

Stenographic Transcript
Before the

COMMITTEE ON
ARMED SERVICES

UNITED STATES SENATE

TO RECEIVE TESTIMONY ON THE POSTURE OF THE
DEPARTMENT OF THE NAVY IN REVIEW OF THE
DEFENSE AUTHORIZATION REQUEST FOR FISCAL
YEAR 2026 AND THE FUTURE YEARS DEFENSE
PROGRAM

Tuesday, June 10, 2025

Washington, D.C.

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7 U.S. Senate

8 Committee on Armed Services

9 Washington, D.C.
10

11 The committee met, pursuant to notice, at 9:30 a.m.,
12 in Room SD-G50, Dirksen Senate Office Building, Hon. Roger
13 Wicker, chairman of the committee, presiding.

14 Committee Members Present: Senators Wicker, Fischer,
15 Cotton, Rounds, Ernst, Sullivan, Scott, Tuberville, Mullin,
16 Schmitt, Banks, Sheehy, Shaheen, Blumenthal, Kaine, King,
17 Warren, Peters, Duckworth, Rosen, Kelly, and Slotkin.
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1 OPENING STATEMENT OF HON. ROGER WICKER, U.S. SENATOR
2 FROM MISSISSIPPI

3 Chairman Wicker: I call this hearing to order. This
4 morning the Committee welcomes John Phelan, Secretary of
5 the Navy; Admiral James Kilby, Acting Chief of Naval
6 Operations; and General Eric Smith, Commandant of the
7 Marine Corps. We are grateful for their presence here
8 today.

9 I want to congratulate the Navy for turning a corner.
10 Recruiting numbers are up significantly, and the Navy is on
11 track to meet its fiscal year 2025 recruiting goal. This
12 is especially significant because the goal is higher than
13 it has been in 20 years.

14 Notably, the Department has shifted focus from
15 divisive policies such as climate change and DEI. Renewed
16 focus on warfighting and service contributes to these
17 recent recruiting successes. This positive momentum
18 provides an opportunity to raise recruiting standards and
19 attract the highest caliber of warfighters our nation
20 requires.

21 In fact, if these recruitment trends continue, we
22 could end up with too few ships for our sailors, though we
23 are making some improvements. Navy shipbuilding remains in
24 an abysmal condition overall, and we are going to talk
25 about that today. The previous administration tended to

1 scapegoat industry, but the current Administration is
2 problem solving, cancelling redundant contracts and
3 reducing bureaucratic layers. President Trump's executive
4 orders on Federal acquisition reform, drawing from
5 proposals in the FORGED Act, are streamlining procurement
6 to maximize every defense dollar. The FORGED Act would
7 empower the Navy to buy smarter and innovate faster, and I
8 expect to see these provisions in this year's National
9 Defense Authorization Act. The request falls far short of
10 what we need to protect our country, though.

11 I must say, I am deeply disappointed with the
12 Administration's fiscal year 2026 budget request for the
13 Navy. In particular, I am disturbed about the shipbuilding
14 account, which plummeted to \$20.8 billion from last year's
15 \$37 billion -- \$20.8 billion down from last year's \$37
16 billion. This shortfall reflects efforts to game the
17 budget in anticipation of congressional reconciliation
18 funds, which were intended as supplemental, not a
19 substitute.

20 I am alarmed that this budget request does not include
21 the procurement of a new destroyer. For several years now,
22 it has been the practice to request two destroyers per
23 year, with Congress adding a third in the odd-numbered
24 year. The pattern is simple -- two ships, then three
25 ships, alternating each year. This provides orders to the

1 shipyards to get us closer to the statutorily required 355
2 ships, required by statute.

3 This year, funds were meant to cover the odd year from
4 reconciliation, additional third ships for 2027 and 2029.
5 They were not meant to replace the regular annual two-ship
6 request. This budget ignores this congressional intent.
7 Failing to include two destroyers in this year's budget
8 request destabilizes industry, shows bad faith, and slows
9 our shipbuilding efforts.

10 Equally troubling is the omission of any Virginia-
11 class submarine procurements. Here, as well, the
12 Administration is relying on the one boat proposed in
13 reconciliation. This would upend the multiyear
14 negotiations that presume nine boats over 5 years instead
15 of eight. It jeopardizes industrial base recovery.
16 Moreover, the Columbia-class program, critical for
17 strategic deterrence, is underfunded by \$4 billion. The
18 number relies on unproved authorities for incremental
19 funding.

20 The Shipbuilder Accountability and Workforce Support
21 Initiative, SAWS, would enable two Virginia-class and one
22 Columbia-class submarine annually. If we do SAWS, we can
23 do two Virginias and one Columbia class each year. Yet OMB
24 opposes this, and has created the crisis we now face.
25 There is still time to implement SAWS, and I urge action to

1 avoid further damage.

2 The absence of Constellation-class frigates in the
3 budget also raises serious questions. We will discuss that
4 during Q&A. Last year, we halted new procurements because
5 of design instability. This year, the omission of two
6 frigates signals severe problems with the program. I hope
7 our witnesses clarify the frigate's future and how the Navy
8 will sustain critical shipyard capacity in the event the
9 program falters.

10 Shipbuilding is not our only problem. The future of
11 naval aviation faces significant challenges. The Navy
12 continues to rely on the 30-year-old Super Hornet, designed
13 as the mainstay of its carrier-based fleet, while
14 capability gaps have been exacerbated with reduced F-35
15 orders.

16 Compounding this, the F/A-XX sixth-generation fighter,
17 intended to replace the aging Super Hornet, faces funding
18 and schedule setbacks. The recent loss of three F/A-18s
19 during a single deployment of the USS Truman underscores
20 the operational strain on an aging fleet.

21 There is \$750 million proposed in the budget
22 reconciliation to jumpstart this program. An announcement
23 from the Navy will need to be made soon, Mr. Secretary, or
24 we will risk further challenges to the industrial base.

25 I recognize that the overall budgetary decisions are

1 not made by the Navy, and I am committed to a congressional
2 solution to these shortfalls. The Committee expects a
3 clear plan to restore shipbuilding momentum, leverage
4 FORGED Act authorities, and ensure a fleet capable of
5 deterring aggression in an increasingly contested world.

6 Most members know that Senator Reed is attending a
7 very important graduation ceremony this morning, and we
8 congratulate him and his family. In his place I am
9 delighted to recognize Senator Kaine, who will make opening
10 remarks on behalf of the Democrats.

1 STATEMENT OF HON. TIM Kaine, U.S. SENATOR FROM
2 VIRGINIA

3 Senator Kaine: Thank you, Mr. Chairman. To my
4 colleagues and to the witnesses I echo many of the comments
5 of Chairman Wicker about problems. Each of you are part of
6 the solution, not part of the problem, and that will be our
7 dialogue today.

8 We need to discuss the Navy's budget request for
9 fiscal year 2026, but we have yet to receive the full
10 budget request from the Administration. And this is
11 quickly becoming the longest-delayed budget submission in
12 memory. I urge the White House to deliver it.

13 My understanding of the fiscal year 2026 budget is the
14 DoD will request an essentially flat budget for the Navy.
15 Secretary Phelan, I want to ask for your assessment of the
16 Navy's current posture and requirements for the coming
17 year. I am sure my colleagues will do the same.

18 Before we discuss the current status of the Navy and
19 Marine Corps I want to make some comments on the deployment
20 of Marines and National Guard to conduct law enforcement
21 operations in Los Angeles. We have two SAS hearings this.
22 The second hearing is on CENTCOM posture, and this is the
23 more appropriate time to make these comments.

24 I have a lot of experience in dealing with the Guard.
25 As a former Mayor and Governor, and there are others on

1 this panel who have been in that role, I have requested
2 assistance from the National Guard. I have deployed the
3 Virginia Guard, primarily during weather emergencies and
4 public safety instances, as Governor. I have visited
5 Virginia Guard troops on combat zones in Iraq and
6 Afghanistan and in other Federal missions such as the
7 protection of the Capitol after January 6th. Most
8 recently, I was with the Virginia Guard doing joint
9 exercises with the Finnish Army as part of the State
10 Partnership Program.

11 The genius of the Guard is that it is a partnership
12 between the President and the Governors and guardsmen and
13 women. That partnership, over centuries, has really been
14 the genius of the Guard.

15 The President's decision to deploy thousands of
16 guardsmen and women to quell protests in Los Angeles,
17 without a request by the California Governor, and in fact,
18 over the objection of the California Governor, is nearly
19 unprecedented. The last time the Guard was deployed to
20 quell protests was in the aftermath of the Rodney King
21 beating. That was at the request of the California
22 Governor.

23 We are in very, very dangerous territory. I think my
24 colleagues and I are right to be concerned about this. The
25 American public is concerned about it. The State of

1 California is filing litigation to challenge this misuse of
2 power, and I suspect we will be dealing with it with
3 proposed amendments in the NDAA, as well.

4 Similarly, the Marines, to deploy active-duty marines
5 to quell civilian protest is, in my view, very, very
6 dangerous, a very dangerous precedent. And it is dangerous
7 beyond the escalatory effects that both the Governor and
8 the Mayor of Los Angeles are warning us about. If we screw
9 up the balance of how we use the Guard, or how we use the
10 military, and in the instance of civilian protests that
11 local law enforcement can handle, we will regret that for a
12 very, very long time.

13 And so I encourage my colleagues, and I encourage the
14 courts. We will grapple with this, and hopefully we can
15 establish a balance that is not easily upset. The
16 President is not a king. The military is not a palace
17 guard.

18 The last thing I will say is this. If you are
19 watching as a citizen, you are able to peacefully assemble
20 and petition government for redress of grievances. It is
21 in the First Amendment to the Constitution. And it is in
22 there for a reason. It is not just to protect individuals'
23 rights to express themselves. It is also because of a
24 belief that a democratic government does better when people
25 can peacefully express dissent. Free speech, free exercise

1 of religion, free press, the ability to peacefully assemble
2 and petition government for redress of grievances -- the
3 founders of this country believed that made government work
4 better than suppressing dissenting voices.

5 Many Americans are worried now that if they express
6 dissenting voices to policies in the Administration, they
7 are concerned that the military may be deployed against
8 them. And they notice a disharmony between a President who
9 would not deploy the National Guard to protect the Capitol
10 on January 6th, despite repeated requests by the Mayor D.C.
11 and the head of the Capitol Police, because those
12 protesters supported the President, and a President who
13 deploys the Guard and Marines in the absence of a request,
14 and over the objection of the Mayor of Los Angeles and the
15 Governor of California.

16 I just want to say to any of you there who believe
17 firmly in your First Amendment right to peacefully assemble
18 and petition government for redress of grievances that
19 fully inhabiting that right, in a peaceful way, is more
20 important now than it has been during my lifetime.

21 We are coming up on the commemoration of 250 years of
22 American democracy, and it is on the shoulders of this
23 generation to decide whether the commemoration will be a
24 celebration or a requiem or a wake or a coronation. We
25 need to make it a celebration, and for that we need brave

1 and patriotic citizens who are willing to, without fear,
2 exercise rights that were guaranteed to them from the very
3 first days of this country.

4 The Navy does remain the finest maritime force in the
5 world, but it has struggled to grow and maintain the fleet,
6 and I need not repeat comments that Senator Wicker made.

7 Many vessels -- aircraft carriers, multiple destroyers and
8 frigates, and some of the air platforms -- are behind
9 schedule. In particular, the Virginia-class, fast attack
10 subs, Columbia-class ballistic missile submarines, which
11 are so critical and prioritized very highly by all of you,
12 are delayed and face budgetary challenges. And other
13 programs in both the private and public shipyards.

14 We are doing a Shipyard Infrastructure Optimization
15 Program, investing heavily, that is showing some
16 improvement. We need to do more.

17 I continue to believe that the most significant
18 challenge is a workforce challenge, and I would want to ask
19 each of you about how you are grappling with the workforce
20 challenges.

21 The Administration recently announced a major new
22 shipbuilding initiative in the State of the Union address -
23 - I thought that was positive -- being run by the National
24 Security Council. But I understand that this office will
25 focus primarily on commercial shipbuilding, not Navy

1 vessels. And given the departure of many of the staff from
2 the NSC who are expected to staff that initiative, I am
3 sort of wondering what your interaction has been with the
4 White House and how they may add value to this problem we
5 are trying to solve.

6 General Smith, the Marine Corps continue to pursue
7 your multiyear force design transformation effort, with a
8 focus on the Indo-Pacific. The Marine Corps is
9 restructuring around expeditionary concepts that can
10 provide a more flexible amphibious force. But to achieve
11 it you are focusing on a number of efforts -- long-range
12 fires, enhanced air and missile defense, improved ground
13 and amphibious combat vehicles -- but we continue to
14 grapple with the question of the sufficiency of the
15 amphibious fleet. And I think my colleagues and I will
16 have some questions about that today.

17 Finally, I will note that the President has failed to
18 nominate a new Chief of Naval Operations since he abruptly
19 dismissed Admiral Lisa Franchetti in February, without
20 explanation. I would welcome any guidance as to when the
21 Committee might receive a nomination for that critical
22 importance.

23 Thank you, to the witnesses, and Mr. Chair, since I am
24 going to be here, when we get on the Democratic side I am
25 going to be deferring and letting other Democrats ask

1 questions before me.

2 Chairman Wicker: Thank you, Senator Kaine.

3 I think we will start opening remarks with Secretary
4 Phelan, and then proceed with Admiral Kilby and then
5 General Smith.

6 So, Mr. Secretary, you are recognized.

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1 STATEMENT OF THE HONORABLE JOHN C. PHELAN, SECRETARY
2 OF THE NAVY

3 Mr. Phelan: Chairman Wicker, Senator Kaine,
4 distinguished members of the Committee, thank you for the
5 opportunity to appear before you today alongside General
6 Smith and Admiral Kilby. I am grateful to President Trump
7 for the trust he has placed in me to lead this Department
8 and serve as the 79th Secretary of the Navy. I am also
9 grateful to this Committee for my confirmation and for your
10 continued support of our Navy/Marine Corps team.

11 Senators, my North Star as Secretary is readiness.
12 Before a dollar is spent on any capability and exquisite
13 platform or infrastructure, I will always ask the following
14 question: What is the impact to our readiness, and does it
15 increase or does it add to it? If the answer is no, we
16 will not spend the dollar.

17 I stated to this Committee before, I am focused on
18 three priority areas: first, strengthening shipbuilding
19 and the maritime industrial base; second, fostering
20 adaptive, accountable, and innovative warfighter culture;
21 third, improving the health, welfare, and training of our
22 people, our sailors, marines, and their families.

23 Since my confirmation 2 1/2 months ago, I have been on
24 a listening and learning tour. I have traveled across the
25 country and visited some of our allies overseas. I visited

1 our public, private, and overseas shipyards, as well as our
2 installations, and I have met with many of our sailors,
3 marines, and shipyard workers.

