among the changes that were recommended can you describe a specific major change that you have implemented or that is being implemented?

MR. DEL TORO: Yes, ma'am, and currently out of the 253 repairs that were identified in order to defuel Red Hill approximately just over half have now been completed.

But the one major change that I would say that I have personally implemented is to ensure that anyone who actually enters Red Hill is actually being supervised properly. So out of the many subcontractors that do work at Red Hill at any given day they have government oversight.

There is a plan in place that they have to demonstrate for exactly what they are going to do, how it was verified, and oversight over the individual actions that they are going to take with regards to any maintenance that actually gets conducted in Red Hill.

SENATOR HIRONO: So it is not just at Red Hill. There are other installations where this kind of review needs to take place. It is stunning to note that the lack of ownership, poor training, lack of oversight that characterize what happened at Red Hill may be going on in other facilities and that needs to be changed. That kind of culture of lack of oversight is really very stunning and totally unacceptable.

MR. DEL TORO: Senator, if I can just add that that degree of oversight actually has been enforced now at all other fuel facilities as well, too.

Immediately after the incident at Red Hill we made sure that we looked at every other fuel farm that we own and operate to try to ensure that we up the standards of how those fuel farms are actually operated.

SENATOR HIRONO: That is reassuring.

MR. DEL TORO: So those measures are in place.

SENATOR HIRONO: That is reassuring, Mr. Secretary, because as you know the community is still very much questioning the – basically the military’s capacity to do the right thing and complete the work that needs to be done at Red Hill.

General Berger, many field grade officers who are actually on the ground and closest to the problem have come on and publicly said the changes made by Force Design 2030 have made their units more capable, and you mentioned the Hawaii-based Third Marine littoral regiment’s successes against a more standard Air Guard Task Force in recent exercises.

These young men are the future leaders of the Marine Corps and are currently tasked with ensuring the Marines are prepared. So their support for the changes made by Force Design 2030 is instructive. I just wanted to make that statement, General, because I do support the changes that you have made.

One thing that does concern me, General Berger, is you noted that infrastructure is very important, the modernization and maintenance of

infrastructure that has to do with the quality of life of our people. And, yet, the Marine Corps only funded 54 percent of the facilities' sustainment and restoration funds that it needs.

So why is this, General? Because for other funding needs it is a much higher percentage of the items that are being funded and yet for the Marine Corps it is only 54 percent. Why is that?

GENERAL BERGER: Yeah. Approach of 80 percent funding for FSRM, which has been the model that we have used for as long as I have been a Marine, has not always allowed us the flexibility to put money where we should have put it because we are tied to a fixed percentage across FSRM. The model that we are using now supported by OSD allows us the flexibility to move money within, to not waste money where it is not going to do any good.

SENATOR HIRONO: So there is a question as to what you consider will not do any good because there are a lot of infrastructure needs, I think, throughout the DOD and, as you know, to me, Red Hill and some of the other events that have occurred with regard to the Army and the other services says to me that we need to pay a lot more attention to our infrastructure needs.

The kind of deferred maintenance that is exemplified, I would say, throughout DOD is an area that I personally –

well, I will be focused on as chair of the Readiness Subcommittee.

I just want to note that to you that I will be paying attention to the needs of all of our services with regard to repair and maintenance of infrastructure. I want to know that what is going through our lines, our pipes, our electrical lines are – that those infrastructure needs are being met.

Thank you, Mr. Chairman.

CHAIRMAN REED: Thank you, Senator Hirono.

Senator Fischer, please?

SENATOR FISCHER: Thank you, Mr. Chairman. Good morning.

Mr. Secretary, earlier this morning I attended a classified briefing on the modernization of our triad platforms, and I would say since the Columbia

program is on a tight timeline to deliver the first submarine to the Navy in 2027 can you provide us an update in this public setting on whether the Navy will be able to meet this timeline given workforce and supply chain challenges?

MR. DEL TORO: Thank you, Senator. Thank you for that question and for your commitment to the nuclear triad as well.

As you know, currently approximately 50 percent of our ship construction funds are devoted to submarines of which Columbia is the highest acquisition priority. When I came in as Secretary approximately 19 months ago or so I also foresaw that there always could exist, perhaps, a gap between the decommissioning of the Ohio-class and the oncoming of the Columbia-class.

So one of the measures that I did take last year was to start analysis associated with how long it would take and how much resources would be needed to actually look at each one of our Ohio sub hulls and see if we could extend some of those hulls to close the potential gap between Colombia and Ohio and that process is now underway and we should have better estimates, hopefully, by the end of this year that we can invest in the President's budget – '25 budget.

In addition to that, all the oversight functions that I mentioned earlier to the chairman with regards to keeping Colombia on track and, again, I thank the Congress for their investments in the industrial base.

SENATOR FISCHER: Can you – can you give us a timeframe that we are currently seeing for the Colombia? Is it on – is it on track? Is it maintaining?

MR. DEL TORO: Yes.

SENATOR FISCHER: Is it dropping back?

MR. DEL TORO: So Colombia is on track in accordance with her contract requirements. There was an expedited schedule that was created by Electric Boat approximately six months advanced and it is about approximately 10 percent behind the six-month advance schedule that we would like to adhere to as well, too.

But rest assured that we are working very closely with the industrial base to keep it on its contract schedule.

SENATOR FISCHER: Admiral, do you have anything to add to that?

ADMIRAL GILDAY: I was just up in Connecticut last week at the shipyard. The Secretary is absolutely right. We are about 10 percent behind in the advanced schedule. We are watching that very closely.

So that advanced schedule, 78 months versus the 84 months contracted, is intended to give us margin for first of a class ship. We are going to have to do weapon systems testing and we are going to have to do testing of a first of a kind integrated propulsion system, and so we are trying to factor that in, watching it very closely.

I would say that the shipbuilders are making really great strides including – in terms of hiring 4,000 additional workers last year, another 6,000 planned for this year.

So we remain confident and keep a close eye on it, ma'am.

SENATOR FISCHER: In working with the industry on this what – can you give us some specifics that you are looking at to help them continue on that expedited schedule?

ADMIRAL GILDAY: So, as you know, the Congress has been very generous in terms of infrastructure investments that we have made in those two shipyards down in Newport News and also up at Electric Boat to the tune of billions over the FYDP.

Separately, I think that the money that we are applying for advanced procurement materiel, particularly given the supply chain challenges we have seen post COVID, are also going a long way to get that materiel well in advance so that we have no work stoppages.

SENATOR FISCHER: Okay. Thank you.

What do you assess the role of the unmanned platforms?

What are they going to play in future Navy operations? You mentioned those in your opening statement. How – and how do you think the architecture of the fleet should be structured so that you can achieve that balance between manned and unmanned?

ADMIRAL GILDAY: So whether it is under, on, or above the sea we are looking at manned/unmanned teaming. So this will be a phased approach. Initially, you would have unmanned teamed with manned aircraft, as an example, where the manned aircraft would be the quarterback and the unmanned would be the wingman.

We are doing the same thing under the sea. We are doing the same thing on the sea. Under the sea, we have our first extra large UAV prototype in the water now for testing off the coast of California with more to follow. This brings a clandestine mine-laying capability to the combatant commanders.

On the surface we have been doing a lot of work with drones in the Middle East. We will have a hundred this year operating along with six other countries. We are only paying 20 percent of that bill. The other countries are chipping in and paying most of it.

That allows us to have more persistent coverage in an area where – in the Middle East that is still a maritime domain. But we do not have the numbers of ships that we have had in the past.

In the air we have our unfueling – our drone and MQ-25 that is operating off our carriers now and testing. We will go IOC in a couple of years and so that frees up – that is our first instantiation of an airborne UAV that allows us to refuel aircraft in the air, give them another 500 miles of range.

And so we are making all of these progressive advancements and trying to do it very deliberately but at speed.

SENATOR FISCHER: The lessons you are learning in the Middle East are those transferable to the Pacific?

ADMIRAL GILDAY: Absolutely. The Secretary just announced that we are going to scale our unmanned operations from the Middle East to Southern Command. So it is taking a closer look at illicit drugs and illicit persons that are coming up the northern approaches by the maritime. Also, our intent is to put an unblinking eye on illicit **Chinese** fishing on both coasts of South America.

SENATOR FISCHER: Thank you. Thank you, Mr. Chair.

CHAIRMAN REED: Thank you, Senator Fischer.

Senator Kaine, please?

SENATOR KAINE: Thank you, Mr. Chair, and to Admiral Gilday and General Berger, my congratulations and gratitude to both of you for wonderful service.

General Berger, I just want to pick up one point and make sure I get the punch line version of one aspect of your testimony. The nation needs 31 amphibs. The statutory requirement is 31 amphibs. The budget we have before us has no path to get to 31 amphibs. Am I reading you right?

GENERAL BERGER: Yes, sir.

SENATOR KAINE: All right. Thank you.

Secretary Del Toro, I want to thank you for your attention to an issue that has been very challenging for us in Virginia and that is military suicides, particularly connected with the George Washington and also the Mid Atlantic Regional Maintenance Center.

And you and I went together down to MARMC and I could tell in your interaction with the command and with the rank and file, both the sailors and the civilians in that unit of 2,500 people, that this is something you take very, very seriously and you are focused on trying to figure out a way to improve this set of tragedies.

If I could ask you a set of questions about that.

Could you first tell me what is the status of Brandon Act implementation?

MR. DEL TORO: Yes, sir. The fine details of how best to implement the Brandon Act are being reviewed by the Under Secretary of Defense for Personnel Readiness. I hope that over the course of the next several months we will actually have a path forward on how best to execute it.

It is extremely important to bring every tool in the toolkit in order to solve this or try to help solve this very, very tragic situation with regard to not just suicides in the Navy but suicides in the nation, and there is no greater responsibility the Secretary has than the safety of their personnel both in the Navy and Marine Corps and the civilian personnel. As you suggested, we take this responsibility very seriously.

SENATOR KAINE: I would love to stay in touch with you about this because

what I would not like to happen would be for there to be a report about implementation after the NDAA is done that we do not find satisfactory.

So I would like to stay in dialogue with you about the implementation so that if we feel like we want to offer some additional muscle to implementation we have a chance to do that before the committee finishes its work on this. So I will continue with you on that.

I also had the chance to talk to Admiral Franchetti and Secretary Raven about the phase two analysis of the George Washington suicides and I know that it is not yet done.

I was heartened by some of the initial discussion about the depth of recommendations that are going to be made. But I am interested in one particular issue and I am not sure that it is covered in the phase two, based upon my questions.

Last year's House report to the NDAA directed a briefing on personnel assignments to carriers undergoing refueling. Do we need to maintain the entire ship's fleet with a ship during an extended refueling? In the George Washington case it is six years. Senator Scott has raised some similar questions in hearings before.

As I asked Secretary Raven and Admiral Franchetti about does phase two get into challenging assumptions about whether we have to keep the entire ship personnel component intact during the entire refuel, which can be a very extended one as the GW, I got an answer that made me think that was not part of the analysis. So and yet that was a suggestion in the NDAA language from the House side last year that we analyze ship personnel assignments during extended refuels.

Tell me if you are doing anything to sort of challenge your own assumptions about what personnel component is needed during a refuel, or particularly for first tour sailors are there other assignments that they could take on that would more closely match the MOSes they have trained for.

MR. DEL TORO: Absolutely so, Senator, and in fact, the summary report may not have highlighted that as a fact. But we are taking a close look at this because it is extremely important. And while the entire crew may not be needed

throughout the course of the entire RCOH, especially when the ship first comes into port and to its following stages, towards the end of the RCOH you do have to build that crew back up.