4 What I have learned is this: we are still the
5 dominant naval power, but our adversaries are closing the
6 gap at a concerning, accelerating rate. We need to make
7 important cultural and strategic changes in order to
8 maintain our competitive advantage. We need to address a
9 culture, one riddled with bureaucratic decision-making and
10 gold-plated requirements as endemic to this Department,
11 because there is no doubt we are operating in a world that
12 is more hostile and unpredictable.

13 As evidenced by recent conflicts, warfare as we know
14 it has changed dramatically. China is no longer just a
15 pacing threat. It is our primary competitor, both
16 economically and militarily. With their naval fleet
17 nearing 400 ships, China's goal is not defense of its
18 homeland only. It is the forward projection of power and
19 influence.

20 In the Indo-Pacific, our Navy/Marine Corps team is
21 deepening cooperation with our allies and partners to
22 strengthen deterrence and keep open our sea lines of
23 communication. At home, they are supporting homeland
24 defense through Task Force Sapper, providing surveillance,
25 logistics, and manpower at the southern border. And in the

1 Red Sea, they have defeated scores of missiles and drones
2 from Iranian-backed Houthis, helped defend our regional
3 allies, and guaranteed access to a major artery of global
4 trade. Our global presence sends a clear message to the
5 world. The United States Navy and Marine Corps are
6 prepared and ready to fight and win, any time and anywhere.

7 However, our naval superiority is under threat. For
8 too long we have allowed our shipbuilding industry to
9 erode, hollowing out the very capacity we need to maintain
10 credible naval deterrence. That must change. Rebuilding
11 our maritime industrial base is not just a matter of
12 economic policy. It is a national security imperative.
13 President Trump's executive order on restoring America's
14 maritime dominance highlights that urgency and puts us on
15 the right path.

16 I have been to 10 shipyards, 7 here in the United
17 States and 3 overseas, and I have spoken directly with
18 shipyard leaders and hardworking tradesman essential to our
19 maritime operations. I now have a clear picture of our
20 challenges and am developing a plan to fix what is broken.
21 We do need to act with urgency, and this will take a whole-
22 of-government approach to rebuild our capacity and
23 expertise.

24 We are developing a deliberate, actionable plan to
25 restore our industrial base, but we cannot do it alone.

1 Congress, private industry, and the Department of the Navy
2 must work collaboratively if we are serious about ensuring
3 our naval superiority.

4 In closing, it is clear that our greatest asset is the
5 extraordinary men and women who serve, our sailors and
6 marines. We will continue to invest in them through
7 smarter recruitment, better training, and targeted
8 retention efforts to retain top tier talent, and we will
9 prioritize quality of service initiatives to ensure that
10 our sailors, marines, and their families have the resources
11 they need.

12 Thank you. I very much appreciate it.

13 [The prepared statement of Mr. Phelan follows:]
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1 Chairman Wicker: Thank you, very much, Mr. Secretary.

2 And if you could slide your microphone over to Admiral

3 Kilby we will recognize him. Admiral, we are delighted to

4 have you, and you are recognized.

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1 STATEMENT OF ADMIRAL JAMES W. KILBY, USN, VICE CHIEF
2 OF NAVAL OPERATIONS

3 Admiral Kilby: Chairman Wicker, distinguished members
4 of the Committee, thank you for the opportunity to testify
5 on the posture of the United States Navy. Your Navy
6 provides our nation with sea power and sea control needed
7 to preserve our way of life and ensure our security and
8 prosperity. Your oversight and funding ensure we are ready
9 when the nation calls.

10 I am pleased to testify alongside Secretary Phelan,
11 who brings a set of needed and unique skills and
12 experiences to help us accelerate the work of our Navy, and
13 alongside my partner, General Smith, the Commandant of the
14 Marine Corps.

15 In the past year, our sailors have defeated hundreds
16 of drones, missiles, and executed dozens of offensive
17 strikes from the Red Sea and the Eastern Mediterranean.
18 They have strengthened alliances and deterred Chinese
19 aggression in the Western Pacific, and they have supported
20 operations on the southern border. And they have
21 maintained an unbroken strategic deterrent with our
22 ballistic missile submarines. In short, the Navy,
23 integrated with the Joint Force, remains postured and ready
24 to fight and win.

25 We remain committed to a strong global Navy, one that

1 is prepared to defend our homeland, deter our adversaries,
2 and prevail in war. We are laser-focused on China as our
3 most consequential opponent, while strengthening the
4 defense of the homeland. We prioritize our operations,
5 training, and readiness accounts to ensure our naval forces
6 remain ready, resilient, and able to execute national
7 tasking.

8 The Navy and the Marine Corps preserves peace through
9 strength, through investments in our strategic deterrence,
10 our defense industrial base, our installations via
11 initiatives like the Shipyard Infrastructure Optimization
12 Program. Most importantly, we are continuing our strong
13 commitment to our people -- our sailors, our Navy families,
14 and our civilians -- through pay raises and investments in
15 quality service initiatives such as unaccompanied housing
16 and childcare.

17 But we are facing some challenges. First, our
18 platforms are not as ready as they need to be. We set an
19 ambitious goal to make 80 percent of our ships, submarines,
20 and aircraft combat-surge ready by 1 January 2027. To do
21 that we are reducing maintenance delays and improving
22 manning, training, and modernization and sustainment.

23 Second, the Navy has 22,950 gaps at sea. Thanks to
24 process improvements and targeted investments, we are on
25 plan to reduce that number significantly by the end of

1 2026. We are committed to attracting and developing
2 Americans who innovate, solve hard problems, and dominate
3 in combat.

4 The Navy contracted over 40,000 sailors last year, the
5 most since 2003, and we are currently on pace to exceed our
6 recruiting goal in 2025.

7 And third, our ordnance expenditures in the Red Sea
8 have highlighted a strain on our munitions industrial base.
9 The Navy is working with both our traditional primes and
10 new entrants to close this gap, developing kinetic and non-
11 kinetic weapons, at speed and at scale.

12 In all these efforts, consistent and predictable
13 funding is foundational. We appreciate the continued
14 support of this Committee.

15 In closing, I am proud of our Navy's accomplishments
16 in the past year, and I am excited about the growing
17 consensus that is powering our maritime rejuvenation. This
18 whole-of-government and whole-of-nation effort is essential
19 to our security and prosperity. We have work to do to
20 ensure that we will remain the premier maritime force for
21 another 250 years. Your leadership and support are
22 critical to achieving this imperative.

23 On behalf of the sailors, civilians, and families
24 around the world of the Navy, thank you. I look forward to
25 your questions.

[The prepared statement of Admiral Kilby follows:]

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1 Chairman Wicker: Thank you, Admiral. General Smith,
2 you are recognized.

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1 STATEMENT OF GENERAL ERIC M. SMITH, USMC, COMMANDANT
2 OF THE MARINE CORPS

3 General Smith: Good morning. Chairman Wicker,
4 Senator Kaine, ladies and gentlemen, I am honored to appear
5 before you, alongside Secretary Phelan and Admiral Kilby,
6 my shipmate, to represent your Marine Corps. I am going to
7 keep my comments short so I can answer your questions.

8 First, I would like to share the Marine Corps' top
9 three priorities. First, restoring a 3.0 Amphibious Ready
10 Group/Marine Expeditionary Unit presence. This is the
11 Marine Corps' North Star. That simply means one Marine
12 Expeditionary Unit constantly deployed off the East Coast,
13 one constantly deployed off the West Coast, and one
14 episodically deployed out of Okinawa, Japan, the FDNF, the
15 forward-deployed naval force.

16 The Amphibious Ready Group with the Marine
17 Expeditionary Unit embarked is the most versatile tool in
18 the nation's arsenal. It is the Swiss Army knife of the
19 Joint Force. We are working closely with our Navy partners
20 to maximize this capability.

21 Our second priority is accelerating force design.
22 Force design is our journey to adapt to the changing
23 character of war. We are in the implementation phase,
24 fielding new capabilities and reshaping formations across
25 the force, from our Marine Expeditionary Units and Marine

1 Littoral Regiments to our Marine Expeditionary Forces.

2 And finally, improving the quality of life of our
3 marines. Every marine deserves a clean, safe place to lay
4 their head down at night. They do not ask for much, but
5 they do ask for that. This is the most consequential
6 housing investment, Barracks 2030, in our history.

7 And the quality of life goes beyond our barracks. We
8 are also investing in the well-being of marine families,
9 because you recruit the marine and you retain the family.
10 Because retaining our marines means supporting those who
11 stand beside them.

12 I will close with this. Your Marines remain the most
13 ready when the nation is least ready. It is our mantra, it
14 is who we are, it is what we do. We are forward-postured
15 force, trained for combat, and built to deliver flexible,
16 lethal options, anytime, anywhere.

17 Thank you again for the trust and support that you
18 have placed in the Marine Corps. I look forward to your
19 questions.

20 [The prepared statement of General Smith follows:]
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1 Chairman Wicker: Thank you very much to all three of
2 you for your testimony and for your service.

3 Secretary Phelan, you made it clear in your opening
4 statement that the number of ships we presently have is
5 inadequate, that the strength of our industrial base is
6 inadequate and headed in the wrong direction, particularly
7 as compared to what has been called our pacing threat,
8 which Admiral Kilby actually used stronger language to
9 describe.

10 Admiral Kilby, you said that the Navy must be ready
11 when the nation calls, and I think I take from your
12 testimony, combined with that of Secretary Phelan, that if
13 the current trend continues, we will not be ready when the
14 nation calls, although you are doing your best with what we
15 have.

16 General Smith, let's talk about amphibious ship
17 readiness, to be specific. The GAO report, just last
18 December, highlighted that 16 of the 32 amphibious ships
19 are in "poor material condition" -- those are the exact
20 words, "poor material condition" -- because of deferred
21 maintenance, obsolete steam propulsion systems, and
22 shortages of spare parts.

23 You went even further, General, calling this a crisis,
24 and instead of 16 of 32, you noted, 3 months ago, that only
25 13 of 32 ships were seaworthy as of March of this year, far

1 below the 80 percent readiness rate needed to meet
2 congressionally mandated 32 ship minimum to support 3.0
3 Amphib Ready Group/Marine Expeditionary Unit requirements.

4 Have I misstated anything, General Smith?

5 General Smith: No, sir. You are correct, although I
6 would note that Admiral Kilby is working mightily to
7 improve that readiness.

8 Chairman Wicker: Absolutely, and we want to work with
9 you on that. Thank you for the compliment, and I know you
10 all are shoulder to shoulder. But how is the Navy
11 supporting readiness of the amphibious warfare fleet? I
12 will let you continue to compliment and then we will toss
13 it back to Admiral Kilby.

14 General Smith: Senator, what I would say is the
15 Optimized Fleet Response Plan, OFRP, I will not speak for
16 Admiral Kilby but it is the plan to get the amphib
17 readiness fleet up to standard, get it up to its 80 percent
18 readiness rate.

19 Chairman Wicker: There is no time to waste, is there,
20 General Smith?

21 General Smith: No, sir.

22 Chairman Wicker: Admiral Kilby?

23 Admiral Kilby: Sir, just maybe a quick correction.
24 Our goal of 80 percent combat surge ready is for those
25 ships, aircraft, and submarines not in the DBO

1 availability. Right now I will tell you that we are at 67
2 for aviation, and that includes aircraft carriers, 67
3 percent, 72 percent for submarines, and 61 percent for
4 CruDez. The amphibious ships are below that, and I am
5 calling that out to focus with the two Type Commanders,
6 Admiral McClain and Admiral Cahill on the East Coast --

7 Chairman Wicker: Is the requirement below that for
8 amphibs?

9 Admiral Kilby: It is not.

10 Chairman Wicker: Okay. So the requirement is 80
11 percent for amphibs, too.

12 Admiral Kilby: It is. Yes, sir.

13 Chairman Wicker: Let me be quick here and get to one
14 other issue, and you can supplement your answer, Admiral.
15 But General Smith, let me ask you about Landing Ship
16 Medium, LSMs. If you could briefly describe what they will
17 do in getting our servicemen to the islands, and would you
18 be supportive of a block buy of these ships?

19 General Smith: Senator, I am always supportive of
20 block buys because they save the American taxpayer money
21 and they reinforce the workforce. They give them a sense
22 that there is going to be continued work in the shipyards.
23 And the one thing we cannot lose is our workforce.

24 Chairman Wicker: Okay. And so how valuable will they
25 be should something happen, particularly, say, in the Indo-

1 Pacific?

2 General Smith: Landing Ship Medium is vital to us,
3 sir. It is our interisland connector. It is what enables
4 us to disperse and reaggregate the force rapidly, and to do
5 so in a nondescript manner, to keep ourselves below the
6 threshold of noticeability by the adversary, to deliver
7 lethal capabilities.

8 Chairman Wicker: Is there an existing design which we
9 could begin production on very quickly?

10 General Smith: There are a couple that we are looking
11 at, sir. But what we require is a purpose-filled ship,
12 something that can be shallow-drafted, carry marine missile
13 batteries, carry marines, and distribute themselves across
14 the first island chain with enough range and capability to
15 get the job done.

16 Chairman Wicker: And are there ships ready right now
17 that could do that?

18 General Smith: Sir, I would say there are not ships
19 that are currently fully capable of executing, but there
20 are some ships that can be used as surrogates on the way to
21 a spiral development to a purpose-filled ship.

22 Chairman Wicker: What would be the alternative to
23 using them right now? How many years would we have to wait
24 for the so-called purpose-built ship?

25 General Smith: I cannot give you an exact number of

1 years that we would have to wait, sir, but it is more than
2 two.

3 Chairman Wicker: There may be some questions for the
4 record on that issue.

5 Thank you very much. Secretary Kaine, you are
6 recognized.

7 Senator Kaine: Prior to recognizing Senator
8 Blumenthal, Mr. Chair, I would like to ask to introduce the
9 statement of Senator Reed prepared for today into the
10 record.

11 Chairman Wicker: Without objection.

12 [The prepared statement of Senator Reed follows:]
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1 Senator Kaine: Senator Blumenthal.

2 Senator Blumenthal: Thanks. Thank you, Mr. Chairman.

3 Thank you, Senator Kaine. Thank you, gentlemen, for your
4 service to our nation and your being here this morning.

5 And I want to reiterate some of the points that my
6 colleague, Senator Kaine made.

7 I am deeply, deeply concerned about the use of our
8 National Guard and our Marines essentially in what appears
9 to be law enforcement and crowd control. It threatens our
10 civil rights and civil liberties, directly contrary to the
11 doctrine of posse comitatus, which is at the core of our
12 constitutional protections. These active-duty military are
13 being used essentially to do crowd control and to
14 potentially use force against fellow Americans, which is
15 exactly what the founders wanted to prevent through this
16 doctrine, and that Congress sought to prevent through the
17 Insurrection Act. Unfortunately, the Insurrection Act is
18 fraught with weaknesses that, in effect, give the President
19 unbridled power.

20 I will introduce, later today, reforms to the
21 Insurrection Act that limit the President's power, with
22 safeguards and guardrails for the purpose of protecting our
23 constitutional rights, but also, frankly, protecting our
24 military, and that is the main point I want to make today.

25 I consider the use of the military in this way a risk

1 to our national security at a time when we need more
2 support and more credibility for the kinds of complicated
3 and challenging tasks we ask our men and women in uniform
4 to do. This escalatory and inflammatory use of military
5 men and women against their fellow citizens threatens to be
6 a stain on their honor and a blow to their support and
7 credibility among Americans. The sight of marines taking
8 potential force against fellow Americans, Commandant Smith,
9 I regard as deeply dangerous to our Marine Corps.

10 These marines have no training in crowd control, do
11 they?

12 General Smith: Senator, the marines that are deployed
13 do have crowd control training.

14 Senator Blumenthal: Where did they do that crowd
15 control?

16 General Smith: They did that at their home station,
17 at Twenty-Nine Palms, sir.

18 Senator Blumenthal: You said that they are trained
19 for combat. They are being deployed for, in effect, law
20 enforcement, aren't they?

21 General Smith: Senator, they are being deployed to
22 support law enforcement.

23 Senator Blumenthal: But the task that they are being
24 assigned to do is not central to their mission as marines.

25 General Smith: Senator, I would say that all marines

1 are trained in crowd control, embassy reinforcement, et
2 cetera, so this is part of their training, sir.

3 Senator Blumenthal: All marines are trained in crowd
4 control?

5 General Smith: Sir, a standard Marine Expeditionary
6 Unit, before they deploy, is trained, and this battalion
7 was ready for that.

8 Senator Blumenthal: And what kinds of equipment do
9 they have?

10 General Smith: Sir, they have shields and batons.

11 Senator Blumenthal: And do they have the kinds of
12 arrest powers that police would have? Do they have the
13 kinds of authorities that are necessary for crowd control?

14 General Smith: Sir, they do not have arrest
15 authority. They are there to protect Federal property and
16 Federal personnel.

17 Senator Blumenthal: Wouldn't you agree that there is
18 a danger they will use the kind of lethal force that you
19 have just described as their central mission to deliver,
20 and that there could be injuries and deaths as a result?

21 General Smith: Senator, I am not concerned. I have
22 great faith in my marines and their junior leaders and
23 their more senior leaders to execute the lawful tasks that
24 they are given.

25 Senator Blumenthal: I have great faith in the Marine

1 Corps when they are assigned to do what is their central
2 mission. I am deeply worried about the effect of the use
3 of Marines, or National Guard, in a way that could inflame
4 and incite rather than calm tensions. Marines are trained
5 to be a lethal force, as you have said, and that is known
6 by the people who are going to be in those streets. And I
7 am deeply concerned about the stain on the honor of the
8 Marine Corps that could result, and the loss of support and
9 credibility for exactly the kinds of increasing support for
10 the industrial base, better living conditions, and other
11 challenges that we have and that require more commitment,
12 Mr. Secretary.

13 My time has expired. Thank you.

14 Chairman Wicker: Senator Fischer.

15 Senator Fischer: Thank you, Mr. Chairman. Mr.
16 Secretary, Admiral, General, welcome. Thank you for being
17 here today, and thank you for your service to our country.

18 I am deeply concerned with the health of our munitions
19 stockpiles, including those affected by recent operations
20 in the Red Sea. Large numbers of missiles such as the
21 Tomahawk Land Attack Missile were expended during these
22 operations. We are expending missiles far faster than we
23 are producing them. We have a real opportunity to make
24 progress on this through reconciliation, but the Navy's
25 future base budgets must also account for increased

1 production rates.

2 Mr. Secretary, at your confirmation hearing you talked
3 about working to incentivize companies and reviewing Navy
4 munition contracts. What have you discovered in your
5 review of these munitions production contracts?

6 Secretary Phelan: Senator, thank you for the
7 question. I have yet to review munitions contracts. I
8 have been dealing with shipbuilding and contracts for the
9 most part. Munitions are next.

10 But what I would say is that fully funding our
11 munitions industrial base is critical and very important.
12 And I have visited two other companies at this stage that
13 are 3D printing different types of munitions that I think
14 have a lot of potential. So I think we need to make sure
15 that we are looking at both existing and new ways of making
16 munitions, so that will be critical to us in the future.

17 But this is a very important thing. It is something
18 that Admiral Kilby and the Commandant and I talk about
19 weekly when we go through our meetings. So it is critical,
20 and munitions is next up on the list.

21 Senator Fischer: Thank you. We will have to talk
22 when you get an update on that, please.

23 Admiral, are there any specific actions that you think
24 need to be taken to increase that production capacity for
25 the munitions for the Navy?

1 Admiral Kilby: Senator, thanks for that question. I
2 agree with Secretary Phelan. I think we have to, me,
3 expand my view of what is potential solutions for us, to
4 include vendors that are not traditionally in this space.
5 We do need to double down on traditional munitions like SM-
6 6, SM-2, LRASM, Conventional Prompt Strike when it
7 delivers, Maritime Strike Tomahawk, all critical in this
8 fight. And as you point out, we are using them at a rate
9 we had not anticipated because of the Red Sea.

10 Senator Fischer: Are you concerned that too many of
11 our programs rely on sole sources, and that diminishes,
12 obviously, then competition?

13 Admiral Kilby: I am concerned about the lack of
14 competition in the industrial base for munitions. I think
15 we must do better there. Even if it is producing a missile
16 that is not quite as effective as the SM-6, that is better
17 than zero missile in your magazine.

18 So I think we have got work to do there, and I am
19 committed to do that work with Secretary Phelan.

20 Senator Fischer: Great. Thank you. Mr. Secretary, I
21 am also deeply concerned about the delays in the Columbia-
22 class production timeline. Since taking office, what have
23 you discovered regarding the pervasive delays in the
24 Columbia-class program?

25 Secretary Phelan: Thank you, Senator, for the

1 question. As you know, Columbia is a priority for us and
2 for you, obviously, and the Committee. I think there are a
3 number of different issues we have come across. One is,
4 you mentioned the topic of single source builders. We also
5 have that in supplies, which is potentially a problem. So
6 we do need to expand out the industrial base.

7 I have visited both Quonset and Groton and have gone
8 there. I think that there are issues that can be done to
9 increase productivity much faster. And I have spoken with
10 the CEOs of both of those companies about my visit there
11 and what I learned.

12 I believe that we will start to see an increase. We
13 are trying to shift the schedule left, and there are a few
14 different things we are trying right now. In addition, we
15 have, at the direction of the Deputy Secretary of Defense,
16 we have sent in a group to try to help them analyze
17 workflow processes and those sorts of things, as well.

18 Senator Fischer: Okay. Thank you. Admiral, I wanted
19 to ask you, because of the delays we are seeing on the
20 Columbia class, I know the Navy has been working to extend
21 the hulls of some of the existing Ohio-class. How is that
22 going?

23 Admiral Kilby: I think we are in good shape. That is
24 a good insurance policy. Obviously, we want to get
25 Columbia out there because it has a capability beyond our

1 Ohios. But we have the ability to extend seven of those
2 through an availability called a PIRA, which I believe will
3 make sure that we maintain our strategic component from the
4 Navy.

5 Senator Fischer: Great. I will have some questions
6 for follow-up for all three of you gentlemen. Thank you
7 very much.

8 Chairman Wicker: Thank you. Senator King.

9 Senator King: Thank you, Mr. Chairman. First, Mr.
10 Secretary, I want to thank you for your visit to the
11 Portsmouth Naval Shipyard and Bath Ironworks, particularly
12 for the time you took to talk with the men and women on the
13 deck plates, the people who are out there doing the work.
14 It meant a lot to those people, it meant a lot to the
15 workforce, and the fact that you took the time to do that I
16 think is exemplary.

17 The other thing I want to note at the beginning, we
18 always get in these hearings and there is a lot of
19 criticism and harsh questions. I want to compliment the
20 Navy for the performance in the Red Sea. It is the longest
21 protracted naval battle since World War II, and the Navy
22 has performed extraordinarily well. I have had briefings,
23 both in this Committee and the Intelligence Committee,
24 about the work that has been done under very difficult
25 circumstances. So I think that should be acknowledged in a

1 hearing like this.

2 I should also note that some of the workhorses in the
3 Red Sea are DDGs, which I remember visiting a government
4 facility some years ago that had a spot on the map of the
5 whole world, of all of U.S. assets, and DDGs were all over
6 that map. They are truly the workhorse of the Navy, and
7 that brings me to my more difficult question, which is
8 shipbuilding budget being cut in half in the base budget.

9 Those of us who have been on this Committee for some
10 time remember OCO. It seems like this is son of OCO, where
11 we are using the reconciliation to do what ought to be in
12 the base budget. The problem with it not being in the base
13 budget, Mr. Secretary, is the message that sends to
14 industry in terms of planning and long-term commitments,
15 investments. And I realize that the brooding on the
16 presence is OMB. But I hope that you can advocate for the
17 strengthening of the base budget on shipbuilding, because
18 all the talk about building up ships and then having
19 shipbuilding cut in half does not gibe. Your thoughts?

20 Secretary Phelan: Thank you for the question, Senator
21 King. Look, the President is committed to a strong
22 national defense and to shipbuilding, and I do believe the
23 OMB director is, as well. My team continues to work
24 closely with the Secretary of Defense's office and OMB in
25 order to try to prioritize and get these programs going.

1 I think we are moving in a good direction, and I am
2 hopeful that we will get something out that --

3 Senator King: Well, I hope so. A wise, old New
4 Englander once said, "Your actions speak so loudly I can't
5 hear your words." So not being in the base budget I think
6 is a real problem, both in terms of the practicality of it
7 but also for the message that it sends to the defense
8 industrial base.

9 You talked about availability, and this is something I
10 have been working on for some time. The average
11 availability of Navy ships -- and it varies -- amphibs are
12 below 50 percent, some, as you mentioned, are around 70
13 percent, but the average is around 50 percent.

14 The average availability of Carnival Cruise Lines is
15 93 percent. If Carnival Cruise Lines had 50 percent of
16 their ships offline at any given moment, they would be out
17 of business. And I understand the complexity of the ships
18 is different and all those kinds of things, but we ought to
19 be thinking about a much higher level of availability.

20 Admiral, how do we get to that 80 percent number?
21 Everybody talks about it, but we are not very close to it
22 overall.

23 Admiral Kilby: Well, a couple of things, sir. One,
24 let me just take overall. I think shorter avails with a
25 definite size package where we can lock down planning 120

1 days in advance of that avail, so we can order the parts
2 and align the workforce is the key. That means we have to
3 be disciplined to do that. And we have to do our
4 open/inspects, where we go assess the condition of the ship
5 early enough to inform that package.

6 Senator King: And there is software now that can
7 predict part failure. There is a lot of technology
8 involved in higher levels of availability.

9 Admiral Kilby: Yes, sir. In fact, these
10 open/inspects now can be conducted, I do not have to drain
11 a fuel tank. I can just use some advance technology to go
12 look at that tank and assess it, whether it needs to be
13 done or not.

14 So we have done that with the case of USS America,
15 which is an amphibious ship. We had 191 open/inspects that
16 were going to be done in the avail. We pulled them far
17 left of the avail so we can make sure we accurately predict
18 that package.

19 Senator King: We will keep having these hearings, and
20 I am going to keep asking about availability until we
21 really hit more like an 80 percent number, because that
22 would solve a lot of our problems.

23 Admiral Kilby: Yes, sir.

24 Senator King: We would have more ships in the ocean,
25 not to mention submarines and others.

1 Final point. Directed energy. It is unclear in the
2 budget where the directed energy money is, if it is in
3 there. Those missiles that we are using in the Red Sea to
4 knock down \$20,000 Yemen drones cost \$4 million apiece.
5 Directed energy is an incredibly important priority. The
6 prior administration grossly underfunded it. I hope this
7 Administration will pay attention. This is cost effective,
8 and it is the weapon of the future.

9 Mr. Secretary, are you going to advocate for directed
10 energy and see an increase in that budget?

11 Secretary Phelan: Yes, Senator. I think it is a very
12 important capability, and as you mentioned, it is a cost
13 effective one. We continue to be working very hard, and it
14 is one system we have been testing live right now that
15 appears to be working well. So we continue to work on
16 that, so yes.

17 Senator King: Let's get that system into the Red Sea.
18 Thank you, Mr. Chairman.

19 Chairman Wicker: Thank you, Senator King. Let me say
20 this, Admiral Kilby. I want to request that you take some
21 time and supplement your answer to Senator King about what
22 happens differently in the private sector. And I think the
23 Senator mentioned a cruise line, and you answered, and of
24 course, we only have 5 minutes per Senator at this hearing.
25 But this has a lot to do with the FORGED Act, which our

1 Defense Department is already trying to implement, and much
2 of which will be in the NDAA.

3 But the point that private industry somehow figures
4 out a way to be flexible enough, and whatever laws govern
5 them allows them to be flexible enough, and we have not
6 been able, up to this point, fully, to implement that sort
7 of thing for our fleet is, I think, fundamental to this
8 hearing and what we are trying to do to address some of the
9 statistics that we have mentioned. Will you do that, sir?

10 Admiral Kilby: I will do that, and I will also tell
11 you that we have had an ongoing relationship with Carnival
12 Cruise Lines. We just sent a group of folks down there to
13 watch them do an availability in 8 hours. A cruise ship
14 pulls in, tourists leave, 8 hours later tourists go on
15 board, and they get underway.

16 So we are trying to understand that better, and I will
17 put that in my answer to you, sir.

18 Chairman Wicker: Please help us understand that. We
19 want to give you what you need to get to the sort of result
20 that we are talking about.

21 Thank you, and I appreciate the Committee indulging
22 me. Senator Cotton has appeared and is recognized for 5
23 minutes.

24 Senator Cotton: Thank you. Before I get to matters
25 of bipartisan concern on things like shipbuilding and

1 munitions, I am compelled to respond to the unhinged
2 partisan rants by Senator Kaine and Senator Blumenthal
3 about the riots in Los Angeles. I heard a lot of
4 complaints about the use of the National Guard or the
5 Marine Corps to defend Federal property. Not surprisingly,
6 a lot of attacks on Donald Trump.

7 I do not think I heard condemnation, of rioters and
8 looters and arsonists and revolutionary anarchists that are
9 burning down parts of Los Angeles.