In fact, one of the things that we discovered on the George Washington, for example, is that there was a lack of mid level leadership in the chief petty officer corps that did not – they were not providing the necessary oversight for junior personnel, for example.

So although it is complicated I do not think the entire crew is needed throughout the entire period. But there are stages where we actually need that mid level management overseeing our most junior sailors who could be challenged with living in a shipyard environment.

SENATOR KAINE: Just one final thing as I conclude.

When we visited the Mid Atlantic Regional Maintenance Center following the suicide of four sailors there within two months it was, I think, fairly clear that a contributing factor was a manning policy that allowed for a 60 percent increase in the assignment of personnel who were either on limited duty or pregnancy postpartum with no additional assignment of medical resources to help them deal with, for example, a med board process or other needs they might have.

What are you doing to try to deal with that issue to provide more in-unit resources in billets like this where there is a high percentage of people who are assigned on either a limited duty or a pregnancy postpartum status?

MR. DEL TORO: Yes, sir. So I will let – I will let the CNO address the specific actions that are being taken.

But we actually have channeled back on that policy. We have way too many LIMDUs going to other places where they cannot be cared for in the manner that they deserve to be cared for.

So we are actually looking at withholding the ones that we can back on ship where they have better care and more resources available to them. But, perhaps, the CNO can go into a little bit more detail on the specific action.

SENATOR KAINE: I am over time. But if you could do it briefly.

ADMIRAL GILDAY: Yes, sir. I will make three quick points.

The first thing that we are doing is making a faster determination of what path they ought to be on – are they just on light duty for a period of two weeks because they have a sprained ankle or do we need to move them off the ship on a more permanent basis, getting them the help that they need at an accelerated rate so that we prevent them from going into a limited duty status. The point is to get sailors – keep sailors at work.

And the third, for those on limited duty to get them those medical evaluations at a much faster pace. We are also reducing the ratio of those in limited duty at command so that we do not have another MARMC so that people are properly supervised, sir.

CHAIRMAN REED: Thank you, Senator Kaine.

Senator Cotton, please?

SENATOR COTTON: Thank you, Mr. Chairman.

Admiral Gilday and General Berger, thank you for your latest and presumptively your last appearance at the committee as chief and commandant. We congratulate you for a lifetime of service and appreciate everything you have done for this country.

Mr. Secretary, I want to be the latest senator to ask about this issue of the 31 amphibs. The budget this year does not include any fiscal year '24 money for the seventeenth San Antonio-class ship.

That sets you on a path to fall below the legislatively mandated 31-ship amphib floor, as Senator Kaine pointed out, and, General Berger, you testified that you think that is in the needs of the Marine Corps.

So I just want to ask what is up with this discrepancy between that legislative mandate in General Berger's stated need for the Marine Corps and the budget request? Can you explain it to us?

MR. DEL TORO: Thank you, Senator. First, let me unequivocally state that I do not dismiss anything that the commandant of the Marine Corps said with the need for our nation to have the heavy lift that is necessary to provide our

expeditionary forces in the Pacific, in particular, the ships that they need to be able to carry equipment and personnel around the Pacific.

The concern that developed over the course of the last year or so has been the increasing costs of the platforms themselves. There were two studies that were done to address this issue.

One is a cost study that was initiated by the Office of Security Defense to look at the – and compare the costs, essentially, between the different designs of the LPD and see if we could actually bring down those costs, and the second is the BFSAR which is mandated by the '23 NDAA as well and to take a look at the overall requirements for the amphibious ships both large and medium in order to make the right decisions necessary in the '25 budget to invest in the required platforms.

And I think that there is also general recognition that moving towards a multi-ship multiyear procurement is an effective way to bring the cost of those ships down in the future.

SENATOR COTTON: So at bottom it is a cost issue?

MR. DEL TORO: Yes, sir. The cost per ship issue.

SENATOR COTTON: Yes.

General Berger, any further thoughts on this matter?

GENERAL BERGER: You, the Senate – the Congress gave the service chiefs the authority, the responsibility to determine the operational requirement, which I did, which is 31.

But the Secretary, obviously, has a lot of things he has to fund as does the Secretary of Defense. So I can – I am not in their position to weigh it against all the other things that they must fund. I can just tell you that the operational requirement, the minimum, is 31 and that assumes a level of maintenance that provides the availability to the combatant commanders.

SENATOR COTTON: Okay. Thank you both. Obviously, this matter has a high degree of interest on the committee and I suspect we will be addressing it in the months ahead.

Mr. Secretary, I also want to speak about the state of our industrial base, especially what it means for submarines, the Navy's inability to build ships and the fleet on time and on budget for many years, well before you came along, to be fair –

MR. DEL TORO: Trying to make it better, Senator.

SENATOR COTTON: Yeah. [Laughter.]

SENATOR COTTON: We all are, but it has been a source of growing concern. There are press reports that it is now going to take five years for the Virginia-class submarine production to reach its target of two boats per year.

Admiral Gilday earlier this year spoke to industry and he told them that they needed to prove it. That is a direct quote. I think that is an apt quote to industry regarding the ability to ramp up production. Our submarines, obviously, provide us an unmatched strategic advantage, especially in the **Western Pacific** against Communist **China**.

So could you give us some thoughts about what we can do in this committee and in Congress to help assist with the ramp up of the industrial base especially as it relates to submarines?

MR. DEL TORO: Yes, sir. Again, it is an all hands on deck approach, everything from trying to improve the manpower issue and trying to get the shipyards to be able to recruit more effectively.

I mean, we face across the entire country a national shortage when it comes to blue collar workers. I think increasing legal immigration to this country and work visa programs actually may very well help to better and support that blue collar workforce that is needed in places like the shipyards, for example.

But, again, the investments that you have made in '23 and '24 are in the right direction in terms of the investments in the industrial base itself.

One thing that I have been trying to do, Senator, is trying to expand the marketplace with regards to smaller shipyards, getting them involved in the Department of Defense construction and having them actually support the big primes.

So I have been having conversation with the primes, for example, to try to include more smaller shipyards to feed the primes and a perfect example of that actually is being executed now at Austal where even before I got here the CNO encouraged the development of steel hulls at Austal.

They are now building steel hulls and they are actually contributing to Electric Boat up in Connecticut and providing the necessary modules necessary, and I think HII is doing the same thing as is Ingalls down in Pensacola as well, too.

I think continued investment in CAPEX makes a lot of sense where the government invests in these capital improvement programs at the shipyards so that the shipyards can also make an equal investment and help get us to the right place.

It is all hands on deck across the entire spectrum of improvements that have to be made.

SENATOR COTTON: Thank you.

CHAIRMAN REED: Thank you, Senator Cotton.

Senator Rosen, please?

SENATOR ROSEN: Thank you, Chairman Reed, Ranking Member Wicker, for holding this very important hearing and I want to thank all of you for being here today and thank you for your service and for your support for things in Nevada, of course, across the country as well.

And I want to talk a little bit about Nevada and the Fallon Range Training Complex modernization. So, Secretary Del Toro, as you know, we are so proud in Nevada to host Naval Air Station Fallon, home to "Top Gun" and the nation's premier carrier air wing and the SEAL training centers, and I want to offer you and your staff again my personal gratitude for working with me and the Nevada delegation on a consensus proposal to modernize the Fallon Range Training Complex, which was included in the fiscal year '23 NDAA.

And I appreciate that Under Secretary Raven and other senior leaders will be traveling to Fallon just later this week to meet with the tribal nations because this agreement included key mitigations for local and tribal governments that require future appropriations.

Specifically, the Navy is responsible for compensating for the timely reconstruction and, of course, relocation of impacted roads and infrastructure, the displaced grazing permittees, our cultural resource surveys and environmental assessments, and funding and completion of these requirements.

It is not just important for my constituents. It is also necessary to ensure that expanding the training complex it can become operational for the future of the Navy. And given that Fallon modernization was the top Navy's legislative priority the Nevada delegation was expecting that in the fiscal year 2024 budget the request would include funding for those various commitments. However, fiscal year 2024 budget was silent, silent on Fallon modernization.

Secretary Del Toro, can you speak to the Navy's implementation plan for modernization of the Fallon Range Training Complex, given the urgency to modernize? I am curious why this implementation is not included in the Navy's fiscal year '24 budget request.

MR. DEL TORO: Senator, let me first, again, thank you for your leadership on this issue and I was so proud to have been – played a small role by your side, basically, to bring this across the finish line. But it is about execution now.

I am unaware that we actually do not have the necessary funds to execute on the plans that were already baked into the agreement in fiscal year '24. As far as I know, and I have reviewed the actual next steps that are required to execute the plan, I know that there is going to be monies that get put into the President's budget '25 to continue those efforts.

But as far as I am aware there are no delays in actually us being able to meet the requirements necessary that were laid out in that plan in accordance with agreements that were made between the tribes and us and the community and us as well, too.

So it is my understanding that all the funds that we currently have are enough to fulfill the existing requirements that we currently have. More will come, obviously. But let me get back to you with more specifics –

SENATOR ROSEN: Perfect. I will have my –

MR. DEL TORO: – because I do not want to misspeak on that.

SENATOR ROSEN: I will have my team circle back and we can –

MR. DEL TORO: Yes, ma'am.

SENATOR ROSEN: – find out about that. And I also want to ask you this, that I understand the Navy has yet to finalize an agreement with the local tribes regarding access to important sites, and so can you give me an update on the Navy's engagement with the tribes and the timeline for finalizing access?

MR. DEL TORO: Ma'am, allow me to get back to you with specifics because I do not want to misspeak in any way. My understanding was that everything is on track and actually Secretary Berger and Secretary Raven are traveling out there to actually celebrate, in many ways, the progress that we have made in the path forward and review what lays ahead, basically, on the POA&M.

SENATOR ROSEN: I am going to stay a little bit on Naval Air Station Fallon because the personnel station there they do conduct critical training missions. The fleet is deployable and operationally ready every day.

These operations incredibly demanding and so reducing external stressors is important not only to the sailors but also to the mission. I know 172 new housing units are on track to be built at Naval Air Station Fallon. It is going to help ease a little bit of that housing strain.

But more needs to be done, and Fallon is still considered a remote duty installation and I want to ensure that other things for quality of life are also addressed.

So I know – I can take this off the record if you would be brief – can you speak to the quality of life at Fallon, mental health resources that might be available for our sailors and folks that train there and work there and what are you doing to support those on remote duty in the NDAA?

MR. DEL TORO: We recognize that Fallon is a remote site and we recognize the challenges that go along with that, in general.

The CNO, the commandant, and I are hyper focused on actually the remote sites across the entire country more so than the major concentration areas as well, too, because they undergo a lot more stressors than other locations.

I have actually specifically spoken to the Under Secretary of Defense for Personnel Readiness on the hospital issues associated with Fallon, Nevada, for example, because it is so important to get the right mental health providers necessary to fill those billets in Nevada and we are struggling to fill those billets in Nevada, obviously, as well as in Japan and Rota, Spain as well, too.

But allow me to get back with a long list of actions that we are specifically taking with regards to Nevada on the quality of life issues on the bases.

SENATOR ROSEN: Perfect. Thank you very much. I will be submitting some more questions for the record. Thank you.

MR. DEL TORO: Yes, ma'am.

CHAIRMAN REED: Thank you, Senator Rosen.

Senator Rounds, please?

SENATOR ROUNDS: Thank you, Mr. Chairman. And, first of all, to all three of you thank you very much for your service to our country.

Admiral Gilday, 38 years is long time. Cannot do it without family. I appreciate you and your family. Very, very special.

General Berger, thank you very much for your 42 years of service and, once again, without what you do the services here in the United States simply are not what they are today. So thank you to both of you.