10 So let's put it in context. What is happening in Los
11 Angeles? For 4 years, under Joe Biden, we had a slow-
12 motion invasion of this country, by millions of migrants,
13 to include murderers, rapists, gang members, and other
14 depraved savages. It was not just tolerated by Democrats
15 in the Senate. It was celebrated.

16 The American people spoke very clearly last year.
17 They elected Donald Trump and a Republican Congress to
18 secure the border, to enforce our immigration laws, and to
19 deport violent illegal aliens.

20 That is exactly what our brave immigration authorities
21 started doing on Friday. You have illegal aliens that were
22 rounded up in Los Angeles that had committed heinous,
23 violent crimes. Are we simply supposed to overlook them
24 because they are in a Democratic city or a Democratic
25 state? You can sexually assault children as an illegal

1 alien, but if you are standing outside a Home Depot as a
2 day laborer, immigration authorities are not supposed to
3 arrest you and remove you from the streets to protect
4 innocent civilians?

5 And then what happened? Again, anarchists,
6 revolutionaries, left-wing street militias started
7 attacking law enforcement, with bricks and cement and
8 frozen water bottles, spitting in their faces, or much
9 worse, setting cars on fire, looting buildings, setting
10 buildings on fire.

11 Under these conditions, of course we should always
12 want the local police to be the first line of authority,
13 and they usually can restore order. In Los Angeles, they
14 could not. How do we know? The Los Angeles Police
15 Department Chief told us that his forces were overwhelmed,
16 even as he kept them on all after their shift.

17 The next line of defense against such civil disorder
18 is the National Guard. You would expect a responsible
19 Governor, when one of his cities' police forces are
20 overwhelmed, to call out the National Guard. But the
21 incompetent and ideological Governor of California refused
22 to do so. So President Trump had to act. He has clear
23 legal authority to federalize the Guard, when necessary, to
24 protect innocent life and property, and especially Federal
25 officers and Federal property. That is exactly what he

1 did.

2 Just like, for instance, in my state, in 1957, when
3 the racist Democratic Governor tried to use the National
4 Guard to prevent the desegregation of Little Rock Central
5 High School, and President Eisenhower said, "I don't think
6 so," and federalized the Guard to ensure the desegregation
7 of Little Rock Central.

8 And what did the Governor of California do? Rather
9 than recognize the error of his ways and cooperate and try
10 to restore order in California, he began grandstanding,
11 attacking the President, suing the Federal Government for
12 using the National Guard to restore order, which again, is
13 one of its functions.

14 Now, the third line of defense, as Senator Blumenthal
15 referenced, is the Insurrection Act, the use of active-duty
16 troops to restore order. The President has taken a
17 measured approach so far. He has said he does not think it
18 is necessary to do so, but he will use that venerable law,
19 which goes back nearly to the beginning of our republic, if
20 called for, as it was, for instance, in the 1992 L.A.
21 riots.

22 Now again, we all hope that these riots are stopped,
23 that these outlaws and renegades are arrested and
24 prosecuted to the fullest extent of the law. But the
25 President has a constitutional responsibility to protect

1 innocent lives, to defend Federal officers, and to defend
2 Federal property, which is exactly what the marines were
3 sent to Los Angeles to do, not to engage in crowd control,
4 not to engage in civilian arrests, but to protect Federal
5 property.

6 And my time is expired so I will not get to address
7 some of the important issues that you came here to speak
8 about, gentlemen. But I do want to express my thanks to
9 the California Guard and to the marines that are currently
10 trying to perform the simple responsibility of protecting
11 Federal officers, Federal property, and help the local
12 police restore order in Los Angeles.

13 Chairman Wicker: Thank you. Thank you very much.
14 Senator Kaine is next.

15 Senator Kaine: Well, just to respond, the issue is
16 not is there lawless behavior that can be controlled by
17 local law enforcement. You either believe in a Federal
18 system or you do not, where a Governor requests the
19 National Guard or does not. And you either believe in a
20 civilian military division or you do not.

21 Now, President Trump has addressed this topic. In
22 September of 2020, "Look, we have laws. We have to go by
23 the laws. We can't move in the National Guard. I can call
24 insurrection, but there is no reason to ever do that. Even
25 in the Portland case, we can't call in the National Guard

1 unless we are requested by a Governor."

2 I will set aside all the ad hominem partisan attacks
3 and just say this. Senator Cotton brings up the example of
4 Little Rock. President Eisenhower, Republican President,
5 did federalize the Guard in that instance. Why? Because
6 it was the Governor that was violating Federal law. There
7 is no suggestion that Governor Newsom is violating Federal
8 law. In fact, he said, "Arrest me if I'm violating the
9 law." And yesterday, the Chief Border Agent for the United
10 States said, "There is no cause to arrest you. You are not
11 violating Federal law."

12 And so the right balance in this instance is to let a
13 local official -- mayor, governor -- seek assistance if
14 they need it. If the President decides more assets are
15 needed, we would not even be having this discussion if had
16 sent in Federal law enforcement -- FBI, DEA, Federal law
17 enforcement. We are having this discussion because the
18 President, in an unprecedented way, without a request and
19 over the objection of the local elected leadership, sent in
20 the United States military, and that is unprecedented.

21 General Smith, I want to just compliment you. You
22 listed three pillars of the area you are working on, and
23 number three was quality of life. Yesterday I was at
24 Yorktown Naval Base and I visited your Marine Corps
25 Security Force Regiment to see advances they are making on

1 Barracks 2030, and it was very, very impressive. I told
2 them that this is a real template for what we ought to be
3 looking at, Marine-wide and DoD-wide, and I just wanted to
4 compliment you on that.

5 To Secretary Phelan and Admiral Kilby, Senator Fisher
6 has asked you about Columbia class. I was going to ask,
7 now let me focus on, can you talk about where we are in
8 trying to get Virginia-class production up to speed?

9 Admiral Kilby: Yeah, I will start, sir. We are not
10 where we want to be, and we are not satisfied with it. We
11 are at a 1.1 when we need to be on a 2.0 pace for us and
12 2.33 for the ultimate goal here with the AUKUS program.

13 Senator Kaine: And just the timing of that, we need
14 to be at 2.33 kind of in the early to mid '30s if we are
15 going to be able to meet the commitments that we have made
16 to the Aussies, who have invested in our workforce to do
17 that. Isn't that right?

18 Admiral Kilby: That is correct, sir.

19 Senator Kaine: You have a heavy lift, 1.1 to 2.3
20 within 10 years.

21 Admiral Kilby: Yes, sir. I do think there has been a
22 bunch of investments that we have enjoyed because of your
23 approval in the maritime industrial base, and the submarine
24 industrial base in particular, that I believe will help us
25 here. But we do need the prime contractors to deliver, and

1 sequence work, and get it done, and focus on productivity,
2 just as Secretary Phelan laid out.

3 Senator Kaine: Let me ask you this, Admiral Kilby.
4 There has been a lot of attention to a couple of the
5 mishaps in the Truman Carrier Strike Group. But the group
6 did such good work. We had a Committee briefing about this
7 last week, and I think some of the positives of the work
8 that was done, under very difficult circumstances, have not
9 really been described. Could you share with the Committee
10 some of --

11 Admiral Kilby: I certainly can, sir. Thank you. I
12 was privilege to go out and visit that strike group
13 returning home, two days before she returned home. Just to
14 kind of give you a quick sound bite, that strike group
15 defended themselves, other ships, or other countries 160
16 times successfully. They conducted 670 strikes into
17 Somalia, either from the air or from the land. They
18 conducted the largest single air strike ever launched from
19 a carrier, with 124,000 pounds of munitions, that detonated
20 within 2 minutes of each other in Somalia. They
21 participated in eight named operations. They worked for
22 three different combatant commanders. They did great work
23 for our nation.

24 Senator Kaine: And not just the nation but the world.
25 They really did work. I have some questions about why

1 other allies did not do more, but I am glad that we did
2 what we did.

3 Finally, Secretary Phelan, I have been hearing good
4 reviews of your traveling around to the shipyards, and you
5 talked about it a little bit. But what would be some
6 insights that you have on the procurement side in terms of
7 improvements that you believe you want to explore further,
8 based upon your tours thus far?

9 Secretary Phelan: Thank you for the question,
10 Senator. Look, I think some of it is how we contract
11 things, how we locate things in terms of where our vendors
12 are, in terms of proximity to shipyards. I think we have
13 to really look at the manufacturing process, the modules,
14 and what we are doing. I think in the next Virginia class
15 we have to really consider having HII build and EV build
16 versus the two of them co-building. I think we need to
17 introduce some competition back into the system.

18 And I think one of the issues we have dealt with,
19 particularly with Virginia, is some of these boats were
20 first of class. Even it looks the same, it is very
21 different. I think we are getting over that curve and
22 learning faster.

23 And I think, candidly, you know, one of the things I
24 would say, interestingly, every company I met with, every
25 public shipyard I was at, they all bragged about their

1 training. But when I sat down with all the workers, the
2 one thing they said they did not have really good was
3 training. I think there are better ways to train them and
4 get them in there and get them up to speed faster, and
5 these are things we are all looking at.

6 Senator Kaine: Thank you very much.

7 Chairman Wicker: Thank you. Senator Rounds.

8 Senator Rounds: Thank you, Mr. Chairman. First to
9 all three of you, thank you for your service to our
10 country.

11 General Smith, I just want to touch on one item very
12 quickly. You laid out very clearly, to some questioning
13 earlier, the current situation with regard to the marines
14 that are currently in California, that the President has
15 identified, I believe you have approximately 2,000 of them.
16 Is that correct, sir?

17 General Smith: We have actually got 700 marines from
18 2nd Battalion 7th Marine, sir.

19 Senator Rounds: Okay. And in their current position,
20 do you consider them -- what position are they in? Are
21 they mobilized or are they -- what is the appropriate
22 terminology that you would use for their current status?

23 General Smith: Sir, I would say that they are there
24 at the SecDef's direction to NORTHCOM. It is one of our
25 most ready battalions. They are prepared to respond to

1 lawful orders in their chain of command. They are there to
2 protect Federal property and Federal officers.

3 Senator Rounds: Have they been called into that
4 operation yet?

5 General Smith: Sir, I would defer you to the
6 Commander of NORTHCOM for that.

7 Senator Rounds: Okay. When they come in to do this,
8 they have not engaged at all at this stage of the game.

9 General Smith: That is correct, sir.

10 Senator Rounds: Okay. The only time that they would
11 engage is if properties or individuals, other members of
12 the armed services are being threatened. Is that accurate,
13 sir?

14 General Smith: That is correct, sir.

15 Senator Rounds: So they are in a defensive posture
16 right now, but they are available as a reserve force.

17 General Smith: That is correct, sir. And again, I
18 would defer to the NORTHCOM Commander for their employment.

19 Senator Rounds: Thank you. I just want to make it
20 clear that the purpose for their being there is not
21 necessarily for law enforcement, but it is there to protect
22 other members of the military of Federal properties. Is
23 that accurate?

24 General Smith: Sir, that is their mission.

25 Senator Rounds: Which is exactly what it would be if

1 they were in another part of the sovereignty, which we
2 would have, which would be at any embassy, anyplace in the
3 world.

4 General Smith: Basically, sir.

5 Senator Rounds: Okay. Thank you. Secretary Phelan,
6 you are brand new in the job, more or less. I have asked,
7 I guess, almost every time we have had one of these types
8 of set-ups in front of us, about a submarine called the USS
9 Boise. And I think it is just a great example, an
10 unfortunate example, of what happens when either you do not
11 have the budget or you do not have the facilities. But it
12 is kind of like that parakeet that you take into a mine and
13 it basically suggests that maybe things are not all right.

14 The USS Boise was originally commissioned in 1992. It
15 is a nuclear attack sub, and it was taken out of service in
16 2015. And since that time it has been in different phases
17 of either a dry dock or sitting at dock.

18 Right now the most current plan is that it will not go
19 back into service until 2029. There is something wrong
20 with this. Just compared to how long it takes us to build
21 a brand-new sub today, this has been sitting there now, and
22 it is going to be 14 years of not being in service.

23 Have you had a chance to look at that operation? Have
24 you had a chance to look and see just what is going on
25 there?

1 Secretary Phelan: Thank you for the question,
2 Senator. I know this is important to you. I have not on
3 that specific one, but let me speak kind of in general
4 about this.

5 This all comes back to the point of urgency. We do
6 not seem to have that sense of urgency that we need. In
7 the manufacturing and construction and maintenance business
8 there is one thing. Senator King talks about Carnival
9 Cruise Lines. There is one word: schedule. If you do not
10 hit schedule, you get killed, and we do not seem to hold to
11 schedule. And I think there are a number of reasons why.
12 Some of that is the supply base. Some of that is green
13 workers. Some of that is not having enough workers. Some
14 of that is taking workers and shifting them to other jobs.
15 There are a lot of things that we are not doing that are
16 not very smart.

17 I went to Korea. I went to Hanwha. I went to Hyundai
18 Heavy Industries. I went to two shipyards in Japan. The
19 Japanese, in one 8-hour shift, get done what we get done in
20 2 1/2 shifts. It is not because they are so much better.
21 They are more experienced, yes. But like you speak to a
22 welder in Japan or Korea, they spend zero time on
23 paperwork. I have yet to find a single shipyard where it
24 is not between 35 and 50 percent of their time is filling
25 out paperwork. These are things that need to change. We

1 need to modernize and design.

2 So this maintenance, as you are talking about, this is
3 a huge problem. If you have a ship in a yard, in my
4 opinion, for more than a year or 2 years, it is pretty hard
5 to get it back in the water.

6 Senator Rounds: We cannot be spending 14 years trying
7 to take it to its second life. It just cannot be done
8 anymore. Thank you. Thank you, Mr. Chairman.

9 Chairman Wicker: And we look forward to your
10 suggestions about specifically how to do deal with the
11 paperwork issue, Mr. Secretary.

12 Senator Warren.

13 Senator Warren: Thank you, Mr. Chairman. So for
14 years, giant defense contractors have been sneaking fine
15 print into contracts that prevent sailors and marines from
16 maintaining their own equipment. These restrictions
17 increase costs, they hurt readiness, and they make a lot of
18 money for the contractors.

19 During your confirmation process, Secretary Phelan,
20 you committed to, quote, "explore how to best leverage
21 right to repair and technical data rights within
22 acquisition contracts to enable organic repair capacity."
23 I wrote it down. So I want to make sure that that
24 maintains as a priority.

25 Marines in Okinawa, Japan, had to send back engines to

1 contractors in the U.S. for repairs, a process that took
2 months when the marines could have done it themselves
3 onsite. But they had to do that because that is what the
4 contract said. And when it is a ship, the United States
5 government actually foots the bill to send the contractor
6 out to sea. GAO found that travel costs to have a
7 contractor complete repairs for one order on the USS
8 Montgomery in Singapore would cost about \$1.2 million.
9 That is just for the travel costs.

10 So Secretary Phelan, would you agree that the Navy
11 could be using those millions of dollars to train
12 servicemembers on the skills they need so they could fix
13 their own equipment rather than spending that money to fly
14 contractors to provide tech support?

15 Secretary Phelan: Senator, thank you for the
16 question. I know it is very important to you.

17 What we do makes no sense to me, okay, so I am a huge
18 supporter of right to repair. I went on the Ford carrier.
19 They had eight ovens. This is a ship that serves 15,300
20 meals a day. Only two were working, six were out, and I
21 said, "You have got 5,300 people on the ship. You are
22 telling me someone can't fix an oven? We have got a lot of
23 engineers." "We can, but we need to wait for the
24 contractor to get out."

25 I asked the question about our elevators. If an

1 elevator goes out, what happens? We have got to call
2 Huntington. They have got to call the four other people.
3 They have to come out and diagnose the problem, and then
4 they will fix it. It is crazy. We should be able to fix
5 this.

6 And my other hot button, which I know is another one
7 of yours and this Committee's is IP and our intellectual
8 property rights. We end up paying for a lot of things that
9 we do not control, and we need to change that.

10 So contracting, in general, is something we are
11 looking at very hard, and we need to really try to ensure,
12 going forward, we control our IP, and we have the ability
13 to fix things. Because if we are in a fight, how do we fix
14 it then?

15 Senator Warren: You have this so right, the
16 importance not only of doing it on a day-by-day-by-day
17 basis, but you need all of that muscle memory of how to fix
18 things in case you are under much more adverse
19 circumstances and do not have time to let something like
20 they are unused while you try to fly in somebody from
21 halfway around the world.

22 So let me just make sure I have got you on the record
23 here. Do you agree that the Navy needs to negotiate for
24 comprehensive repair rights so that contractors cannot find
25 shady ways both to insist on their ability to do the

1 repairs but also to keep the data that you need away from
2 you so that you cannot do it yourself.

3 Secretary Phelan: Senator, I agree we need to repair
4 or have the right to repair our ships. How we specifically
5 go about that, I need to look at and understand better.
6 But trust me, you and I are simpatico on this.

7 Senator Warren: Okay. And then I will ask you, while
8 we are being so simpatico here, let me ask you one more.
9 Do you support Congress passing a law that will help you
10 negotiate repair rights at a fair and reasonable price?

11 Secretary Phelan: Yes, I do.

12 Senator Warren: Okay. I really do appreciate this,
13 you know, and so do 70 percent of voters, according to
14 recent polling. And this is why Senator Sheehy and I are
15 introducing the Warrior Right to Repair Act to make sure
16 that every service follows the Army's lead of securing
17 repair rights and requiring contractors to offer those
18 rights at fair and reasonable prices.

19 This is an opportunity to stand up for our sailors and
20 marines as well as for the taxpayers, and I look forward to
21 working with you. I know that Senator Sheehy does, as
22 well. And we want to work with all of our colleagues to
23 make sure that our servicemembers have the tools they need
24 to be able to repair their own equipment.

25 Thank you. Thank you, Mr. Chairman.

1 Chairman Wicker: Thank you, Senator Warren.

2 Secretary Phelan, have you had a chance, or has your
3 team had a chance, to look at the specifics of the language
4 of the Warren-Sheehy bill that has been referred to?

5 Secretary Phelan: I have not, Senator.

6 Chairman Wicker: Will you please do that and comment
7 about the specifics on the record? It would be very
8 helpful to us.

9 Secretary Phelan: Absolutely.

10 Chairman Wicker: Thank you, and I look forward to
11 working with my two colleagues on a workable solution,
12 particularly since the Secretary is so supportive of that
13 concept.

14 Senator Ernst.

15 Senator Ernst: Thank you, Mr. Chair, and thank you,
16 Secretary Phelan, Admiral Kilby, and General Smith, for
17 being here today and for your service to our nation.

18 I would like to start with a discussion on recruiting
19 and ship manning, so Secretary, we will start with you.
20 The Navy did meet its recruiting requirement in fiscal year
21 2024, but even though it did that we are still concerned
22 about the topline metrics when it comes to meeting the
23 fleet needs. The fleet is still short roughly about 18,000
24 at-sea billets, and that is primarily among the junior
25 enlisted ranks. So, of course, we see the chronic under-

1 crewing fatigue and, of course, the operational strain.

2 There was a GAO report in 2024 that flagged some
3 really unusual or troubling data practices, where our
4 junior sailors are being counted in senior billets, which
5 does inflate our readiness metrics, and I believe the
6 report stated it was by 23 percent. So it does undermine
7 transparency, and it makes it really difficult for us to do
8 our congressional oversight.

9 Secretary, what specific actions are you taking to
10 close the manpower gap and restore the transparency in how
11 the Navy is reporting its personnel readiness to Congress?

12 Secretary Phelan: Thanks for the question, Senator.
13 I have not seen the GAO report. I will get it and come
14 back to you with that. I am unaware of it.

15 Transparency is something we are working on very hard.
16 I have learned, in my first 70 days here, that if I do not
17 ask the question and the other four questions that are
18 going to follow it, I do not get the information I need.
19 So we need to be transparent with you.

20 I will ask Admiral Kilby maybe to comment on this
21 specifically, because I am not specific around it. But I
22 can just tell you in terms of the gaps that you mentioned,
23 we were at about 23,000, I think, 2 years ago, 20,000. We
24 are hoping for fiscal year 2025 to be at 18,000 in terms of
25 shortage.

1 But our recruiting numbers are up pretty
2 significantly. I would like to think we are going to
3 exceed our targets this year. We have seen a real, pretty
4 big pop in that, so we are optimistic that we will beat
5 those numbers.

6 Senator Ernst: Thank you, Secretary. Admiral?

7 Admiral Kilby: I would just add to what the Secretary
8 said. We really drained our reservoir, which is called a
9 Delayed Entry Program, DAP, to 12 percent. It is now at 32
10 percent. We have exceeded our goals, and we need to
11 continue to do that. And we need to continue to do that
12 through 2026, 2027, and 2028, because it takes 9 months to
13 get a recruit to a ship with no training. So we are seeing
14 that curve start to kick in. When we testified before the
15 HAC we were at 23,200 gaps. Today, 22,900 gaps, so
16 trending in the right direction.

17 But we are focused on this every day. Of the three
18 things I worry about it is number two.

19 Senator Ernst: Okay. We have really, really got to
20 close that up, and we will follow up with you on that.

21 General Smith, you have consistently, within the
22 Marine Corps, met your recruiting goals. Can you talk
23 about the success of the Marine Corps and how you have
24 achieved that?

25 General Smith: Senator, I can, and thanks for calling

1 that out. I am very proud of our marine recruiters. They
2 way we do it is marines don't fail. We make our mission.
3 We give our recruiters a mission. We hold them to account
4 for that mission every month. They are required to recruit
5 three individuals. And when they do not make it, we give
6 them counseling, and if they continue to not make it, we
7 replace them.

8 Recruiting is our life blood. We place our best and
9 our brightest on recruiting duty, and we reward them with a
10 duty station preference, promotions, and awards when they
11 do successfully complete their recruiting mission. And it
12 is a simple fact -- we are marines. We don't fail.

13 Senator Ernst: Well, thank you. We do appreciate
14 that, and thanks for meeting those recruiting goals and
15 inspiring those generations that are joining into the
16 Marine Corps. So I really appreciate that.

17 I do have, it is called the SERVE Act, and it provides
18 a pipeline for young Americans to go into our service
19 branches, and we hope we can get that included in this
20 year's NDAA.

21 I do want to talk very briefly, because I am running
22 out of time, I want to talk about auditing, everybody's
23 favorite topic. I love this topic. But Secretary Phelan,
24 you pledged during your confirmation hearing to deliver a
25 clean audit by 2028, and that is called for in our NDAA. I

1 got my start in public service as a county auditor, so this
2 is really exciting stuff to me. Yeah, everybody laughs,
3 but it is.

4 The Marine Corps has achieved a clean audit not once
5 but twice, which is very, very good. It proves really that
6 success is possible when you have really good leadership
7 that prioritizes it.

8 General Smith, what is the Marine Corps doing
9 differently than our other service branches that has
10 enabled you to meet this milestone, not just that once but
11 twice?

12 General Smith: Well, Senator, thanks for calling that
13 out. I am very proud of my marines and the Marine Corps
14 for passing an audit two years in a row. I cannot speak
15 for the other services. I can only speak for marines. We
16 are accountable. We start it recruit training. We start
17 it at Officer Candidate School. You are issued a shelter
18 half, 5 tent pins, 3 tent poles, and a guidewire. And when
19 you leave the unit you are expected to turn in your shelter
20 half, 5 tent pins, 3 tent poles, and a guidewire. And if
21 you do not turn it in, we NJP you, non-judicial punishment
22 you, or we allow you the opportunity to replace that using
23 your own money. We hold people accountable, and this is
24 American tax money, and it is not ours to tinker with.

25 Senator Ernst: Yeah, as a logistician I appreciate

1 that. And Mr. Chairman, if I might, it may be
2 overexaggerated, but is it true that the Brits had said, on
3 your next joint training exercise, instead of sending your
4 marines you send them your accountants?

5 General Smith: I am not going to swear to that,
6 ma'am, but that may have been said.

7 Senator Ernst: I really appreciate it. Thank you,
8 gentleman, very much.

9 Chairman Wicker: Thank you, Senator Ernst. Senator
10 Kelly.

11 Senator Kelly: Thank you, Mr. Chairman. Secretary
12 Phelan, Admiral Kilby, General Smith, thank you for being
13 here. Secretary Phelan, I want to take the opportunity to
14 follow up on a question I had during your nomination
15 hearing regarding the SLICM and the nuclear-armed sea-
16 launched cruise missile.

17 During your nomination hearing you stated you had not
18 been fully read into the program so you could not make an
19 informed comment on the topic. Now, having been in the job
20 for a few months and having looked at the program I want to
21 make sure we are clear on the direction of the system and
22 understand the cost-benefit analysis in fielding this
23 weapon system.

24 If the Navy fields the SLICM-N it would likely require
25 removing conventional weapons off of the Virginia-class

1 submarines, meaning torpedoes, and there would also be
2 required a whole host of significant structural and
3 procedural changes aboard the boats, which would cost time,
4 money, and sacrificing one of our greatest advantages that
5 we have in the Western Pacific, which is our conventional
6 submarine capability.

7 Mr. Secretary, what do you think is more likely in
8 INDOPACOM and the Western Pacific, a conventional or a
9 nuclear conflict?

10 Secretary Phelan: Thanks, Senator Kelly, for the
11 question. I think I am going to defer to the Admiral on
12 this one, since he is the military expert, as to how he
13 thinks that is going to transpire. But what I would say to
14 you as it relates to SLICM, I am still evaluating that,
15 trying to evaluate, candidly, the entire force structure
16 and posture, how our manned, unmanned should look like,
17 what are the different programs we have got. I think we
18 are seeing, in real time, combat changing very quickly.

19 Senator Kelly: Mr. Secretary, I will give you my
20 opinion on this.

21 Secretary Phelan: Please.

22 Senator Kelly: A conventional conflict is much more
23 likely in the Western Pacific, instead of a nuclear
24 conflict. So do you think fielding a submarine with a
25 tactical nuclear weapon capability will contribute to

1 integrated deterrence inside the first island chain, in a
2 Taiwan scenario?

3 Secretary Phelan: Again, Senator, I think a lot
4 depends on how that conflict takes place, what exactly they
5 do, how we respond. And you could make the argument that
6 SLICM gives the President more options. You could also
7 argue it gives him less options.

8 Senator Kelly: Right. So let me transition here to
9 Admiral Kilby. Admiral, do you think it is more likely we
10 have a conventional or a nuclear conflict in the Western
11 Pacific?

12 Admiral Kilby: I think a conventional conflict is
13 more likely, and I hope it stays that way.

14 Senator Kelly: Yeah. Well, thank you. Do we have
15 another option to field a tactical nuclear weapon at sea?

16 Admiral Kilby: I think there are multiple options.
17 It is hard to do all options at the same time in an
18 affordable manner.

19 Senator Kelly: Well, let me ask you this, Admiral.
20 Does it seem more complex and costly to integrate SLICM-N
21 to a Virginia-class submarine, or would maybe a simpler and
22 less costly option being a B-61 aboard an aircraft carrier?

23 Admiral Kilby: I have not studied the aircraft
24 carrier position. I do not know the cost implications to
25 create a nuclear program on an aircraft carrier.

1 Senator Kelly: But Admiral, is it true that in the
2 1990s we had B-61s and B-47s and B-57s, B-43s, aboard
3 aircraft carriers?

4 Admiral Kilby: I believe so. And also some version
5 of nuclear weapons on our surface ships, that capability,
6 as well.

7 Senator Kelly: And Admiral, how do you think the
8 Russians and Chinese would respond if we did add SLICM-N to
9 Virginia-class subs?

10 Admiral Kilby: Well, I think they would have to
11 consider it. I am actually a proponent of that if we chose
12 to do that.

13 Senator Kelly: Yeah, and I am not opposed to having a
14 tactical nuclear option at sea. My big concern is how it
15 affects our conventional submarine force. We have got a
16 significant overmatch with the Chinese, and this is kind of
17 hard for me to say as a naval aviator, that our submarine
18 force is probably our biggest overmatch. I would like to
19 think our airplanes are, but it is pretty clear to me our
20 conventional submarine force is the overmatch that we
21 currently need. And integrating SLICM-N to a Virginia-
22 class submarine is incredibly complex. It is going to be
23 costly. And I think it is going to cost us in our ability
24 to execute undersea conventional warfare against the
25 Chinese, or any adversary.

1 And there are other options. B-61 was deployed aboard
2 the aircraft carrier that I served on, and many others.
3 And my sense is -- I have not studied it either, but my
4 sense is F-18s can carry B-61s, getting aboard an aircraft
5 carrier. If that is what we really want and need for
6 deterrence, we could probably do that at a much reduced
7 cost and, at the same time, preserve the conventional
8 submarine force that we have today.

9 Thank you, Admiral.

10 Chairman Wicker: Thank you very much. Senator
11 Sullivan.

12 Senator Sullivan: Thank you, Mr. Chairman. Mr.
13 Secretary, you do not have a lot of experience working with
14 this Committee so I would like to start with some basics.
15 What does Article I, Section 8, Clause 13 of the
16 Constitution say?