Admiral Gilday and General Berger, there have been efforts to share or take parts of the spectrum away from DOD activities and to use them for 5G, recognizing that 5G is an important aspect in this country and it is something that we need to be able to utilize.

But in doing so there is a particular part of the spectrum which is, I believe, very critical to a number of our defensive systems. Specifically, the 3.1 to 3.45 gigahertz band, or the S band, of the electromagnetic spectrum is used specifically by a number of your platforms.

Admiral Gilday, General Berger, could you share with us in this unclassified meeting the types of systems that would be impacted if this transfer of spectrum capability or limitation of spectrum capability were actually enacted before this

September study is completed? Can you share with us how serious this could be to your ability to do your mission?

ADMIRAL GILDAY: Senator, I would like to talk about three specific threat areas that I think come to mind when it comes to the very powerful capabilities that we have in that part of the spectrum.

The first is air defense. So we just saw what happened when a balloon flew over the United States. We cannot have that happen with a more serious threat. And so that band affects the radars – the ship-borne radars that specifically would provide that type of early warning.

The second point I would make is about countering unmanned and so these are drones that are increasing in capability and size and lethality. I do not mean to be dramatic but we have to look around the bend to the future, the possibility of having to defend ourselves against threats like that and we cannot be blind to them. Taking away the capability in that band would do so.

The last area that I would speak to is missile defense and so we need warning there as well. These radars in that band bring that to bear. We know that we are in the age of hypersonics. It is not a place where we think that we want to accept risk.

If we – if we do lose access to that band, if it is either vacated or shared and we cannot do that job on a continual basis, then I think we have to look at what modifications that we would need to make to probably 188 ships in terms of their systems to provide the American people with a degree of confidence that those three areas that I mentioned are properly defended.

SENATOR ROUNDS: Thank you.

General Berger?

GENERAL BERGER: I think what seems lost in that conversation, Senator, is we – those systems, those radar, electronic warfare systems were designed to optimize that spectrum for a weapon system.

We had access to that when the requirements were developed. That is why we went with that weapon system. So if we – if that access is lost then the very reason you pick that part of the band of the spectrum for a radar, for electronic

warfare, for a training system, all that is lost to us.

We have to be able to train realistically. So, for us, I think the same as CNO, the radar systems primarily but also other sensing systems and electronic warfare. That is why we chose that portion of the band.

MR. DEL TORO: Senator, if I can just add, the cost of actually relocating these systems would be enormous, I mean, upwards of \$250 billion, probably. So I am really fearful of the secondary consequences that some of these decisions could actually lead us to.

SENATOR ROUNDS: Thank you, sir. Would it be fair to say that the state of Hawaii is protected by those systems today, Admiral Gilday?

ADMIRAL GILDAY: Yes, sir, to some degree.

SENATOR ROUNDS: How about the capital of our country, Washington, D.C.?

ADMIRAL GILDAY: Yes, sir.

SENATOR ROUNDS: How about the West Coast of the United States today?

ADMIRAL GILDAY: Absolutely. Yes, sir.

SENATOR ROUNDS: All of those are utilizing weapon systems or radars that are specific to this particular part of the spectrum that they are talking about trying to either share or sell, correct?

ADMIRAL GILDAY: Yes, sir, and importantly also it would affect our ability to train to a high degree of proficiency to use those weapon systems.

SENATOR ROUNDS: Thank you. My time is expiring. I would – I would not want to disappoint the committee. I will ask a question for the record with regard to the USS Boise and your plans for not only the USS Boise to actually get it through dry dock but those other Los Angeles-class attack subs that are behind it in line that right now we do not have the shipbuilding capacity to be able to get those back in operation in less time than what it took to build them in the first place.

ADMIRAL GILDAY: Yes, sir.

SENATOR ROUNDS: Thank you. Thank you, Mr. Chairman.

CHAIRMAN REED: Thank you, Senator Rounds.

Senator King, please?

SENATOR KING: Thank you, Mr. Chairman.

First, I would like to associate myself with Senator Rounds' questions on spectrum and the answers that you have provided. This is a critical issue. There is no reason to move forward with a spectrum auction before this study is completed. I think there is a significant national security risk.

Secondly, before beginning my questions I want to compliment General Berger. A friend of mine once said everybody is for progress, nobody is for change. You have managed both progress and change in a remarkable way, I think, during your three years as commandant and I want to compliment you on that because it is not easy to move a large institution.

You have done it with a very forward thinking way of looking at the future demands on the Marine Corps and you have done that very effectively.

Mr. Secretary, we have talked about this before. I am concerned about the transition from the DDG Flight III to the DDX, which is currently in design. Number one, are you supportive of the joint work that is being done by Bath Iron Works and Huntington Ingalls to be sure that the design is buildable and will be most effective for the Navy and for the taxpayers?

MR. DEL TORO: Yes, Senator. Not only am I supportive but it is actually critical to success for the DDG(X) and it is part of the reason why we actually have moved the schedule two years to allow for a far more mature design and allow the shipyards to actually work closely with us to determine exactly not just the propulsion plant and what it should look like but to actually build out a land-based engineering site that we could actually test the propulsion plant at, as well as the many other technologies – advanced technologies – like Helios and others that it will actually provide in the future.

SENATOR KING: You used the right word, maturity of design, because as I have sat through 10 years of hearings on weapon systems maturity of design is one of the key factors to not – to prevent a debacle in terms of acquisition, both in

terms of time and cost.

And also we need to be thinking now about the transition from the Flight IIIs to the new ship, that there not be a lag. You have seen me draw the graph of the trough in employment if we do not have a smooth transition. I hope that is in your plan.

MR. DEL TORO: I could not agree with you more, Senator. I think continuing to build DDG Flight III – DDG- 51 Flight IIIs is critical to ensuring that we do not have a gap like we are trying to prevent between the Ohio and the Columbia-class.

SENATOR KING: The issue of suicide has come up several times. There is an aspect of it that has not been discussed today and that is the relationship between the transition from active duty to veteran status and suicide.

Unfortunately, there is a correlation. Many suicides of veterans take place in the first one or two or three years after the transition.

I hope that we can work together and perhaps discuss offline how we can improve that transition – the handoff, if you will – so that a sailor does not walk out the door one day in the warm embrace of the Navy and then suddenly into the cold world without the handoff to the veteran status. So will you commit to working with me on that?

MR. DEL TORO: Absolutely, Senator, and continuity of care is essential to that transition.

SENATOR KING: Admiral Gilday, I think I asked you a similar question when you were first up for confirmation about hypersonics and we will take this in a classified setting.

But a general question is are you satisfied with where we area in terms of naval defense to a hypersonic attack?

It seems to me that is one of the most serious strategic challenges that we face today, particularly in the Indo- Pacific?

ADMIRAL GILDAY: Sir, no, I am not. We are working to close some known gaps that we have with respect to layered defense. Some of the biggest obstacles are

technology, including mature technology, that would be – that we would be able to apply to the – to that problem set.

I think another aspect of it is being able to confuse and disrupt the adversary's ability to accurately target and use those weapons effectively. So in classified – in a classified setting, sir, I think we can talk about that in a little bit more detail.

SENATOR KING: Well, I am glad you started with the question – the answer was no because that implies we have work to do.

ADMIRAL GILDAY: We do.

SENATOR KING: And I will look forward to working with you and your successor. I hope you will pass that sense of urgency on to your successor.

ADMIRAL GILDAY: Yes, sir. I shall.

SENATOR KING: And I will have another couple of questions for the record on some manpower issues.

Mr. Secretary, I commend you for the work you have done in terms of helping our shipyards with their workforce challenges. It sounds mundane but things like parking and childcare availability is important to having the workers that we need to build the next generation of ships, whether they be submarines or destroyers or frigates or amphibs.

So please keep that work in mind. Workforce, in my view, is maybe one of the most significant challenges that we have today.

Thank you, Mr. Secretary.

CHAIRMAN REED: Thank you, Senator King.

Senator Ernst, please?

SENATOR ERNST: Thank you, Mr. Chair, and thank you, gentlemen, very much for being here today, and, Admiral and General, thank you so much for your service and dedication to our great United States of America and to your families and your teammates as well. Truly appreciate them for their support.

China's military has raised the risk of great power war and our combat credibility, especially as we look at the **Indo-Pacific**, is increasingly in question and that is why Congress has really called on the department to build our lethal capabilities to deter **China**.

So, General Berger, I would like to start with you.

The late chairman, John McCain, had declared that, quote, "The Marine Corps must modernize itself for the deterrence of great power competitors," end quote. We all know there has been a lot of debate surrounding modernization efforts within the Marine Corps. How did this committee's intent inform your vision for the future force?

GENERAL BERGER: Probably, first, I would start with when Senator McCain said that and four years ago the Marine Corps very ready to handle the problem sets of today, right now.

In fact, if we had the capacity we would have – we would have a Marine Expeditionary Unit – an amphibious ready group off the coast of Africa right now so that if Sudan got worse that General Langley would have a number of options.

So I think readiness in terms of handling the problem sets of today was not the issue. But the National Defense Strategy, the indicators in the intelligence community, the developments in technology were a clear indicator to General Neller before me that we had to change. Holding on to what we had that was successful in the past was not going to help us in the future.

So, to your point, I think the indicators from this committee, the support from individual members and collectively, that has allowed us in three and a half years to get to where we are. We are very ready today but we cannot slow down.

We have to move quickly to stay in front. We have a –
we have a pacing threat. We have a pacing challenge.

SENATOR ERNST: Yes, we do. And, General, you shared your predecessor's assessment that the Marines were not organized, trained, equipped, or postured to meet the demands of the rapidly evolving future operating environment and you just referenced that.

How do your investments meet operating requirements in the **Indo-Pacific** specifically?

GENERAL BERGER: Some of it is the weapon systems themselves, the capabilities, everything from the MV-22, which this committee and others saved from death 25 years ago and thank God we have it right now – the 53K, the anti-ship missile capability that were developed and all this were years in the making.

I think in the **Pacific** the challenges that General or that Admiral Aquilino and his commanders face are range and it is a home game for the **PLA**N. So we have a couple of challenges out there.

We have to be present. We have to be the stand-in force there from the beginning because fighting your way in from the outside not a good plan. We have to work on the logistics so that that forward stand-in force is sustainable, is ready, and you have to be there with allies and partners because they have to believe that the United States is not running away from them, is going to be there even when things get tough, and that is where the Marine Corps Navy – I mean, this is where we make our money, right alongside the allies and partners forward where it matters.

If we back off, if we pull out of there, we are sending a message strategically, which is not the message we are going to send.

SENATOR ERNST: You have outlined a number of gaps that exist logistically, support and working with other nations.

Are there other gaps that you can address specifically within the Marine Corps?

GENERAL BERGER: The biggest one is what most of the members brought up, which is the capacity to get us there, to have that presence forward all the time.

If we do not have the vessels, if we are not forward and we are in the United States and we are fighting our way to get in, bad place to be. I think if you still believe, in other words, that three ships – amphibious ships loaded up with 2,300 Marines – if they have a deterrent value and I think they do then you want them right in the adversary's grill, right in their face where they can see them all the time.

Senator Cotton asked basically can we afford conventional deterrence. Absolutely, yes, because the alternative is a lot worse.

SENATOR ERNST: Are you managing that near-term risk as you divest from some of the legacy programs that you have?

GENERAL BERGER: Absolutely, yes. Absolutely, yes, ma'am.

SENATOR ERNST: Okay. Thank you very much, gentlemen.

Thank you, Mr. Chair.

CHAIRMAN REED: Thank you, Senator Ernst.

Senator Kelly, please?