17 Secretary Phelan: I don't know. Why don't you tell
18 me, Senator.

19 Senator Sullivan: It grants the Congress the power
20 to, quote, "provide and maintain a Navy." And Clause 12
21 grants Congress the power "to raise an Army." Do you know
22 why the Founding Fathers had a difference between our
23 constitutional responsibilities? That is a big difference,
24 raise an army, provide and maintain a Navy. Do you know
25 why?

1 Secretary Phelan: I think I do, Senator, but why
2 don't you give me the history lesson, which you seem to
3 want to do today.

4 Senator Sullivan: Why don't you answer my question,
5 Mr. Secretary? Do you want to answer the question?

6 Secretary Phelan: I do not.

7 Senator Sullivan: Well, okay. It gives the Congress
8 a longer-term view of building ships, developing
9 infrastructure, supporting a much more permanent naval
10 force than with the Army. Do you know what section of the
11 Constitution mentions the Secretary of the Navy?

12 Secretary Phelan: I do not, Senator. Why don't you
13 go ahead and --

14 Senator Sullivan: It is not mentioned in the
15 Constitution.

16 Let me provide a hypothetical. Congress passes a law,
17 had many hearings on it, the President signs it. You
18 experts come to you and say it is not one of your top
19 priorities. What is your obligation to the law
20 Constitution to this body with regard to this law?

21 Secretary Phelan: I am sorry. Could you repeat the
22 question, Senator?

23 Senator Sullivan: Congress passes a law. The
24 President signs it. Your experts come to you and say,
25 "What that law mandates is not one of our top priorities."

1 What is your obligation to the law Constitution in this
2 body with regard to that hypothetical?

3 Secretary Phelan: I am not sure what this is
4 accomplishing, Senator, but at the end of the day I follow
5 the laws as they are given to me. How about that?

6 Senator Sullivan: Let me provide a real-world example
7 in that regard.

8 Secretary Phelan: Please do. How about we talk about
9 our call yesterday. Want to talk about that?

10 Senator Sullivan: We had hearings to get to 31
11 amphibs in the law. The Navy did not like it. SecNav did
12 not like it. The Marines did not like it. We passed that,
13 requiring 31 amphibs. The law actually says, "the forces
14 of the Navy shall include not less than 11 operational
15 aircraft carriers, not less than 31 operational amphibious
16 warships, of which not less than 10 shall be amphibious
17 assault ships."

18 The Secretary of the Navy came here 2 years ago and in
19 his shipbuilding plan he did not hit 31 amphibs at all.
20 How do you think this Committee responded to that?

21 Secretary Phelan: I am sure they did not like it.

22 Senator Sullivan: We did not like it. Secretary
23 Kaine and I put forward legislation that actually said, the
24 next year, in the NDAA, very bipartisan, if the Navy does
25 not hit 30-year shipbuilding plan that maintains 31

1 amphibs, that we would sequester half of the Navy's
2 budget."

3 So do you think -- and this is for all the gentlemen
4 at the table -- are we hitting 31 amphibs right now,
5 Admiral, under the law?

6 Admiral Kilby: I believe we are.

7 Senator Sullivan: So my understanding is 3 of the 32
8 are not mission capable, 14 are out of reporting and in
9 shipyards. So are we hitting 31 amphibs with those amphibs
10 out of commission, essentially?

11 Admiral Kilby: By the letter of the law we are. In
12 intent, we are not.

13 Senator Sullivan: Are those operational amphibious
14 warships? That is the letter of the law.

15 Admiral Kilby: When they come out of maintenance they
16 will be.

17 Senator Sullivan: But 14 are in maintenance. So you
18 think we are hitting that law right now?

19 Admiral Kilby: Yes, sir.

20 Senator Sullivan: General, do you think we are
21 hitting that law? Let me give you -- one of the ships on
22 that list is the USS Tortuga. That has not deployed since
23 2013. The Navy is counting that as meeting the law. You
24 were very involved in the 31 amphib law. Do you think that
25 meets the letter of the law?

1 General Smith: Senator, I cannot speak to what meets
2 the letter and intent of the law. I only can speak to the
3 requirement of the 3.0 Amphibious Ready Group presence, one
4 off the East Coast, one off the West Coast, and the 31st in
5 the --

6 Senator Sullivan: Are we close to that right now?

7 General Smith: Sir, we are not.

8 Senator Sullivan: Okay. What are the combatant
9 commanders saying they want, 3.0 or higher?

10 General Smith: The combatant commanders are asking
11 for 5.5, and I would that is unobtainium.

12 Senator Sullivan: And we are not even at 3.0, and
13 that is a requirement you think we need?

14 General Smith: I believe as the Amphibious
15 Requirements Officer, 3.0 is the requirement. Yes, sir.

16 Senator Sullivan: Mr. Secretary, when you went
17 through your confirmation hearing I highlighted a GAO
18 report. It had four recommendations. It talked about the
19 amphibious fleet readiness, which was in a state of
20 disaster. Are you familiar with these four
21 recommendations? Have you implemented any of them? And
22 maybe you can get back to this Committee with each of those
23 recommendations and what you are doing to implement them,
24 from the GAO, on getting our amphib fleet back in
25 readiness.

1 Secretary Phelan: I will take that for the record and
2 come back to you, Senator.

3 Senator Sullivan: Finally, General, what happens if
4 we do not have 3.0, toe-to-toe capability?

5 General Smith: Senator, it increases risk for the
6 combatant commanders. That means there is not a Marine
7 Expeditionary Unit off the coast of Africa. Should an
8 embassy need to be evacuated or should Houthis need to be
9 struck, it means there is not a Marine Expeditionary Unit
10 prepared to go in the teeth of the PRC or prepared to
11 operate in the SOUTHCOM AOR.

12 Senator Sullivan: And are the Marines ready to be
13 3.0?

14 General Smith: We are, sir. We have the capacity and
15 the capability.

16 Senator Sullivan: But the Navy is not.

17 General Smith: The amphib readiness rate currently
18 does not meet the 3.0 requirement.

19 Senator Sullivan: Admiral, do you know when we are
20 going to get to that?

21 Admiral Kilby: I can tell you what we are at, 41
22 percent, and I want to get to 80 percent. I do not have an
23 exact day when we are going to get there, but it has my
24 full attention.

25 Senator Sullivan: Thank you. Thank you, Mr.

1 Chairman.

2 Chairman Wicker: Thank you, Senator Sullivan.

3 Senator Rosen.

4 Senator Rosen: Thank you, Chairman Wicker, for
5 holding the hearing. I would like to thank Secretary
6 Phelan, Admiral Kilby, and General Smith for testifying
7 today, and Admiral and General, thank you for your service
8 to our nation. We appreciate it.

9 I want to talk a little bit about Naval Air Station
10 Fallon and modernization. Secretary Phelan, as you know,
11 the Nevada delegation has worked closely with the Navy,
12 Federal agencies, Tribal governments, and local
13 stakeholders. We have worked with them for years to secure
14 the Fallon Range Training Complex modernization in the
15 fiscal year 2023 NDAA, expanding the range by over 600,000
16 acres to meet critical national security training needs.

17 Now that the Navy is moving forward with modernization
18 I again want to underscore the importance of fully meeting
19 the legal requirement that grazing permit-holders, who will
20 no longer be able to use this land, receive full and
21 complete compensation for their lifetime losses. They will
22 never use this land in Nevada again.

23 Unfortunately, the initial payment offered to ranchers
24 on the B16 range, they have fallen well below expectations
25 and estimated value. Appraisals must consider not only

1 land value but also FSA loans, groundwater access, and a
2 lifetime worth of the lost business itself.

3 Secretary Phelan, thank you for your prior commitment
4 to meet with me regarding the issue. I know our respective
5 teams are working to schedule that as soon as possible.
6 However, during your confirmation you also committed to
7 meeting with me and my team and some of the impacted
8 stakeholders. So Churchill County and grazing permittees
9 on the B16 Range, we need to meet with them. Will you
10 commit to scheduling this meeting? I have a few others, so
11 will you commit to scheduling this meeting with me and then
12 as soon as possible?

13 Secretary Phelan: Thanks, Senator. I appreciate the
14 question. Yes. I know we have an upcoming office call
15 later this month, and I am committed to visiting Fallon
16 myself personally to see the operations and seek local
17 stakeholders.

18 Senator Rosen: So continuing on this I want to
19 reiterate that in your negotiations with impacted
20 permittees their grazing losses must be treated, should be
21 treated as a complete loss, not a buyout. This means, for
22 example, valuing heads of cattle at full market value over
23 time. My understanding is that the Navy's calculations
24 continue to fall short of this. Will you commit to sharing
25 with my team the specific calculation you are using to

1 determine this value over time so we can discuss it?

2 Secretary Phelan: Senator, I will look into the
3 specifics and try to understand them better and come back
4 to you with an answer.

5 Senator Rosen: Thank you. Does the Navy have the
6 expertise needed to make this kind of determination and
7 offer, because it is critically important the permittees
8 are made whole. And if your team does not have the tools
9 and expertise to do this, or I do not hear back from you to
10 work with us, Congress will need to look at providing you
11 with additional guidance so that we can finally get this
12 right. So do you have the expertise to make this kind of
13 determination and offer to our cattle ranchers?

14 Secretary Phelan: I believe we do, Senator, but I
15 will confirm that.

16 Senator Rosen: Thank you. I am going to stay on
17 Fallon because it is so critical to our nation's security,
18 safety, and of course, really important to us in Nevada.
19 The remoteness of Naval Air Station Fallon, it is a major
20 asset. It provides the range space that we need to ensure
21 the fleet is deployable and operationally ready. The base
22 has been designated as a Remote Duty Installation since
23 1989, with the quality of life challenges that come along
24 with that.

25 NAS Fallon is the only Navy base in the continental

1 United States designated as a Critical Housing Area, with
2 housing in very short supply. So the vast majority of
3 those stationed at Fallon live either in Reno or Carson
4 City, which are each maybe an hour or over an hour away.
5 The Navy anticipates entering into a public-private venture
6 to build 172 new homes at Fallon, but more infrastructure
7 is required to support them, enlarging the existing
8 wastewater treatment plant, for example.

9 So Mr. Secretary, can you provide us an update on the
10 status of that housing project, including timelines for
11 supporting the infrastructure improvements such as building
12 larger wastewater treatment plants?

13 Secretary Phelan: Senator, I will have to take that
14 one for the record and get back to you.

15 Senator Rosen: We just want to be sure as you do
16 that, we want to be sure the Navy is planning to keep pace
17 with infrastructure requirements, such as housing,
18 childcare, medical, and others, as we support the growth of
19 NAS Fallon.

20 Quickly, I want to talk about the Fallon Range
21 plumbing, because the Sheckler Reservoir outside of Fallon
22 experienced more frequent overflows in the past decade,
23 causing flooding to Fallon's B16 Range. It renders it
24 inoperable for ground combat training. This is serious.
25 The Bureau of Reclamation owns the reservoir. Its

1 infrastructure and water flow impact the Navy, all while
2 the Navy is investing millions into range modernization.
3 So we have to work together -- you have to work together
4 with us and the Bureau of Reclamation -- to route the water
5 around B16 so it no longer floods the range. We need that
6 range to keep us safe. It halts training and risks
7 flooding.

8 Can you commit to us to working with the Bureau of
9 Reclamation, my office, and obviously the Navy, to get
10 around this issue of flooding of the B16 Range?

11 Secretary Phelan: Thanks for the question, Senator.
12 Fallon is obviously a critical range for us, and I will
13 commit to working with you to try and get this problem
14 resolved.

15 Senator Rosen: Thank you.

16 Chairman Wicker: Thank you, Senator Rosen. Senator
17 Scott.

18 Senator Scott: First I want to thank each of you for
19 being here. Thanks for your service. I also want to thank
20 President Trump for doing everything he can to create some
21 stability in California. I want to thank him for calling
22 up the California National Guard and for having the Marines
23 ready. It is disappointing that the Governor of California
24 and the Mayor of Los Angeles are not as focused on the
25 security of the citizens as our President is.

1 Secretary Phelan, thank you for being here. During
2 your confirmation hearing, as you will probably remember, I
3 showed you a picture of a rusty ship pulling in to shore as
4 an example of the ways the Navy has fallen behind during
5 Biden's term. I know you made this a priority to get this
6 fixed. I want to thank you for everything you are doing.

7 In the last 5 years, the Navy has taken delivery of 41
8 ships. Only 4 were delivered on time and on budget. So 4
9 were delivered on time and on budget. That is like under
10 10 percent. You are a business guy, both of us. If we had
11 10 percent success rate we would not be in business very
12 long, and we would not accept that from anybody that ever
13 worked for us.

14 So for Secretary Phelan and Admiral Kilby, can you
15 give us, like what are your top three things, each of you,
16 that is going to improve the accountability of our
17 shipbuilding? Whoever wants to go first.

18 Admiral Kilby: Sir, thanks for the question. One, I
19 think the top three things we need to do is get the
20 workforce right and stable. I agree with Secretary Phelan
21 that we need an experienced workforce. We are seeing
22 challenges in that at multiple yards, whether they are
23 repair or shipyards.

24 Two, for repair we need to manage the package size so
25 we can get it done in the time needed. Our delays are

1 called, in ship repair, caused by work, which means we
2 discover something after the fact that the avail has begun.
3 I alluded earlier about doing those open/inspects earlier,
4 definitizing the package, and costing it out to do that
5 work and not hope that we do not have to do those work.

6 And then finally, I think there are some opportunities
7 in the sparing accounts to do a better job, to have parts
8 available and ready when we need to do the avail, so we do
9 not have a growth work because we are waiting for a part
10 that is not readily available.

11 Senator Scott: Secretary, do you want to add
12 anything?

13 Secretary Phelan: Yeah. Look, I think, Senator, what
14 I have seen in, what, 72 days here, is we have got a big
15 problem, and the problem is the following. Number one, we
16 have underinvested in our infrastructure. We have
17 underinvested in our maintenance. We have been maintaining
18 ships at 50, 60 percent maintenance, which is not good.

19 The bills for prior conflicts is where we spent a lot
20 of money, and all those deferrals, all that underinvestment
21 is coming due.

22 So we have a very, very tough job in front of us in
23 terms of trying to figure out how to appropriately allocate
24 capital to these different areas.

25 As it relates to shipbuilding, we do not have the

1 capacity to handle the ships that we need to build today.
2 So we need to put all options on the table, because I
3 bucket it in kind of two ways. There is short-term, which
4 is how do I get hulls in the water, how do I get them out
5 of the yard, and then long-term, how do I get this maritime
6 industrial base growing.

7 We probably need to add shipyards. We need to bring
8 in expertise. We need to digitize a number of things and
9 add technology to things. When I went to the foreign
10 yards, again, I saw things that were far more advanced than
11 what we were doing, and we need to start to implement those
12 and add those.

13 Senator Scott: One thing you can do, as early as you
14 can, give us a timeline of when you can do these things.

15 Secretary Phelan: I would be happy to.

16 Senator Scott: Let me ask you one other thing. I
17 know we have talked about some of the issues the Navy is
18 dealing with. The Marines and the Air Force are 100
19 percent recapitalized on their C-130s. The Navy needs over
20 30 C-130s, and unfortunately they are yet to have a program
21 for this critical, tactical airlift platform. I think they
22 only have one on contract.

23 First, General Smith, how important are the C-130s for
24 the Marine Corps and joint forces?

25 General Smith: Senator, the C-130 is a workhorse. It

1 is vital to be able to provide us organic mobility
2 throughout the first island chain and globally. It has got
3 global reach.

4 Senator Scott: Okay. So Admiral Kilby and Secretary
5 Phelan, tell me, is this a priority, and if it is, what is
6 the timeline?

7 Admiral Kilby: It is a priority for the Navy. It is
8 competing with a lot of other priorities. I would say 50
9 percent of our C-130 fleet are C-130Ts, and then the other
10 50 percent are KC-130Js for refueling. So it provides
11 flexibility for us and is helpful for us kind of in that
12 Pacific logistics challenge. But we are challenged with a
13 lot of priorities, sir.

14 Senator Scott: Will you be able to come back at some
15 point and say, "We have got all these priorities. This is
16 the list. This is when we are going to deal with hit. We
17 are going to break these down, one at a time, and this is
18 how we are going to solve them"? That would be helpful.

19 Admiral Kilby: Yes, sir.

20 Senator Scott: Thank you, Chairman.

21 Chairman Wicker: Thank you. A vote has started, and
22 members will come and go. Senator Scott, you asked the
23 Secretary for a timeline. I wonder if you could do that
24 for the record. Would you try to get a timeline and
25 supplement your testimony today?

1 Secretary Phelan: Yes. I will work on that.

2 Chairman Wicker: Thank you both. So we are at Peters
3 now.

4 Senator Peters: Thank you, Mr. Chairman. Secretary
5 Phelan, I certainly appreciated your commitment your
6 nomination hearing to work with me to get the
7 Constellation-class frigate program back on track. As we
8 discussed in that hearing, and as you mentioned to House
9 appropriators, these delays are due, in part -- and I think
10 the quote -- to "post-contract design modifications by the
11 government." The Navy and the shipyard have
12 collaboratively made progress to rectify these issues,
13 including in design completion, production ramp, and
14 workforce hiring, as well as retention, and I am glad that
15 congressional provided industrial base funding, that I
16 supported, has helped in each of these areas.

17 And I know that you saw this progress firsthand during
18 your shipyard program review visit just last week. And
19 while there I understand you learned about the frigate's
20 vital role in the future Navy mission requirements as well
21 as the Great Lakes region's valuable contributions to the
22 U.S. shipbuilding industrial base.

23 So my question for you, sir, is what are your plans for
24 the frigate program, in particular, and how can we maintain
25 this positive progress to get this program finally back on

1 track?

2 Secretary Phelan: Thanks, Senator. I know this is a
3 topic important to you. I was at Fincantieri Marine two
4 weeks ago. I was very impressed by the investments they
5 have made in their shipyard and things they have done in an
6 attempt to modernize. There are some things that some of
7 the other shipyards can actually take and potentially
8 adapt.

9 As it relates to the frigate program, as I have
10 learned, I think the Navy has some culpability, as does the
11 company, in terms of the problems we have. And I think it
12 comes down to, candidly, in general, how we contract it
13 today. You are incented to just low bid and then come back
14 to the government and ask for the fill-up, and we need to
15 change that.

16 As it relates to the frigate and in the force, still
17 evaluating that. We are still trying to understand how it
18 fits, when we can get it fixed, what the plans are for it.
19 So I will come see you as soon as we get a handle on that.
20 but it is something we are looking at very hard. And I do
21 think that the shipbuilder there has done a great job. So
22 we need to figure out how to keep that going and add to it
23 and understand that.

24 Senator Peters: Great. I will look forward to future
25 conversations on it. I appreciate your attention to that.

1 Admiral Kilby, as you know, Michigan plays a critical
2 role in the U.S. maritime industrial base, leveraging
3 really a century-long legacy of manufacturing excellence.
4 Michigan has been the powerhouse of innovation and
5 industrial grit, from the Arsenal of Democracy during World
6 War II to supplying today's automotive and aerospace
7 sectors, including land systems for the U.S. Army.

8 We have also been investing in skill-intensive
9 training and produce critical naval components. Michigan
10 has created a national model for cultivating the next
11 generation of engineers, builders, and maritime innovators.
12 This effort, I think, gives Americans a decisive edge over
13 our adversaries who are also seeking to dominate global sea
14 lanes as well as technological development.

15 So my question for you, sir, is how is the DoD
16 supporting and utilizing regional manufacturing ecosystems,
17 like we have in Michigan, to reduce the reliance on foreign
18 suppliers for critical naval components?

19 Admiral Kilby: Sir, thanks for that question. I am
20 not as familiar with Michigan as a site I went to visit in
21 Senator Kaine's state recently, in Danville, Virginia. And
22 that site has two purposes. One, it creates five specific
23 trades in 16 weeks, and it goes 24/7, so three sections,
24 900 people a day, to go add to our defense industrial base.
25 And it also has an added manufacturing center of excellence

1 which is working to get the IP so we can produce those
2 parts that are out of circulation because they belong to
3 older systems.

4 So I think that could be replicated in our nation. I
5 do not know if it is in your state, sir. I will check.
6 But I think we need to do that as much as we can to add to
7 our workforce, to get it back to where it needs to be to
8 maintain our ships, aircraft, and our military across our
9 country.

10 Senator Peters: Well, I would like to work with you
11 on that, because Michigan is doing a lot of what you just
12 described. So I would like the Navy to have an opportunity
13 to see and understand the contribution that the industrial
14 workforce, which is highly trained, highly skilled in
15 Michigan, and the advantages to employing them in Navy
16 work, I would certainly welcome that opportunity.

17 Admiral Kilby: Yes, sir. I will take advantage of
18 that.

19 Senator Peters: Great. Thank you.

20 Chairman Wicker: Thank you. Senator Tuberville.

21 Senator Tuberville: Thank you, Mr. Chairman. Just a
22 quick statement. Secretary Phelan, everything we read
23 obviously is China is using AI on almost everything that
24 they do. They can build a bridge in 3 months that takes us
25 3 years. I am sure shipbuilding is part of that. In your

1 travels, hopefully we are getting into that. I do not know
2 how far and how impressed you have been with that. Any
3 thoughts?

4 Secretary Phelan: Senator, thanks for that. We are
5 slowly adapting and getting there. I think there is more
6 that we need to do, and we are focusing on the public
7 shipyards, trying to get that done.

8 I saw, at Fincatieri actually, they have these 3D
9 goggles where you can actually look at where they are
10 welding and how it matches up versus the blueprint, to make
11 sure that they are not off. Because the precision of this
12 manufacturing is incredibly intense. I mean, these are
13 very complicated things.

14 So we are getting there, and I think implementing AI,
15 even just basic digital twinning of projects. There are a
16 number of things we have to do to get in and done, that I
17 think will speed up construction, make design faster. We
18 spend way too much time in the requirements and design.
19 This needs to move much, much quicker. So streamlining
20 that, I think, will be helpful, as well.

21 Senator Tuberville: Yeah. Just from what I read it
22 looks we are just falling farther and farther behind the
23 Chinese, and we cannot deal with that too much.

24 General Smith, I would like just to make a statement
25 here and discuss with you about a constituent matter.

1 Normally this would be handled in emails and conversations
2 between our staffs. After more than 7 months of
3 headquarters of Marine Corps being evasive and unresponsive
4 to my questions, here we are.

5 A little over 2 years ago, we had an F-35 crash in
6 Charleston, South Carolina. The pilot, an Alabama
7 constituent who entered service from my state, had been
8 selected for a very important command and was in the
9 process of converting from another aircraft and staying
10 current for his new job.

11 This mishap got a lot of attention because the pilot
12 ejected. The aircraft continued to fly for an extended
13 period of time before it eventually hit the ground.

14 Of course, there was no way for the pilot to know that
15 this would happen. If he had he would have remained in the
16 aircraft. What the pilot knew at the time was that the
17 weather was bad, he had no visual reference with the
18 ground, and his primary and secondary instruments had
19 completely failed. Disoriented by the cascading failures
20 and low to the ground, he ejected.

21 The Marine Corps did what it always does in these
22 mishap situations. They had three investigations. One
23 command investigation determined the mishap was in the line
24 of duty and the pilot had committed and misconduct. It
25 found no misconduct. A Field Flight Performance Board,

1 that focuses on pilot actions and abilities, and the safety
2 investigations that is meant to determine the truth of the
3 incident and provide a way forward and lessons learned to
4 prevent future occurrences. All three investigations were
5 completed in February 2024.

6 This investigation and their summaries were routed to
7 the headquarters of the Marine Corps where it was
8 determined that the pilot had acted appropriately and
9 should continue his career. The pilot and his family were
10 moved across the country to Yuma, Arizona, and he took
11 command in late June 2024, a year ago.

12 General Smith, that July, you visited the squadron,
13 and while speaking with the pilot in his office you asked
14 him what his future plans were, stating, "We put you here
15 for a reason, and the Marine Corps isn't done with you
16 after this command." Then, a month later, in August 2024,
17 a redacted version of the command investigation was being
18 prepared for public release. During that process, you
19 apparently became familiar with this mishap for the first
20 time, and without reviewing the other two investigations,
21 directed that the VMX-1 CO be relieved.

22 It is important to emphasize that all information on
23 this mishap, and the investigation, had been available to
24 headquarters of the Marine Corps for more than 8 months by
25 this point, and it was also available when this family was

1 moved across the country.

2 During the video call relieving him, this Marine was
3 told by the Deputy Commandant for Aviation that "you have
4 done nothing wrong. You are doing a great job," but that
5 the Commandant had decided "you could not stay in command."

6 I wonder what the reasons were for this erratic and
7 hasty decision. The officer who conducted the command
8 investigation inappropriately offered his opinion, that the
9 mishap was caused by pilot error. Of course, it was
10 incorrect. The mishap was caused by a never-before-seen
11 series of failures. This erroneous opinion is what you
12 justified breaking faith with this decorated combat vet
13 with more than 33 years of combat service. Because you
14 never reviewed, obviously, the other investigation in
15 detail, maybe at all. You did not know or tell a different
16 story of things that were said.

17 Due to this unique circumstance of mishap, the board
18 believes the pilot was justified in his decision to eject.
19 Recovery from the previously described flight regime is not
20 trained in the F-35 syllabus, and the FFPB believes that
21 the predominance of naval aviators with similar experience
22 with the F-35B would have made the same decision.

23 This treatment of this pilot, to me, feels punitive
24 and vindictive. There was no attempt by the Marine Corps
25 to take care of this marine or his family, despite his

1 excellent performance as CO, and the abundance of
2 misconduct of any kind this family was denied a Change of
3 Command ceremony, even after the committee's professional
4 staff requested you evaluate this decision.

5 General Smith, I would like to get answers to these
6 questions. I have been asking since October. I would have
7 preferred it to happen through normal means instead of a
8 hearing, but I am Chairman of the Committee's Subcommittee
9 on Personnel, and we can arrange that.

10 But to Tre and Jess Del Pizzo and their family, thank
11 you for your many years of service and sacrifice to this
12 great nation, and I think you deserve much better here.
13 There is no excuse to treat a Marine and his family this
14 way.

15 So I look forward to hearing from you, General Smith.
16 Thank you.

17 Chairman Wicker: Do you have a response to that,
18 General?

19 General Smith: Senator, I will get you everything I
20 have on Charles Del Pizzo's relief, but he was about to be
21 the commanding officer of our Marine Aviation and Weapons
22 Attack Structure Squadron, our premier squadron, and in all
23 candor, sir, he punched out of a perfectly good airplane.
24 And I cannot allow an individual who punched out of a
25 perfectly good airplane, a flyable airplane, to command our

1 Marine Aviation and Weapons Attack Structure Squadron.
2 That is a flawless, no-mistakes-allowed command, and I
3 could not allow him to take command of that squadron.

4 Senator Tuberville: Thank you. I look forward to
5 visiting with you. Thank you.

6 Chairman Wicker: Senator -- well, let's see. I am
7 not clear on who is -- Senator Slotkin.

8 Senator Slotkin: Thank you, Chairman. Thank you for
9 being here. Commandant, thank you for being here. With
10 everything going on in the country I just want to give you
11 the opportunity to talk a little bit. You know, the
12 country is watching what is happening in L.A. And first
13 and foremost, if you use violence as a protester you are no
14 longer a peaceful protester, and you lose the right to be
15 able to just destroy property, shoot at law enforcement,
16 attack law enforcement, all those things. So people should
17 be treated appropriately.

18 But I think it is a different thing, particularly for
19 our military, to be seen on the streets of American cities,
20 potentially adding fuel to the fire rather than decreasing
21 it. I know that the Marines have been sent out. Have you
22 had direct contact with LAPD leadership or the Governor of
23 California?

24 General Smith: Senator, I have not.

25 Senator Slotkin: Can you imagine if you were

1 controlling some space -- we have served together in many
2 places, you and I -- and another armed force was coming to
3 participate in actions with you, and you had not gotten a
4 call from the commander?

5 General Smith: Yes, Senator. I cannot speak to what
6 NORTHCOM has coordinated. The Marines there are under the
7 auspices of the U.S. Northern Command.

8 Senator Slotkin: Okay. Well, I would be interested
9 to know if anyone has coordinated -- just pick up the phone
10 so that we can try and have two groups of people who are,
11 in theory, trying to do the same thing, coordinating.

12 The reporting yesterday was that you all were,
13 quote/unquote, "scrambling" to figure out the rules of
14 engagement, that you were sending folks without knowing
15 what actual rules of engagement these marines would be sent
16 in with. Have they received any training on Miranda rights
17 and custodial interrogation protocols? Do they have the
18 ability to arrest?

19 General Smith: Senator, they do not have the ability
20 to arrest.

21 Senator Slotkin: Do they have any training on the use
22 of less-than-lethal force, in cities?

23 General Smith: Senator, they do. They do have
24 training on less-than-lethal means.

25 Senator Slotkin: On batons? On tasers? Beanbag,

1 rounds, et cetera?

2 General Smith: Yes, ma'am. We no longer use beanbag
3 rounds.

4 Senator Slotkin: Okay. How many hours of training
5 have they received in less-than-lethal force? I mean,
6 these are Marines, right, and when I served in Iraq, there
7 was no one I wanted -- no offense to anybody here -- there
8 was no one I wanted more protecting me than the Marines,
9 whether I was in Ramadi or Fallujah or Baghdad or whatever.
10 But that is very different than being active in American
11 cities. So how many hours of less-than-lethal force have
12 your marines received in training?