SENATOR KELLY: Thank you. Thank you, Mr. Chairman.

Thank you for being here.

My first question is to General Berger. First of all, thank you for all the incredible work that is happening in southern Arizona at the Marine Corps Air Station in Yuma.

It is home to the, as you know, the largest F-35 command in the Marine Corps.

It is also the home of the weapons and tactics instructor corps so it is helping train F-35 pilots in the Marine Corps across the country, essentially.

So but also across our entire state we have got other flying missions. We have got Luke Air Force Base, Davis- Monthan. We are training F-16 pilots and operational squadrons and A-10s, Air Force F-35s. We have got the Compass Call Mission at DM with C-130s, soon to be getting a new airframe.

Helicopters, UAVs, we got all this – a lot of stuff and it is the greatest place in the country to train. And I am not being parochial here on it being Arizona. I mean, it really has good weather to train these missions.

What we are struggling with right now a little bit is airspace. We have got a lot of airspace. We got the Barry Goldwater Range. We have got MOAs, Outlaw Jack, all other MOAs. We got a restricted area over Fort Huachuca.

But so, General, I am interested from your perspective, the perspective of the Marine Corps, how would expanded airspace in the Southwest improve DOD's ability to support fifth-generation fighter aircraft training?

GENERAL BERGER: Senator, sitting behind me is my wife and she is probably smiling because we took our family to Yuma, Arizona. We lived there for three years, raised our kids there. So everything that you describe we lived when we had kids that were younger. It was a great place to raise a family.

It is also a fantastic place to train. You mentioned the weapons and tactics instructor course. I was in – that is what my assignment was. And I am an infantry guy so, first of all, getting invited to teach it in aviation school I thought they had made a mistake.

But off I went to Yuma and learned more about combined arms, Marine Air Ground Task Force, how we fight, than any other assignment I have ever been in. Airspace is critical.

Without that you cannot put all the pieces together, and it was a box that we operated in in the 1990s when I was an instructor there but we did not have the range of the weapon systems we have now.

We did not have the speed and range of the aircraft we have now. If we cannot stretch the legs of the F-35 or the MRLS rocket system, if we cannot use the airspace to the maximum degree of the weapon system then the first time the Marines are going to employ it is in combat and that is not what we want.

So absolutely critical, both altitude and depth of the Barry Goldwater ranges and the rest, as you mentioned. If we do not have that then we are putting our air crews, our ground Marines, in a risk because the first time they are going to really put all the pieces together is when the fighting starts.

SENATOR KELLY: Yeah. As you mentioned, as the stick gets bigger the airplane is going faster, the AMRAAM is going further. We need more space. We can stitch together some of this space, by the way, I mean, and that is something we have talked about in Arizona is we have an opportunity here with the FAA reauthorization bill. Talk to the FAA, come up with a plan that works for commercial aviation, works for the airline industry, but also helps us train better.

Now, I think Senator Sullivan, if he goes next, he is probably going to jump in here and talk about the airspace in Alaska. But this is really important and the weather is ideal for this training.

GENERAL BERGER: Just one quick plug for the FAA. They have been fantastic partners for 35 years, handing off airspace between LAX and Twentynine Palms and Yuma. Great partners.

SENATOR KELLY: Thank you. Thank you, General.

Secretary Del Toro, just real quick. I know Senator Kaine talked about the Brandon Act. I really appreciate all the hard work you have done on this.

We need to get it implemented. We discussed a little bit about this from a more personal side this morning. Can you just give me a really quick – and I do not have a lot of time but a status update and how is the Navy working with DOD to make this a reality and what specific actions have you taken to support implementation?

MR. DEL TORO: Thank you, Senator.

Well, for starters, I have personally met with the Caserta family to understand the challenges that they have undergone and what they would like to see moving forward in terms of the Department of Navy and the Department of Defense being able to move with – to work with families like the Caserta family as they struggle with this tragic incident.

I believe it has to be with – we have to get to a better place with regards to executing the right of individuals to be able to seek out help from the private sector privately but at the same time with the checks and balances necessary so that the military also understands the struggles that this individual may be facing because if we do not understand the struggles that they are facing then that presents even greater threats as well, too, to operations and also to the individuals themselves.

And so we have to find that right balance between those two needs in order to get to a better place and those are the discussions that I have had with the Department of Defense.

ADMIRAL GILDAY: Sir, I know we are over. Can I make just one quick

comment?

SENATOR KELLY: Yeah. Yes.

ADMIRAL GILDAY: The department issued a mental health playbook and so for sailors and Marines one of the things it does is it helps them – it raises their awareness of what options are available and there are already self-referral and confidential options that are available.

We still have work to do as the Secretary is working on to make this more holistic across the force. But we have made investments and we are trying to head in the right direction in order to make that available.

SENATOR KELLY: Thank you, Admiral. Thank you, Mr.

Secretary, and thank you, General.

CHAIRMAN REED: Thank you, Senator Kelly.

Senator Sullivan, please?

SENATOR SULLIVAN: Thank you, Mr. Chairman.

I would like to thank the witnesses, in particular Admiral Gilday, General Berger. Thank you for your incredible service and your families over decades. It is very appreciated. I have enjoyed working with both of you.

I am going to dig into this 31 amphib ship issue a lot more harshly because I just do not think what is happening right now is remotely appropriate.

Mr. Chairman, I would like to submit for the record a Defense One news article "Navy on the path to violate 31 amphib ship requirement in 2024" for the record.

CHAIRMAN REED: Without objection. [The information follows:] [COMMITTEE INSERT]

SENATOR SULLIVAN: And the 30-year plan makes it clear that the Navy has no intention of meeting this statutory requirement. Last year the Congress of the United States was an amendment that I worked on personally with the commandant. Got this in the law. It is the law. Let me read the law.

"The naval combat forces of the Navy shall include not less than 11 operational

aircraft carriers and not less than 31 operational amphibious warfare ships of which not less than 10 shall be amphibious assault ships." That is the law. We passed that. I want to compliment the commandant. It is not easy to be sitting next to your boss saying we need this, we need this, we need this. Your boss, obviously, does not agree, General.

But here is the thing. There has been these discussions of balancing, costs, another CAPE study that is going to come out in June '23 for the fiscal year '25 budget on amphib requirements. That is irrelevant.

The Congress of the United States did the balancing, Mr. Secretary, working with the Marine Corps. It was unanimous, by the way, in this committee. You are violating the law.

Would you come before this committee and say, sorry, we are not going to do 11 carriers? No way. You would get your you know what handed to you. You cannot do it, sir. I find it simply unacceptable that we are all just letting you say maybe that was a suggestion by the Congress. It was not a suggestion. It was a mandate.

Mr. Secretary, I would like to just ask you right off the bat why are you violating the law and why does your shipbuilding plan have no remote interest for the next 30 years, as far as I can tell, of hitting the statutory mandate that we told you to hit? I have no idea what your answer is going to be. But you need to follow the law, sir.

What is the answer?

MR. DEL TORO: Senator, as a member of the executive it is my responsibility to follow the law.

SENATOR SULLIVAN: Yeah.

MR. DEL TORO: It is also my responsibility to ensure that we just do not waste taxpayer money on vessels, for example, that will never see the light of day –

SENATOR SULLIVAN: Okay. Let me ask you on that one.

This Congress has given you multi-ship procurement authorities, passed three NDAA's. This is the third year in a row that amphibians are not being procured with

this cost- saving authority.

So it is a little rich when you tell me about taxpayer savings when you are not using the ability to save money that we gave you on amphibs. You use it for every other ship but not amphibs.

So I am not really buying the taxpayer argument because you are not using that authority. What is your answer to the issue that you are not following the law? And what I am going to ask for a request on, because I am running out of time, I am requesting you come back to this committee soon and tell us how you are going to follow the law.

That is your only option, Mr. Secretary. Another CAPE study – we did the study. We told you what to do and you need to do it. The commandant agrees with us. This committee agrees with us.

So what is your answer to this question? You are violating the law right now and your shipbuilding plan looks to say, hey, we are going to violate the law for the next 30 years. That is totally unacceptable.

In my view, you have not been hit hard enough by members of this committee. You are ignoring us. Worse, you are ignoring the law. What is your answer to that? And I do want your commitment to come back here with a statement on how you are going to fix this.

MR. DEL TORO: Senator, you have my commitment that I will come back to you with a statement on how we can fix this. I think –

SENATOR SULLIVAN: And follow the law.

MR. DEL TORO: Yes, sir. It is my intent to follow the law and I hope that, hopefully, by the President's budget '25 submission we will be able to be back in place with a multiyear procurement that actually looks at –

SENATOR SULLIVAN: Not looks at. That is not your option. We looked at it.

MR. DEL TORO: Like I said, sir, as we develop the President's budget '25 I will look at that as an option that we can pursue to get us back on track with multi-ship procurements for LPDs.

SENATOR SULLIVAN: It is not an option for you, Mr.

Secretary. The committee, the Congress, the President have spoken.

Thank you, Mr. Chairman. This is a big issue and right now with the Secretary of the Navy ignoring the Congress of the United States is unacceptable.

CHAIRMAN REED: Thank you, Senator Sullivan.

Senator Shaheen, please?

SENATOR SHAHEEN: Thank you, Mr. Chairman, and thank you all for being here this morning. I am sorry I missed much of the questioning. We have multiple hearings at the same time.

I would like to also echo the chairman and ranking member's comments about you, Admiral Gilday and General Berger, and the service that we all very much appreciate.

Secretary Del Toro, I was really pleased to see that the Navy included several new funding options for childcare centers. I think each one of you talked about the quality of life and the importance of ensuring that we can maintain those people who join our military and childcare is one of those areas where it is absolutely critical.

In New Hampshire we were able to have a joint effort between the Portsmouth Naval Shipyard and the New Hampshire National Guard to put a joint childcare center on but one of the big challenge just has been recruiting teachers.

So can you speak, Secretary Del Toro, to what more the Navy is looking at in terms of recruitment for teachers within our childcare facilities? Or Admiral Gilday, either one.

MR. DEL TORO: Yes, ma'am. I will just be brief and then pass it to the admiral.

So one of the initiatives that we are looking actually is to be able to provide those childcare providers the ability to save costs on the children if they have children themselves.

So we allow up to 50 percent reduction, for example, in childcare costs so that they can actually have their own children at the childcare center as well, too, in addition to trying to increase the pay for those childcare providers as well.

ADMIRAL GILDAY: Exactly. So on the pay piece we are paying above minimum – above the – I am sorry, above the average national wage for childcare center workers, about \$5 above the median.

Secondly, we have reached out to a couple of schools in Texas and Utah, particularly during peak months where they are having students come in and help us in those childcare centers as well and they are being adequately compensated for that help.

SENATOR SHAHEEN: Well, I applaud any efforts that you can undertake that will improve our ability to provide childcare for the men and women in the military.

One of the things I learned as governor when we were trying to address childcare in New Hampshire was that the military was the role model for the private sector on this issue and we need to see that continue.

Secretary Del Toro, I think you mentioned AUKUS in your opening comments and I wonder if – it is my understanding one of the challenges that we have had are the – is the challenging framework that exists for sharing information and technology about our capabilities.

Can you speak to whether we are able to do that through AUKUS right now, what changes we need to make in order to provide that sharing that is really going to make that compact work as it should?

MR. DEL TORO: So, Senator, when it actually – Senator, when it actually comes to sharing of the nuclear- powered technology for the submarine itself there have – it has not been a challenge necessarily. It is actually in the other areas in terms of AI and machine learning and other technologies where we actually have to get to a better place with regards to being able to share that technology with our international partners.

And, CNO, would you comment a little bit more on that, too?

ADMIRAL GILDAY: On the second pillar?

MR. DEL TORO: Yeah.

ADMIRAL GILDAY: So one of the things that AUKUS has done is it has really

opened up the blinders in terms of our collaboration with both the U.K. and Australia and their industry in areas like quantum computing, AI capabilities.

We are already doing a lot of that with both of those countries in the submarine force but this will accelerate it in terms of investment by private individuals as well, by equity firms that are seeing the progress that we are making in those specific areas.

SENATOR SHAHEEN: Well, I would encourage us to continue that. Obviously, if we cannot make something like AUKUS work with our closest partners we are going to have challenges across the board.

General Berger, I think several times when you have been before this committee I have asked you about the ability of the Marine Corps to recruit women – recruit and retain women, and I understand that in fiscal year '22 the Marine Corps was able to recruit a slightly higher percentage of women than in the past.

But can you talk about what the biggest obstacles are to that recruitment and also to retention of women once they get into the Marine Corps?

GENERAL BERGER: The first obstacle, I think, was not having any role models and most of the fields in the Marine Corps were they got promoted to colonel and general. In other words, they could not go into combat arms until 2015 so they did not see anybody at the top that was representing them except in administrative sort of staff fields.

But the Marine Corps is a warfighting organization. I think now they are seeing role models in aviation and infantry that were not there six, seven years ago.

That is a huge plus. Right now we have an infantry officer school just like the Army does. We have three female lieutenants in the course right now. Five years ago there were none.

We have female enlisted Marines that are in the infantry course in both coasts – in the East Coast and West Coast. We have them in infantry battalions now that are motormen. These were not even thinkable things five, six, seven years ago.

So, first of all, I think it has produced – make sure that we advance the ones who can serve as role models. I think the initiatives that Congress has given us in the last few years have helped a lot, being able to opt out of promotion.

If it is not the right time in my family career can I just step out of promotion and then come back in without a penalty? Yes, you can.

Can I ask to step out of command, not be considered for command? Sure. Can I take an intermission from my career?

I want to do something for a couple of years and come back in without any penalties.

All these are provisions that Congress has given us, which are now, I think, becoming more and more useful. You made it – we changed a policy last year. We are dual military people, which are more prevalent now, I think, than they were a decade ago.

For us to assign them to different duty stations it takes your general officer to approve that now. So we are making it better for females to stay and raise a family and have it all instead of making a choice, and I think over the next 10 or 15 years if recruiting continues like it is right now, I mean, in a decade we have – we have 85 percent more female aviators now than we did 10 years ago – 85 percent.

Last month, Colonel Nicole Mann, she came back from the International Space Station. She is a jet pilot, test pilot, astronaut, mission commander. These are – these are the kind of role models that we need.

SENATOR SHAHEEN: Thank you very much.

CHAIRMAN REED: Thank you, Senator Shaheen.

Senator Tuberville, please?

SENATOR TUBERVILLE: Thank you, Mr. Chairman.

Gentlemen, thanks for being here today and your sacrifice and your families' sacrifice. We know how tough that is.

You know, guys, I am proud of our Navy and I want to talk a little bit about team building and recruiting.

Americans are proud of their Navy. Outside of ports like North Fork in San Diego many Americans do not see the work that your sailors do. They do not see it.

The Navy's work is often unseen, is far from our shores. Even the Navy's history like the Midway and Manila Bay it is hard to see. So to recruit new sailors you must tell the Navy's story to both internal and external audiences. It has got to be told.

Today we have more ships named for politicians and activists than we do for great Navy battles and heroes of our past. We have a USS Carl Vinson but no USS Enterprise.

We have the USS John P. Murtha but where is the Yorktown? New sailors should be on USS ships like the Wasp, the Midway, the Vengeance, or the Intrepid.

Mr. Secretary, you were the commander of the DDG-84 who was named after who, sir?

MR. DEL TORO: John Duncan Bulkeley, Senator.

SENATOR TUBERVILLE: Yes, sir, and he was a Medal of Honor winner, and I know you were proud to serve on that ship. When he was asked about charging two German ships when he had only one working gun, Admiral Bulkeley said, quote, "What else could I do? You engage, you fight, you win." That is the reputation of our great Navy.

Mr. Secretary, in your capacity to name ships I hope in the future that we get back to naming ships after heroes, people that has actually done something. Now, we have had politicians that has been in the military before and I understand that. But our history is told through our battleships and the things that we put names on.

Our sailors need to hear and see all these stories instead of divide us. Sometimes they do divide us. This week many of us watched the video that has gone viral online of a young Navy lieutenant JG. I have a lot of problems with this video. This nonbinary officer said the highlight of her deployment on the USS Gerald Ford was reading a poem to the entire ship.

Admiral Gilday, have you seen this video?

ADMIRAL GILDAY: I have.

SENATOR TUBERVILLE: I hope we train our officers to prioritize their sailors,

not themselves. Did it surprise you that a junior officer says the highlight of her deployment, her first and the ship's first, was about herself and her own achievement?

ADMIRAL GILDAY: I will tell you why I am particularly proud of this sailor. So her grandfather served during World War II and he was gay and he was ostracized in the very institution that she not only joined and is proud to be a part of but she volunteered to deploy on Ford and she will likely deploy again next month when Ford goes back to sea.

Sir, we ask people from all over the country, from all walks of life, from all different backgrounds to join us and then it is the job of a commanding officer to build a cohesive warfighting team that is going to follow the law and the law requires that we be able to conduct prompt sustained operations at sea.

And so we have to – our – that level of trust that a commanding officer develops across that unit has to be grounded on dignity and respect, and so if that officer can lawfully join the United States Navy, is willing to serve and willing to take the same oath that you and I took to put their life on the line then I am proud to serve aside them.

SENATOR TUBERVILLE: Admiral, I agree with that. I do not care who you are as long as you join our military to fight for the freedom of our country and protect our country.

The problem that I am having is the obsession with race, gender, sex. It is focused on self. It is not focused on team, and if we do not start building a team we have no chance to win individually in this country. We have no chance.

Everybody else is building, and to do a poem with all the 8,000 other people on this ship and to focus on herself – and do not get me wrong. Her uncle or whoever that fought – hey, my dad died in the military. Okay. I am all for that.

But I am all for building a machine. We do not – our recruiting is suffering. We do not need to have another Bud Lite moment. I mean, we do not need to have a Bud Lite moment in the Navy.

I mean, we have to build a killing and fighting machine and it just concerns me that we do all these things and we focus on one thing, one person. We are all Americans. That is what we are and I hope as admirals and generals and

people, secretaries, that we start pushing Americans first, not a gender, not a race, not nationality.

We all got to come together. If we do not we have zero chance because this is not the country we used to have.

This is not the military we used to have and we have got to get out of that rut of saying we are individuals.

We are not individuals. We are the best country on the face of the earth and the best military, the United States of America.

Thank you. Thank you, gentlemen. Thank you, Mr.

Chairman.

CHAIRMAN REED: Thank you, Senator Tuberville.

Senator Blumenthal, please?

SENATOR BLUMENTHAL: Thanks, Mr. Chairman. Thank you all for being here and for your service to our nation.

Admiral Gilday and Commandant Berger, thank you particularly and your families for your extraordinary service over many years.

I want to just take a moment to tell my colleagues about a bill that I introduced along with Senator Sullivan to commemorate the United States Marine Corps' 250 years in a commemorative coin to mark this important milestone.

I am really grateful to my colleague, Senator Sullivan, to join with me in this tangible reminder of the Marine Corps' contributions to our nations and I hope all my colleagues on the committee will join us in this legislation.

It may seem symbolic but symbols often tell an important story, particularly, Commandant, in a time when the Force Design 2030 has created issues within the Corps.

This kind of point of solidarity, I think, can be important.

Admiral Gilday, I want to come back to the questions raised by the chairman about accountability in the USS George Washington. I was in the briefing that

we received and I have no question that you and the briefers and our top command in the Navy are deeply concerned about those three suicides.

But what I heard in that briefing was that phase one did not address accountability. Phase two did not have it as a specific topic but that accountability might emerge somehow from phase two.

I would like your assurance that accountability, that is, holding responsible anyone in command who knew or should have known about the desperate straits of those three sailors will be at least named and held accountable in some way.

ADMIRAL GILDAY: Yes, sir. I know that you understand – everybody does – how complicated death by suicide can be and the number of factors that can be involved, and I am no way trying to be evasive on this issue. I take personal ownership for some of the failures that we saw in Norfolk and other places that we are currently correcting.

That said, in any specific investigation and we have –

the Navy has relieved 15 commanding officers over the past 12 months for various reasons. We have to connect those actions directly to the findings, to the facts, of those investigations.

I commit to you, sir, that we will look very closely to that and come back to you.

SENATOR BLUMENTHAL: Thank you.

ADMIRAL GILDAY: Yes, sir.

SENATOR BLUMENTHAL: And we are at the one-year anniversary of the death of one of those sailors, Master of Arms Seaman recruit Xavier Mitchell-Sandor, and I want to suggest that one way to alleviate – and I know you are taking steps on the USS Stennis to alleviate some of those issues that were involved in those suicides, maybe to procure housing on the open market when ships are in maintenance for many years using the BAH, a bigger topic for further consideration.

Secretary Del Toro, I think you – we all have seen the recent leaks of classified documents that are so deeply alarming, appalling, and that show Americans

how many members of our military have such wide access to top secret documents.

I wonder if you are considering measures that might restrict access, particularly on the part of junior members of the military in the Navy, for example, to classified documents.

I have been a longtime advocate of declassifying documents that do not need to be kept secret. But at the same time maybe we ought to be looking at who has access to those documents that truly have to be kept secret to protect vital information and sources and methods.

MR. DEL TORO: Well, thank you, Senator. We very much are and the Department of the Navy and throughout the Department of Defense. The Secretary of Defense just this morning actually has requested a 45-day review of security clearances and accesses across the department and so we will be looking at this issue very, very carefully.

And as you know, on the one hand you have the desire to be able to share more intelligence information with our allies and partners and that presents risks, obviously, and on the other hand there is a need to actually protect the secrets that we do have and so it is a bit of a dual-edged sword.

But we have to do better across the department to ensure that we keep it to only those that really need the intelligence in order to be able to fulfill their responsibilities and their duties, both substantively and administratively as well.

SENATOR BLUMENTHAL: Thank you. Thank you all.

Thanks, Mr. Chairman.

CHAIRMAN REED: Thank you very much, Senator Blumenthal.

Senator Budd, please?

SENATOR BUDD: Thank you, Mr. Chairman, and again, thank you all for being here. Thank you, each of you, for your service.

General Berger, a common criticism of Force Design 2030 is that the Marine Corps has depleted its combat power, for example, by divesting of its main battle

tanks and a significant portion of its aviation assets.

To the extent that you can talk about it in this setting can you talk about the underlying analysis and your logic to these divestment decisions?

GENERAL BERGER: Yes, Senator. First, the underlying analysis was derived from a series of wargames five, six years ago, seven years ago, where each individual wargame was testing the force against the pacing challenge – pacing threat.

In every case it was not a good outcome. So the conclusion there was if you do not change the outcome is not going to change. So that drove us towards devising, first of all, if that is the – if that is the case, keeping our original equipment and our formations, everything, the same, is not going to keep up with the pacing challenge then what do we need to do differently and we started with how we are going to operate. Not equipment, but how we are going to fight.

So the first step was, as the chairman said, a more distributed way of operating in an expeditionary naval manner that fits right into the joint concept for the future concepts drive everything in the Marine Corps. So, first, get the concept right.