13 General Smith: Senator, I will have to get back to
14 you with an exact number, but it is in excess of 2 hours.
15 That is a standard annual training in the use of non-lethal
16 means.

17 Senator Slotkin: So the LAPD folks who are out on the
18 beat right now receive a minimum of 600 hours of training
19 before they can be active in law enforcement. You can
20 understand -- and again, the problem for me is not -- I do
21 not question that these things in L.A. have gotten violent.
22 That is not my question, and I condemn it. I am worried
23 about the reputation of the U.S. military in the United
24 States of America. I think that you were designed,
25 particularly Marines were designed, to be of lethal force

1 abroad. And the idea that an apolitical military, which we
2 all should cherish and value, are now going to be thrown
3 into a situation that they are scrambling to participate
4 in, where the LAPD says, "We don't need them," to create a
5 dramatic story. I am worried about what that will say
6 about the U.S. military.

7 And I speak from experience. In the city of Detroit,
8 in 1967, the Guard was brought in. It made violence worse.
9 And literally, 50 years later, people are still stressed
10 about the U.S. military being active in that city.

11 So do you think that the American public wants to see
12 troops that were troops, active-duty troops that were
13 trained for lethal force abroad, on their city streets?

14 General Smith: Yes, Senator, I cannot comment on what
15 the American people want to see or do not want to see.

16 Senator Slotkin: Well, I can imagine that most people
17 are pretty disturbed by those pictures. And I have asked
18 every single nominee who has come up in front of me here
19 about this very issue, because it was predictable. The
20 President made clear he wanted to have this set of
21 circumstances play out. It was in his Project 2025. He
22 has talked about putting active-duty troops in. And I am
23 expecting leaders like you, who I know have deep integrity,
24 to stand up for the U.S. military and saying that some of
25 these missions, while we may figure out a way for them to

1 be legal, do not support the reputation of the military
2 that we need to uphold for the safety of this country. And
3 we are counting on you.

4 I yield back.

5 Chairman Wicker: Thank you. Senator Duckworth.

6 Senator Duckworth: Thank you, Mr. Chairman. I am
7 going to follow along on my colleague's chain of
8 questioning.

9 General Smith, I share her concerns and the concerns
10 of the other members of this Committee about the
11 mobilization of the 700 marines in response to the protests
12 in Los Angeles. I am a Marine Corps family. My father,
13 who lies in rest in Arlington served in the United States
14 Marines, only for a few years. He was an Army officer for
15 the rest of the time, but that man was a marine until the
16 day he died.

17 General Smith: Once a marine, always a marine,
18 Senator.

19 Senator Duckworth: Oorah.

20 General Smith: Oorah.

21 Senator Duckworth: And even if this is technically
22 legal what the President is doing, under an expansive
23 interpretation of Article II authorities, I believe it is
24 incredibly unwise. I do not condone violence or property
25 destruction, but using active-duty marines for domestic

1 protest response sets a dangerous precedent. When citizens
2 around the country, not just in California, see marines on
3 the streets of America, it risks damaging their trust and
4 politicizing a force that must remain apolitical and
5 mission focused.

6 President Trump is asking marines to be away from
7 their families for a situation that the President himself
8 said yesterday was, and I quote -- this is what he said
9 yesterday -- "simmering, but not very much," end quote.

10 Do you, General, have any concerns about the moral
11 injury of marines who are now being tasked to face
12 Americans and deploy in their community in an unprecedented
13 way, and what are you doing to address those mental health
14 concerns?

15 General Smith: Senator, marines will execute their
16 lawful orders, and I do not have any concerns about their
17 moral damage. They are executing lawful orders that they
18 are trained to do. They are completely confident, and they
19 are capable of conducting protection of Federal personnel
20 and Federal property.

21 Senator Duckworth: I have no question on their
22 ability to do their jobs. They are marines, after all. My
23 concern is the psychological injury to marines who are
24 going to be told to turn on their fellow Americans. We
25 know, and would you agree, that there can be hidden

1 injuries, such as mental health injuries, to marines,
2 whether they are at war? I mean, when you go to war would
3 you agree that there are hidden injuries that can happen,
4 such as psychological injuries?

5 General Smith: There are psychological injuries when
6 one goes to war. Yes, ma'am.

7 Senator Duckworth: Are you concerned that there might
8 be psychological injuries to the marines who are being told
9 to turn on American citizens during this deployment?

10 General Smith: Well, Senator, I would say that these
11 marines are not being told to turn on their fellow
12 citizens. They are conducting Federal property protection.

13 Senator Duckworth: So you have no concern that there
14 might be marines that are having a psychological, negative
15 reaction to being put on -- I am not saying that they
16 cannot do their jobs. I am saying you have no concerns,
17 and you are not preparing for any mental health counseling
18 as a result of this deployment for these 700 marines.

19 General Smith: Senator, we also have mental health
20 counseling available to marines at all times, for any
21 purpose, but I do not have any heightened concerns about
22 this.

23 Senator Duckworth: Okay. Active-duty troops are
24 trained for warfighting and not policing. We ask a lot of
25 very difficult things of our troops, taxing their mental

1 health. And now we are sending them to turn on their own
2 communities outside of their normal training. I would be
3 concerned for the well-being of our heroes.

4 I want to switch my line of questioning to sealift and
5 leveraging our international partners. There is a reason
6 that our system is supposed to prevent the use of our
7 military on our soil, except for the most necessary
8 circumstances. Ideally, in coordination with local elected
9 leaders, the alternative is un-American. From my perch on
10 this Committee the Commerce Committee, changing topics a
11 little bit, I am concerned about our military and
12 commercial maritime capacity. I appreciate the leadership
13 of many of my colleagues on this issue, and I strongly
14 support ongoing efforts to expand our domestic shipbuilding
15 industrial base.

16 Even with this renewed emphasis on domestic
17 shipbuilding, especially of commercial vessels or big-
18 ticket military ships, I remain concerned that we are
19 under-investing in a critical element of any future fight
20 sealift. It will not matter how many submarines or
21 destroyers we can build if equipment, fuel, and resupply
22 cannot make it to theater, and if our troops do not have
23 enough ships to ferry each other and their resupply from
24 place to place within the theater. And this is especially
25 important for the marines to have amphibious and local

1 resources.

2 I would like to ask all of our witnesses, do you agree
3 that we lack the necessary number of sealift or auxiliary
4 vessels to meet the logical demands of a contested
5 environment in the Indo-Pacific? Admiral, I would like to
6 start with you, and everybody on the panel, please respond.

7 Admiral Kilby: I think we can do better there, ma'am.
8 I am not sure I would say we lack. I do think we have
9 pursued a buy-used philosophy, and those used ships, at
10 least the initial ones, took a lot more work to get them
11 serviceable. The latest ones have been better.

12 But I think a buy-new-and-used philosophy is probably
13 prudent, going forward.

14 Senator Duckworth: Do you think we could benefit from
15 partnering with friendly foreign nations on co-production
16 and co-sustainment of auxiliary vessels, from cargo ships
17 to small supply boats, to cable repair ships, et cetera, to
18 build surge production and maintenance capacity within the
19 theater?

20 Admiral Kilby: I do, Senator. And I also think there
21 is opportunities to bring that work into the United States.

22 Senator Duckworth: Yeah, I think there is opportunity
23 for both. Mr. Secretary?

24 Secretary Phelan: I concur with the Admiral. I do
25 not really have much to add to what he said.

1 Senator Duckworth: What currently prevents the Navy
2 from developing or scaling foreign partnerships to build
3 out or maintain our auxiliary vessels, Mr. Secretary?

4 Secretary Phelan: Senator, look, I think there are a
5 couple of different issues we have to tackle when it comes
6 to those. But as I said in my testimony during
7 confirmation, all options are on the table, and we do need
8 to look at this, and we do need to look at both having
9 foreign builders build some ships like this for us, and
10 also, obviously, their coming here and looking at investing
11 in our base and bringing their expertise. So I think that
12 would be very useful to us.

13 Senator Duckworth: Or even partnering with American
14 builders, but overseas, in theater, to be able to provide
15 immediate repair.

16 Secretary Phelan: Absolutely.

17 Senator Duckworth: Thank you. Thank you, Mr.
18 Chairman.

19 Senator Kaine: [Presiding.] I understand that
20 Senator Banks is almost here, so I am going to do one
21 question while we await him to arrive, and then following
22 Senator Banks we are going to adjourn this public portion
23 of the hearing and reconvene in 15 minutes in the SCIF for
24 the closed portion.

25 And this is for Secretary Phelan, and it is just about

1 something that I want you to make a priority. It is not
2 really a question. It is the Brandon Act. The Brandon Act
3 was passed by this body a number of years back, named after
4 a young sailor, Brandon Caserta, who died by suicide in
5 Norfolk. He was from Arizona but he died while serving in
6 Norfolk. And there were a lot of challenges and problems
7 with, frankly, lack of access to mental health services,
8 and it was a pivotal step toward improving access to mental
9 health services, not just for Navy but everybody in the
10 service.

11 The implementations across the armed forces, we have
12 seen fits and starts, but some critical gaps in
13 effectiveness, fragmented implementation, undefined
14 procedures for mental health requests, lack of policies
15 tailored toward the National Guard and Reserves. We
16 probably have done better in the active duty than the Guard
17 and Reserves.

18 I would really love your help working to continue to
19 implement this, and Admiral Kilby knows this story very,
20 very well, and I appreciate your leadership on it in the
21 past. But this is something in the future I will be
22 checking in with you on, to see what we can better do to
23 implement the act.

24 And with that I will recognize Senator Banks.

25 Senator Banks: Thank you, Mr. Chairman. Thanks for

1 sticking around for me.

2 Mr. Secretary, prior to President Trump's election,
3 the military was struggling with the worst recruitment
4 crisis in half a century. Now the Navy is on pace for its
5 best recruitment in two decades, and I wonder if you can
6 give us a good explanation about why.

7 Secretary Phelan: Thank you, Senator, for the
8 question. I think that there has been a big morale boost,
9 both from the President's commitment to defense, the fact
10 that we are changing the ethos and the culture of the
11 military to more of its roots in warfighting. And I think,
12 in general, we have done a better job of explaining what it
13 means to serve. We have done a better job of the skills
14 you will get. And I think we have also helped, and this
15 Committee has been helpful, in increasing compensation and
16 closing the gap between the private sector and the public
17 sector, which has made it better.

18 I do think we do need to improve on housing and our
19 barracks in order to maintain that. But I think both the
20 Navy and the Marine Corps are set to exceed numbers and do
21 better, and I would directly, at least right now, try to
22 associate that with, from what we have seen in the data,
23 the President's election and the focus -- and to be honest,
24 we have done a much better job of what the mission is and
25 the importance of the mission.

1 Senator Banks: Is it safe to say, Mr. Secretary, that
2 recruitment improved after the election, after President
3 Trump was elected? I mean, the numbers bear that out. It
4 is sort of stunning to look at the last 4 years compared to
5 the last 6 months.

6 Secretary Phelan: We definitely saw a bump after the
7 election.

8 Senator Banks: And Admiral, what does that mean to
9 the Navy, for better recruitment and retention? How
10 important is that? What does that mean to the whole United
11 States Navy and your ability to do your job?

12 Admiral Kilby: We absolutely have to recruit really
13 beyond our goal to buy down our gaps at sea. I spoke
14 earlier about we had the last month at 23,200 gaps at sea.
15 Now we are at 22,900 gaps at sea. So we have come back
16 300. But that only comes when you exceed your goal. If
17 not, you are just treading water.

18 My view, sir, is that the Navy really turned around
19 our focus on this area, as the Secretary indicated, in the
20 way we manage our recruiting machine, and really try to
21 incentivize our recruiters to not have monthly quotas but
22 to just bring everybody in we could. So we really took an
23 all-hands-on-deck approach on this. And as I have said
24 before, I will ride any wave to get in someone who wants to
25 serve in our country's Navy and do our work for our nation.

1 Senator Banks: How do we keep it up?

2 Admiral Kilby: Well, I think we have to keep looking
3 at it every day. We cannot take our eye off the ball. The
4 demographics are not in our favor here. One, we have a
5 country that has less propensity to serve, and two, we are
6 approaching a cliff where we are going to have a smaller
7 population that we are all competing for.

8 So we have got to make the value proposition that the
9 Secretary talked about on why it is important to serve, why
10 you will be fulfilled by a career in uniform, and then do
11 the quality service things the Secretary indicated to make
12 them feel valued.

13 Senator Banks: General, the last 4 years, the last 8
14 years, I served on the House Armed Services Committee, and
15 I chaired the Military Personnel Subcommittee on HASC. Now
16 I am very proud to be a part of this institution, this
17 Committee.

18 The one anomaly over the last 4 years was the Marine
19 Corps. I mean, the Army, the Air Force, the Navy all fell
20 way short of recruitment, the worst recruitment crisis
21 since an all-volunteer force. But the Marine Corps held
22 steady. I think it is because you all were selling
23 something that was unique, what young men and women were
24 looking forward to being a part of.

25 What lessons can the other branches learn from the

1 Marine Corps when it comes to recruitment?

2 General Smith: Senator, thanks for that question.

3 What I would say, we have put our recruiters out there, and
4 we offer the opportunity to earn the title of Marine. We
5 do not promise you anything. We offer you the opportunity
6 to earn the title, U.S. Marine. We place our best and our
7 brightest on recruiting duty, we hold them accountable for
8 their mission, and we reward them when they successfully
9 complete it.

10 I am a former recruiter. My son is a current officer
11 recruiter. We have multiple general officers, multiple,
12 who are prior recruiters. General Turner, General Glynn,
13 General Garcia. We have multiple officers who have done
14 successfully on recruiting, and then we promote them.

15 So I think you have to do a combination of all of the
16 above.

17 Senator Banks: Yeah. I would just offer one final
18 thought. Secretary Hegseth, President Trump, this
19 Administration is focused on lethality and fighting and
20 winning wars and preparing for that rather than politics
21 and political causes. The recruitment numbers showed that
22 that is what works. That is what young men and women are
23 looking forward and inspired to be a part of, and I give
24 this Administration a lot of credit for that.

25 With that, Mr. Chairman, I yield back.

1 Senator Kaine: Thank you, Senator Banks. This
2 concludes the open portion of today's hearing. I want to
3 thank the witnesses for their candid testimony.

4 For the information of members, questions for the
5 record will be due to the Committee within 2 business days
6 of the conclusion of the hearing, and we would appreciate
7 prompt and thorough responses.

8 We will commence the closed portion of this hearing in
9 Senate Security in 15 minutes. With that, we adjourn.

10 [Whereupon, at 11:48 a.m., the hearing was adjourned.]
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