Second, if that is an underlying concept that the Navy and Marine Corps joint force is going to operate upon then test it in a series of wargames and then go out into the field and experiment with it, and that is exactly what has happened for the past four years.

SENATOR BUDD: Thank you for that. So those that are criticizing Force Design 2030 the simple answer, and I will let you fill in the blank for that, is it divestment? Is it a change? How would you approach the critics of Force Design 2030?

GENERAL BERGER: This July – this summer when the president sends me home that will be the last day that I get a morning intel report. It will be the last access I have to every bit of technological development that the CNO and I and the other services chiefs have.

We will not have access to all of the information we need to develop the force anymore. So my answer to the critics is beginning on the next day I will be the biggest supporter of whoever the next commandant is because I will know he

has information I do not and I will trust that the Marines who are doing the experimentation out in the fleet, as long as we have a mechanism for feeding that back in to the headquarters of the Marine Corps and we make the changes we will be fine.

So I trust that this current commandant, past ones, future ones, have access to the best information available.

We have the best process for developing the Marine Corps that fits into a naval construct, complements the joint force. All that I am very confident in.

SENATOR BUDD: Thank you, General.

Admiral Gilday, much has been made about the growth of the **Chinese** navy and the need to grow the number of the U.S.

ships in the fleet to meet that growing threat. I would like to hear from you not about the quantity of ships in their fleet or in our fleet but about the relative qualitative advantage of Navy power.

So what kind of technological advancements are we seeing from the **Chinese** and how should we be viewing this issue?

ADMIRAL GILDAY: So, sir, we are watching the **Chinese** very closely, and to the commandant's point, what we are going to fight with is being informed by how we are going to fight and that is what we are out there doing with our strike groups, with our amphibious ready groups, in our fleet exercises, in our war games, to try and refine that based on how we are watching **China**.

There is no question our biggest asymmetric advantage is people. The investments we are making in live virtual constructive training, as an example, allow us to train as a fleet Marine force and as a Navy at a scope and scale that we could never do by getting individual ships underway, firstly.

Secondly is we are completely revolutionizing the way we are training individual sailors through a framework called ready relevant learning where it is beyond brick and mortar classrooms or school houses. We are getting information to young sailors at the right time and the right quantity.

With respect to – you mentioned capacity, and if I could for a second, sir, for the

last two decades the nation has been focused on ground wars. That has been the priority and understandably so.

The investments that we are making now and, largely, due to the support of this committee we have 56 ships in construction across seven shipyards with another 77 on contract. That rudder turns the ship of the United States Navy very slowly but we are really trying to get after that capacity issue as well.

In the modernization investments that we are making we have increased – if you take a look at our operations and modernization accounts we are up 5 percent from where we were last year, a total of \$11 billion, and much of that is going into readiness.

I mentioned in my opening statement we are funding maintenance at 100 percent. We are investing in new submarines, expanding the amount of missile tubes. We are improving torpedoes that they fire. With surface ships we are giving them longer range weapons, both Tomahawks and defensive weapons.

We are investing in the electronic warfare capabilities. We are investing in the weapons, doing multiyear buys of weapons that our aviators fire from their F-35s and their Super Hornets. So we are trying to wherever we can buy down risk and close on vulnerabilities so that we can pace **China** instead of trying to follow them.

SENATOR BUDD: Very good. Thank you all.

CHAIRMAN REED: Thank you, Senator Budd.

For the information of my colleagues, the vote has started and, of course, at the conclusion of this open hearing we will go into a closed hearing in SVC 217.

With that, Senator Duckworth, you are recognized.

SENATOR DUCKWORTH: Thank you, Mr. Chairman, and I want to say thank you – a deep and profound thank you to both Admiral Gilday and General Berger, to you and your families for your extraordinary lifetime of service to our country.

I do want to associate myself with Senator Sullivan's concerns that the current Navy budget proposal significantly undercuts Marine Corps amphibious

capabilities. In fact, I think it undermines Marine Corps doctrine.

At a time when we need to be looking at the **Indo-Pacific** region and a shift towards a forward deployed island-based force to cut back on LPDs in particular, I think, is a misjudgment. That said, I do want to talk about logistics in the **Indo-Pacific**.

General Berger, I have appreciated your leadership among the service chiefs and recognizing the challenges posed by sustaining forward deployed troops in a contested logistics environment, particularly in the **Indo-Pacific** region, which is characterized by island formations and huge swaths of open sea, and I have been ringing alarm bells about this problem, especially in a contested logistic environment, for years, not just because of my own experiences or because U.S. Transportation Command is in Illinois but also because I truly believe that for the sake of our service members and for the credibility of our deterrent we have to get this right.

General Berger, what – in what ways does this year’s Marine Corps budget request support contested logistics and how does this benefit the Marine Corps and how does it benefit the joint force?

GENERAL BERGER: We have had some long discussions on contested logistics. I am going to miss them.

First of all, the structure – the lay down of where we have prepositioned supplies and parts and munitions and equipment across the **Pacific**, across the world, we have to relook now, quickly.

It was built for a different timeframe under a different set of circumstances. So where we have afloat and ashore prepositioning has to be revisited, has to be changed, and there is funding to do that. But that is going to take a fundamental – it is going to take a different look and some tough decisions in the next few years.

A second is, I think, the platforms that we use to move that equipment, those supplies around. Here, the good news is everything from the 53K to the medium landing ship to every other conveyance that is unmanned that the CNO is working on and we are working on that is going to move that around we are going to need it all. It is going to be planes, trains, and automobiles.

We also have to educate, train our logisticians in a different way, which you have talked to me about before. It is not business as usual for them because it is not an administrative move of materials. Even the way that we contract has to change because this peacetime exercise approach is not going to work in a conflict in a contested environment.

Lastly, I would say the resilience part. If it comes to a conflict we are both going to – there is going to be some degradation across the board. How fast can we come back? And that gets into applying the same methodology for kill webs into, as you pointed out before to me, logistics webs – how do we create logistics webs that look like kill webs?

SENATOR DUCKWORTH: And I think LPDs are going to be an important part of that and this budget does not support the number of LPDs that I think that we need.

A critical vulnerability for any military is the logistics tail associated with delivering operational energy to its field or forces. Both our readiness and our allies' and partners' readiness will be bolstered by reducing our reliance on fossil fuels and employing more diverse and renewable operational energy sources, as well as seeking more creative and cooperative ways of supplying operational energy to U.S. troops and to our overseas partners.

Secretary Del Toro, General Berger, how much could we gain from cooperating with our allies and partners in Europe and in the **Indo-Pacific** to improve our logistics availability and distribution? What efforts in your budget request work towards operational energy security and resilience?

MR. DEL TORO: Thank you, Senator. It is an incredibly important topic.

We have significantly improved, I would say, our alliances across the **Indo-Pacific** for this very nature. We are kicking off with Balikatan, for example, '23 with 17,500 Marines right now working side by side with our allies and partners.

The ability to actually move our forces forward and provide the logistical bases that they need – as you know, the Secretary of Defense just came from the Philippines and negotiated four additional bases as logistics bases in the Philippines as well in the north as close to Taiwan as one can possibly get.

Providing operational energy investments to those bases is always critical. We have – and the Marine Corps is another example in Albany, Georgia, for example, where we have become zero dependent on outside sources for energy, for example. The same thing applies to Miramar in California, for example, where we actually have provided energy out to the local communities.

So these are all investments that are necessary. They are also necessary at sea as well, too. For many years biofuels have been very, very expensive and it has been hard to get the price point of biofuels down to the point where it actually makes sense to be able to invest in that.

So we have in the President's budget commitment to continue in the R&D effort that is necessary to try to discover that biofuel that will provide the biggest return on investment to our forces.

SENATOR DUCKWORTH: General Berger?

GENERAL BERGER: For us it is not as much of a money issue as it is an operational tactical imperative. We cannot fly in batteries, fuel the way we used to. It is not going to be possible. It is not going to be practical.

We have got to find other ways to power our equipment, vehicles, everything. And there is money in the budget to do that but it is going to take time and your support.

SENATOR DUCKWORTH: According to DOD's own reports 50 percent of all casualties during the war in Iraq occurred during convoy operations and 80 percent of all convoys were conducted to move fuel. We need to do better.

Thank you, Mr. Chairman.

CHAIRMAN REED: Thank you, Senator Duckworth.

Let me recognize Senator Cramer and also give the gavel to Senator Warren while I go vote and return quickly.

Senator Cramer, please?

SENATOR CRAMER: Thank you. Thank you, Mr. Chairman.

Thank you, General and Admiral, for your decades of service and

congratulations on another good solid year ahead.

Mr. Secretary, I am going to get right to the point with you. I worked with the Navy for a little better than a year and a half to this point on behalf of a Navy SEAL and an officer who wanted to get out of the – his service a few months early so that he could pursue his next level of service – his next area of service in political office.

It is pretty much over – the case – but I wanted to highlight it in this forum because it is really a horrible vignette of how the Navy, I think, far too often treats its people. I brought it up with you once quite a while back, with Admiral Gilday as well, and I will make it as brief as I can.

Lieutenant Adam Schwarze asked in July of 2021 for permission to run for office while serving his final few months in the Navy. The paperwork got lost and it took me getting involved for the paperwork to find its way back into the process, and then the CNO endorsed his request and then it was denied by you.

Meanwhile, Lieutenant Schwarze also tried to get out using an old but still authorized early retirement authority. Again, process stopped unexplainably. But I weighed in and the process then continued with the commander of naval personnel endorsing the package, only again to be denied at your level.

Then, from my vantage point, Mr. Secretary, began what I think was a witch hunt. He was called back from his skilled bridge assignment in Minnesota to his last assignment in Hawaii where he could then be punished.

The Naval Special Warfare Group lawyers proceeded to rip apart his history, his dedication, and question his integrity with statements that literally, quote, "call into question his sincerity and trustworthiness." I am happy to provide all of this for you in case your team has lost it.

In fact, you went after his – this decorated hero with a veracity that made my staff including a commander in the military reach out to him to check his well being and reached out to the Navy to make sure that they were looking out for his well being.

You pulled his trident and then prevented him from retiring on time. You did an investigation that included false statements about me and my connection with Lieutenant Schwarze, statements that seemed quite political for what is

supposed to be an apolitical organization.

The whole time that my office was trying to get information from the Navy it faced roadblocks, barriers. It was like pulling teeth. Then after all of that a board of inquiry was held and on all counts the board voted three to zero that the preponderance of the evidence did not support any basis of misconduct. Three-zero, seven times.

In summary, you screwed the sailor's paperwork up constantly, repeatedly. You made a political decision on his future. You tarred and feathered him out of revenge.

A board of inquiry unanimously absolved him of all charges. You held him past his retirement date until the law actually required you to let him out and you left a patriot feeling like the Navy does not care about him or worse at the end of his service, and you kept his trident.

I just – after hearing all this stuff about how important the people are, Mr. Secretary, I am perplexed and I hope it is not too late to – for some corrective measure to replace this person's integrity and dignity.

With that, I will just let you respond.

MR. DEL TORO: Thank you, Senator. I would be happy to continue to work with you on this situation.

However, first, I would like to make a statement that I personally did not make any statements against you or Lieutenant Adam Schwarze myself. But I will add that we have a responsibility in the Department of Defense that all service members actually act in accordance with the Hatch Act and Lieutenant Adam Schwarze knew exactly what the rules and requirements of the Hatch Act were.

We cannot allow uniformed service personnel, even if they are one day from retirement, to participate in political activities, especially election-related activities.

That is a standard that must be met. It has been adhered to since the beginning of the founding of our nation and we have to actually meet that standard.

SENATOR CRAMER: So is there a standard where Navy lawyers can – are

allowed to just absolutely trash a guy's reputation, create misstatements – factually untrue statements about his career and his claims so that they can somehow prove their point? Is that – is that a standard?

MR. DEL TORO: Senator, I would be happy to look into the case further to see if those statements are accurate. I do not know the details of the –

SENATOR CRAMER: I do. I do. I know them.

MR. DEL TORO: – statements that were made by lawyers and I would be happy to work with you on that.

SENATOR CRAMER: I know them including the statements about me that are in the – your lawyer's records. So –

MR. DEL TORO: I would be happy to collaborate with you and your office, Senator.

SENATOR CRAMER: I look forward to that. I would rather not have to do it so publicly but after a year and a half of being stonewalled I am glad you are here today.

Thank you.

SENATOR WARREN: [Presiding.] Thank you. So I recognize myself now.

Last year the White House released a report telling agencies to prioritize union shops with pro-worker employers when awarding government contracts. This includes the Department of Defense. Workers are central to the United States' national security and the strength of our Defense Industrial Base.

I am concerned that the Navy is not following through on the President's commitment to unions and workers. For example, I have heard reports that the Navy is consistently passing over union shipyards for contracts and giving them to nonunion shipyards instead and some of these nonunion shipyards are already at capacity, working on multiple contracts at the same time, while the docks at the union shipyards are sitting empty.

So it sounds like even though there is plenty of work to go around the Navy is actively choosing to ignore union shipyards where workers generally have better wages and better protections in favor of nonunion ship yards that are already

overburdened with contracts.

Secretary Del Toro, do you agree that the Navy contract should prioritize union workers when their shipyard is ready and able to do the job?

MR. DEL TORO: I do, Senator, in accordance with all the other regulations that drive the issuance of contracts under the FAR.

SENATOR WARREN: Good. Thank you. I agree with you on this.

This has serious consequences. Missing out on contracts can mean closing the doors for these shipyards and laying off hundreds of workers, especially for smaller shipyards, and it means the next time that the Navy needs a ship repaired it will have to go to a nonunion shipyard that is likely already over extended, resulting in delays and threatening our ability to protect our coastline and to support our allies.

The implications of this are huge as ongoing conflicts like the war in Ukraine and the threat of future conflicts fuel demand for weapons and other equipments. Delays in completing crucial projects could leave us vulnerable when we most need security.

Secretary Del Toro, do you agree that the closure of union shipyards is a threat to the Defense Industrial Base?

MR. DEL TORO: Senator, the closure of any shipyard in the United States can present a threat to the United States in terms of our ability to build our ships and maintain our national security and I would be most interested in actually getting the details of those reports that you mentioned so I could validate whether they are true or there is other issues at play that I am just not familiar with.

SENATOR WARREN: That is good but we also – the good news is that the Navy still has time to change this approach. You said earlier this year that now is the time to invest in the defense workforce and I could not agree more with you on that.

Part of the solution should be to take advantage of the resources that we already have but we are not using or not using enough like union shipyards and, more broadly, there is a lot that the department can do, for example, making sure

that contractors are properly notifying employees of their right to organize, improving contractors' compliance with anti-union consultant disclosure forms, and ensuring that federal funds are not spent by contractors on union busting.

Secretary Del Toro, can you tell me what steps you plan to take to ensure that the Navy is reinforcing the Defense Industrial Base while preserving union jobs?

MR. DEL TORO: Senator, I am committed to preserving union jobs, as I said earlier, and we actually have several shipyards that are already under union labor agreements as well, too, and my commitment to you is that I will work with my acting Assistant Secretary of the Navy for Research, Development, and Acquisition that I hope we will actually have a permanent Assistant Secretary already in A Force so I can actually invest more time in looking into these issues and many other issues as well.

SENATOR WARREN: I appreciate it and I look forward to working with you on this. President Biden has made an historic commitment to empower workers by prioritizing union labor in federal contracting and, as you know, DOD is not exempt from that pledge and should not want to be exempt from that pledge.

Protecting union jobs in the defense sector is a question of national security and I look forward to working with you to make sure that the Navy can fulfill its duty to the American people. Thank you.

MR. DEL TORO: Thank you, Senator.

SENATOR WARREN: Thank you, and I now recognize Senator Scott.

SENATOR SCOTT: Thank you, Chairwoman Warren.

[Off mic.] If we could talk about Taiwan a little bit. So it sure appears that **China** is building a military to somehow intimidate or defeat Taiwan and if the – if that happens the U.S. Navy and most likely the Marines are going to be front and center in doing whatever we can to support Taiwan.

In the meantime, the most important thing we could do is make sure does not happen. So can each of you talk about what you are doing to get Taiwan prepared to make sure this does not happen?

One thing you keep hearing up here is the fact that I think it is something like

\$19 billion worth of U.S.

military equipment has not been – has been ordered and not been delivered and so what are we doing to make sure Taiwan is doing their part?

What are we doing to make sure our military industrial base provides the resources and what can you do to make sure that happens? Because it does not make any sense to me that the equipment is not there and Taiwan is not actually doing more than what they are doing right now. So if each of you could answer that.

MR. DEL TORO: Senator, if I could start.

Our National Defense Strategy is hyper focused on **China** as the pacing threat, obviously, with regards to their interest in potentially using military force against Taiwan, which we have to avoid at every possible moment.

Part of the challenge that we face in providing the equipment, obviously, is the challenges that we have had in the supply chain over the last three or four years and so that is an issue that the Office of the Secretary of Defense is trying to address with special authorities.

SENATOR SCOTT: Can I just stop you right there? Can I just stop you right there for a second?

MR. DEL TORO: I am sorry?

SENATOR SCOTT: That sounds really good. I have not heard one thing that is going to accelerate to \$19 billion or whatever the number is. I have – we have had these hearings and it keeps coming up. I have not heard one thing that actually has been done to accelerate it.

MR. DEL TORO: I will – happy to provide you a list of things that have been done in the industrial base to actually accelerate the deliveries of those equipments and authorities.

SENATOR SCOTT: So is there – is it happening? Is there anything that is happening?

MR. DEL TORO: There is discussions at the OSD level, both at the DSD level and the Under Secretary of Defense for Acquisition and Sustainment across the

entire department, working with suppliers of munitions providers and other equipment across the board to see how fast they could accelerate their production lines.

But it is going to take some time to do so because capital investments need to be made both materially and also in the workforce in order to increase the production rates that are necessary to get them to Taiwan in addition to our other international allies and partners as well, too, who have been asking for additional munitions as well, too.

So industry has to do its part. I think that they see the commitment that the President and the Secretary of Defense is making in terms of ensuring a reliable solid pipeline in the future and now is the time for industry to make those capital investments.

SENATOR SCOTT: I would love to – I would love to see what – I would love to see concrete actions that are actually going to change the timeline because I was just in Cyprus the week before last. They got the same issue. They are not getting all – everything they want. They do not have any expectation of the dollar numbers but even a country like that cannot get what they want.

So what – so what is – what is the Navy doing, what are the Marines doing actually to get Taiwan positioning on top of the equipment and ready to make – hopefully, deter **China** from doing something?

ADMIRAL GILDAY: Sir, I think it is best if we talk about that in a classified session in terms of the things that we are looking at in terms of our responsibility to field a ready force every single day.

So our priorities have been readiness of the current force, modernization of the force, 70 percent of which we are going to have 10 years from now, and that is important from two aspects. One is you got to be ready to fight tonight to put doubt in Xi's mind that today is not the day.

In a series of speeches last month in one of them he challenged his generals to be ready for war now and so we take those kinds of assertions very seriously. So readiness has to be our top priority. Getting ships out of maintenance on time, which we are improving at but yet –

not yet satisfied with has to improve.

As the commandant said earlier in this hearing, pushing everything we can forward that is where we need to be. The Navy and the Marine Corps needs to be forward, and it is not just likely that it will be the Navy and Marine Corps. It is definitely that will be the Navy and the Marine Corps as the away team and the first on the scene.

Again, we are making balanced investments in the force that we have today, the best we can put in the field in terms of weapons.

We have just done in this budget proposal four big multiyear procurements based in the authorities that the Congress has provided us for weapons with range and speed.

Two of those are between the Navy and the Marine Corps. The other two are with the United States Air Force.

And so, sir, already approaching your limit. But Commandant –

SENATOR SCOTT: Do you want to add anything?

GENERAL BERGER: We have been training with the Taiwanese marines for more than a decade. I think lately, the last two years, I would say, focus on command and control, air defense, defense from the beach in mining and building out their national guard and reserve – in other words, making it a whole total force, which is what they are going to need.

SENATOR SCOTT: [Presiding.] Thank you.

Let me recognize Senator Schmitt.

SENATOR SCHMITT: Thank you, Senator Scott, and unlike Senator Scott's home state of Florida Missouri is landlocked – my home state. But when I started on this committee I wanted to be on the Sea Power Subcommittee.

So we have an Army base. We have an Air Force base.

Missouri, obviously, does not have a naval base.

Mississippi is not deep enough.

But because I believe that – and the reason for that is because I think that our

biggest challenge from a national security perspective that we are facing –

Missourians, Americans – is **China** and so that is a focus of mine and I know that it is a focus of yours with the – with the Navy and the Marines and to that end there are several very concerning trends that I want to discuss.

The first is the fact that **China's** naval fleet is rapidly outpacing our own and that gap is only widening.

The Pentagon reports suggest **China** may have 420 ships by 2025 and 460 ships by 2030. What is worse, **Beijing** is devoting significant amounts of its maritime training on island capture scenarios.

In 2021, the People's Liberation Army, quote, "conducted more than 20 naval exercises with an island capture element, greatly exceeding the 13 observed in 2020," according to a Pentagon 2022 report on **Chinese** military developments.

This is another indicator, I think, of **China's** ambitions and Taiwan is in the crosshairs. There is no doubt about it.

So to sort of follow up on Senator Scott's questions, to me the best way to support Taiwan's ability to defend itself from **Chinese** aggression is to bolster their defensive capabilities today.

Harpoon anti-ship missiles, which the U.S. government is already committed to providing, is critical, providing a hundred new delivery systems, which I think has already been committed, as well as 400 Harpoon Block II surface-launched missiles.

But the fact is that these are not going to be fully fielded until 2027. So to expedite this critical capability as a stopgap until the new systems can be fielded the U.S.

should transfer from several hundred older missiles in the military's inventory that are under consideration for deep militarization or destruction.

Secretary Del Toro, will you commit to working collaboratively and creatively with the Taiwanese and the administration to leverage existing munitions in support equipment to expedite defense aid to Taiwan?

MR. DEL TORO: Absolutely, I will, and we have been actually collaborating

within the letter of the law and the authorities that are allowed by law for us to collaborate with the Taiwanese, provide them the munitions that are necessary, the equipment that is necessary for them to be able to defend themselves.

SENATOR SCHMITT: Well, I think – that is good to hear. I think we have heard a lot about the supply chain issues. But Taiwan – the shock clock has probably started.

It is between now and four years.

I mean, that is – this is coming and I just do not know how much time they really have to have the support that they need to deter a **Chinese** offensive, which they are –

seem to be dead set at.

So in that vein and also in this broader sort of industrial base you mentioned the discussions that have been had. What would you – let us say we were at war today.

Let us say today the United States is at war with some power – **China**, whoever. What would we do differently than we do right now to ramp up that industrial base? What is holding us back?

There is a demand signal, which I think is being sent.

There is a demand – what else would we do? I mean, three or four things that we would do differently than we are doing right now to be prepared, and also this also relates to Taiwan.

MR. DEL TORO: There are war authorities that would be exercised that are not currently exercised. But let us – the goal here is to prevent war with **China** –

SENATOR SCHMITT: Correct.

MR. DEL TORO: – to deter **China** from going to war and I think the power of our coalitions with our allies and partners internationally has much to do with that fact.

SENATOR SCHMITT: I agree, and I have limited time.

And I think the Philippines see what is happening. I think this is –

MR. DEL TORO: And in South Korea and many other –

SENATOR SCHMITT: Yes.

MR. DEL TORO: – countries in the **Indo-Pacific** that we rely on as partners actually.

SENATOR SCHMITT: But as it relates specifically to the industrial base other than the war powers what is it that we can do differently? Are there state barriers in the states where we have naval shipyards? What is it –

MR. DEL TORO: So this President's budget actually has increased the amount of funding for increased munitions by 50 percent, for example. That is the most significant increase that we have had in the several past years and its investments in SM-6, LRASM, and numerous other missions as well, too.

We are also investing in CPS, for example, to try to get deployable on the Zumwalt-class destroyer by '25 and on the Virginia-class submarine by '30. Those – we are pushing on all fronts, on all cylinders, to actually try to move as fast as we can.

But just like in the shipbuilding industry with regards to the shipbuilding plan as well, too, we can only move as fast as industry can actually produce as well, too, because the opportunity costs associated with making major multibillion dollar investments when industry cannot keep up with those productions means that we cannot spend money in other places as well too where it is badly needed as well.

So it is all about finding the right balance and the right compromise to move forward.

SENATOR SCHMITT: Right, which is why I am sort of highlighting Taiwan because we are – I think they have been on the backburner and I do not think they can be anymore.

ADMIRAL GILDAY: Sir, can I make one –

SENATOR SCHMITT: Yeah.

ADMIRAL GILDAY: So if I would use Austal Shipbuilding in Alabama as an example, that company shifted from completely working with aluminum to working with steel.

The reason they could do that – the sole reason they could do that is because of the Defense Production Act. So to answer your question, there needs to be substantial investment by the U.S. government in those industries in order for them to surge.

We stopped doing that in shipbuilding in the Reagan administration. You saw 30 shipyards go down to seven. We saw that in the 1990s during the Clinton administration with the aircraft industry and how it supports the military.

That is the first thing.

The second thing is you need a bigger Navy and Marine Corps to protect those approaches from the sea to keep the United States economy humming and to deny that to any adversary. Those are the two things.

SENATOR SCHMITT: I am going to ask my hypersonic question in closed session. So thank you.

SENATOR SULLIVAN: [Presiding.] I am taking over as the chairman until the chairman gets back so I will call on myself.

General Berger, you have gotten a lot of compliments on Force Design. I have complimented you on it previously.

But it is not without risks – significant risks. You acknowledged this in your testimony last year.

Like the Navy, the Marine Corps has minimum force levels that are required by Congress. I have been reading a lot about the history of the 82nd Congress. The Marine Corps loves to cite the 82nd Congress in the aftermath of the Korean War.

You know this, General. The only reason the Marine Corps exists – the only reason the commandant of the Marine Corps is a co-equal to the CNO in a hearing like this is because of Congress.

Very importantly, the 1952 law that the Secretary of Defense, Secretary of Navy,

the President of the United States all opposed mandated that the Marine Corps has three full combat infantry divisions, three full air wings, and tasks organized for combined arms operations.

I am going to talk about some of the Force Design divestments. They have been dramatic. But I have concerns they have been so dramatic that the current U.S. Marine Corps does not meet the congressionally required minimums.

And, again, that is not your choice. We gave that to you.

So I do not want to debate that right now.

What I would like for the record to this committee I would like you to provide a detailed T&O of the Marine Corps as it currently stands. You can use MCR, P1-10, three regiments, everything in here that the Marine Corps has kept these minimums that are required by the Congress.

Can I get a detailed detail of the current T&O of the Marine Corps today to make sure Force Design is not taking us under the statutory requirements of the 1952 law?

GENERAL BERGER: We can provide you – absolutely, it is unclassified – a task organization of the Marine Corps today. The law – the statute, as you accurately depicted, three divisions, three wings.

SENATOR SULLIVAN: Correct.

GENERAL BERGER: There was nothing more specific in that and we have changed it significantly over 70 years.

SENATOR SULLIVAN: I just want – just look at the T&O.

I have been looking at this. Look at the same one for the air wing and just say that you are meeting it. Again, that is not your call. That is our call and you need to meet that, and I would like to see details on that.

I have been focused on Force Design more than any other U.S. senator. Again, I have been very complimentary of your bold approach. It takes a lot of guts, as Senator King said.

I have been, as you know, General, frustrated by some of the answers that the

committee has been provided with. I think this idea that everything has to be classified – I think even your comment to Senator Budd that, well, you get classified stuff and the other generals do not. I get classified stuff.

So I think it is really in the Marine Corps' interests to be able to explain this. There is a lot of criticism of it. One of the criticisms is that the Marine Corps is creating more of a niche force focused on one combatant command with one littoral mission and putting at risk the critical statutorily mandated global crisis combat capability, kick in the door capability of the Marine Corps anywhere in the world for any contingency, not just littoral contingencies, and without 31 amphibs I believe this is a real concern.

Lieutenant General Heckl, recently at the Sea Power Subcommittee when I was asking him, said having a hearing on this – I have talked to the chairman and others – just getting it out there. Marine Corps defend this, critics come and I think it is good for the Marine Corps. Would you be supportive of that, General?

GENERAL BERGER: Senator, earlier this week we finished another briefing, as you all have requested. That was, by our count, 429 briefings –

SENATOR SULLIVAN: Those are classified – those are classified briefings, General. You need a hearing on this.

The Congress of the United States – the biggest undertaking of reorganization of the Marine Corps in decades merits a hearing. I do not know why you would resist that and I do not know why we keep getting –

GENERAL BERGER: I have never said no to a hearing from any committee in four years.

SENATOR SULLIVAN: Okay. So would you be up for a hearing?

GENERAL BERGER: Any hearing that is requested by a committee with jurisdiction over the military absolutely I would say yes to.

SENATOR SULLIVAN: Okay.

GENERAL BERGER: I have not said no yet.

SENATOR SULLIVAN: I have run out – I am running out of time here and I have committed to the chairman.

Let me just ask one – one of the things that I put in the Section 1023 of last year’s NDAA – and, again, I do not think we have gotten it in the way in which I was expecting it and it has been classified, which does not help – is the extent to which the Marine Corps has divested so much capability and I have the long list here and it is very long, and the aviation side is enormously shocking to me that the Marine Corps would have to rely on the Army to provide such capabilities.

I do not think anyone has, at least as far as I can tell, given me that – given this committee that information we requested – bridging, armor, assault breaching, route clearing, MPs. There is a lot that we do not have anymore that if we go to war tomorrow and there is a river the Marines have to cross they cannot cross the river.

So can you – can you commit to this committee again to take a look at Section 1023 in the letter I sent you on April 5th to answer those questions? You have answered.

Maybe I will just ask around.

Do you have answers to that question on what capability have the Marine Corps given up that the Army now has to take? And then that is my final question.

GENERAL BERGER: The act required us – asked us to give briefings, which we provided this month in accordance with the statute.

SENATOR SULLIVAN: Classified.

GENERAL BERGER: We checked with the committee to make sure that it answered –

SENATOR SULLIVAN: I do not think classified briefings do that justice, but go on.

GENERAL BERGER: That was what was required in the NDAA –

SENATOR SULLIVAN: It was not classified. I wrote it.

I know what I am talking about.

GENERAL BERGER: It did not specify classified or unclassified. I think across the joint force to get the whole picture of what the capability of any element of

the joint force is you need to have unclassified and classified put together so you get a better picture of both capability and capacity.

SENATOR SULLIVAN: The Army question?

GENERAL BERGER: Pardon me?

SENATOR SULLIVAN: The Army question?

GENERAL BERGER: What is the question again, Senator?

SENATOR SULLIVAN: This is in the law – the extent to which the Marine Corps is relying on the Army to provide capabilities it has divested.

GENERAL BERGER: What requires the combatant commander to make decisions on how to employ the force that is the combatant commander's decision, not mine? We provide, man, train, and equip forces as does the other services. How they are employed that is up to combatant commanders.

CHAIRMAN REED: [Presiding.] Thank you, Senator Sullivan. I have two additional questions, gentlemen, before we break.

First, unfortunately, there has been an impasse in confirming general offices at a regular schedule we previously used, unanimous consent for all general officers except those with key positions requiring hearings.

Are you seeing an impact, Admiral Gilday, in the service not only in terms of readiness but also in terms of quality of life of families, planning for families, planning for schooling, and also decisions at that level about whether they retain themselves in the service or depart?

ADMIRAL GILDAY: Sir, we are not at that point yet. We are not at that point yet but we will be soon. And so to give you just a few examples, the director of Naval Reactors, responsible for more than 60 reactors and in the middle of AUKUS, is a concern. Four fleet commanders, including the fleet commander of Ford in the **Western Pacific** and the fleet commander in the Middle East, is a concern.

Three force commanders – surface, air, and subsurface – three-star officers, the head of Naval Installations Command, the superintendent of the naval academies were beginning to – as we are on the verge here of bringing another class and to keep that production line moving uninhibited is another example.

We have five promotion lists with over 50 people and so it is close to 80 right now and growing, sir, but I would double it in terms of the amount of families that are affected this summer.

CHAIRMAN REED: General Berger, do you have comments?

GENERAL BERGER: I think my review is exactly the same. Within 90 days they are going to have significant impacts. At the one- and two-star general list we can move those. At the three- and four-star level they are one by one assignments.

As you point out, without confirmation there is no moves. There are vacancies or delayed retirements or family plans that – they do not know when that will happen. It is – I think by the late summer, early fall, you will have fairly – you will have significant impacts to both readiness and quality of life both.

CHAIRMAN REED: Let me follow up one question. This force structure is an interesting and should be pursued but you train regularly, I presume, the Marine Corps with Army armored units and the Army has far more tanks and mechanized vehicles than Marine Corps could ever want, not only need, and the whole thrust, I think, of our strategy over the last several decades has been joint fighting, not individual services with their expertise.

So you would – you have available armored vehicles if the combat commander believes that is for the mission. Is that correct?

GENERAL BERGER: Absolutely do. Everything that we do is as a joint force. The Navy, the Marine Corps will not do anything on a large scale by itself. It is entirely as a joint force.

And there is some duplication, as you know, Senator, but mostly we want complementary capabilities. We have capabilities the Army does not. They have capabilities we do not. I think that is what you want.

CHAIRMAN REED: Yeah, I tend to agree and you could want everything in the world like your own fleet of C-141s so you could be flown everywhere with Marine pilots. But that would not make a lot of sense, would it?

So I think, again, we have to look carefully at this because we do have a responsibility to view the force structure changes and make sure they are

correct. But I think so far what we have done is try to incorporate the threat that is emerging, not fight the last war.

MR. DEL TORO: Mr. Chairman, you could not have said it better. I am sorry to interrupt. It is about today's threat and I fear that some of the critics of both, perhaps, Force Design or our Navy operations fail to understand that the threat very much has changed in the **Indo-Pacific**, and when you take into account satellites and cyber security and everything else – cyber warfare that is at play here –

they fail to understand that we have to evolve and we have to be able to innovate in order to be able to effectively fight not yesterday's war in 1953 or 1952 but tomorrow's war.

CHAIRMAN REED: Well, thank you all very much. We are going to recess until 1230 hours to go into the closed session and in the meantime I hope the second vote is called.

So we will reassemble in the SVC-217 at 12:30. Thank you very much.

[Whereupon, at 12:15 p.m., the hearing was adjourned.]