

Congress of the United States House of Representatives Washington, DC 20515

October 25, 2023

The Honorable Carlos Del Toro Secretary of the Navy U.S. Department of Defense The Pentagon Washington, D.C. 20301

Dear Secretary Del Toro,

Admiral Philip Davidson, then Commander of Indo-Pacific Command, warned Congress in March 2021 that China could invade Taiwan by 2027.¹ In February 2023, William Burns, the Director of the Central Intelligence Agency, stated, "President Xi has instructed the [People's Liberation Army], the Chinese military leadership, to be ready by 2027 to invade Taiwan."² Indeed, according to Admiral John Aquilino, the current Commander of Indo-Pacific Command, China has engaged in the "the largest military buildup since World War II"³ and "the fastest buildup in history."⁴ Admiral Aquilino has described the security environment in Asia as the most dangerous it has been in 30 years.⁵

By our own leaders' words and warnings, time is running out to deter the Chinese Communist Party from invading Taiwan – a vital partner of the United States. At this hour of danger, however, when the United States should be arming Taiwan to the maximum to strengthen its defenses and deter Chinese aggression, bureaucratic delays within the Navy are impeding the timely production and delivery of key weapons to Taiwan – including critical anti-ship missiles – and undermining efforts to prevent war.

¹ Admiral Philip S. Davidson, Testimony on U.S. Indo-Pacific Command Posture, Senate Armed Services Committee Hearing (March 9, 2021).

² William Burns, *Interview on Face the Nation with Margaret Brennan*, CBS News (Feb. 26, 2023) *available at* www.cbsnews.com/news/william-burns-cia-director-face-the-nation-transcript-02-26-2023/.

³ Jim Gomez & Aaron Favila, *U.S. admiral says China fully militarized isles*, AP News (Mar. 21, 2022) *available at* www.apnews.com/article/business-china-beijing-xi-jinping-south-china-sea-d229070bc2373be1ca515390960a6e6c.

⁴ Jamie McIntyre, '*Everything is burning*': Cluster bombs rain down on Russian troops in Ukraine, Washington Examiner (July 21, 2023) available at https://www.washingtonexaminer.com/policy/defense-national-security/everything-is-burning-cluster-bombs-rain-down-on-russian-troops-in-ukraine.

⁵ Ellen Nakashima & Christian Shepherd, *Rattled by China: U.S. and allies are beefing up defenses in Pacific*, Washington Post (Feb. 20, 2023) *available at* www.washingtonpost.com/national-security/2023/02/20/china-taiwan-invasion-deterrence/.

With more than 340 warships, China currently possesses the largest naval fleet in the world. Deterring a Chinese invasion of Taiwan will require turning the island into a porcupine, stockpiled with an arsenal of weapons that can target the Chinese fleet and prevent the PLA from establishing a lodgment in Taiwan. Effective ground and air-launched missiles will be integral to an anti-navy that can sink PLA ships and landing craft as they attempt to cross the Taiwan Strait. Few missiles will be more consequential than the Harpoon missile and its variant, the SLAM-ER (Standoff Land Attack Missile-Expanded Response), both of which the United States has agreed to sell to Taiwan. However, the Navy's delays in awarding manufacturing contracts for these missiles have created unacceptable uncertainties in the delivery of the weapons to Taiwan.

Harpoon Missiles

Armed with 500-pound warheads, Harpoon missiles are capable of striking ships as well as land-based targets that are more than 70 miles away. They can be launched from both ground-based systems and Taiwan's fleet of F-16 fighter jets. With the Taiwan Strait approximately 100 miles wide, Harpoons will play a crucial role in the defense of Taiwan.

In October 2020, the Department of Defense announced the sale of 400 ground-launched Harpoon missiles and 100 Harpoon Coastal Defense System (HCDS) launch systems and radar units to Taiwan. While the Navy entered into a manufacturing contract for the production of the HCDSs in March 2022, it was not until April 2023 – *two and half years* after the sale was announced – that it did the same for the production of the Harpoon missiles.⁶ It is unclear when deliveries of all the Harpoon missiles and launchers will be made or when the Defense Department plans to provide adequate training to Taiwanese forces to use them. Some reports suggest deliveries of the critical missiles will not be completed until 2029 – well after 2027, the year by which President Xi ordered the PLA to be ready to invade Taiwan.⁷

In addition, the sale of 60 air-launched Harpoon missiles, for use by Taiwan's F-16 fighter jets, was approved in September 2022. Taiwan signed a formal Letter of Acceptance (LOA) finalizing the deal in December 2022. Some ten months later, the Navy has not even made a Request for Proposal asking contractors to submit bids for the production of these missiles. Due to inflation and rising costs across the defense industry, such delays increase the risk that the budget set in the LOA will be exceeded. If this happens, the LOA will need to be modified to add additional funding, which would in turn further delay the production and delivery of the missiles to Taiwan.

SLAM-ER Missiles

SLAM-ER, a variant of the Harpoon missile, is an "extremely accurate" air-launched missile that can target both sea and land targets.⁸ The Navy states that the SLAM-ER has the best "circular error probable" in its inventory – referring to a measurement of the precision of the

⁶ Ronald Watkins, *Boeing Wins \$1.17B U.S. Navy Contract for Harpoon Block 2 Missiles*, The Defense Post (Apr. 11, 2023) *available at* www.thedefensepost.com/2023/04/11/boeing-harpoon-missile-award/.

⁷ Shivani Tanna, *Taiwan to buy 400 US anti-ship missiles to face China threat*, Reuters (Apr. 17, 2023), *available at* https://www.reuters.com/world/asia-pacific/taiwan-buy-400-us-anti-ship-missiles-face-china-threat-bloomberg-news-2023-04-17/.

⁸ Department of the Navy, *SLAM-ER Missile Fact Sheet* (Sept. 27, 2021) *available at* https://www.navy.mil/ Resources/Fact-Files/Display-FactFiles/Article/2168997/slam-er-missile/.

missile. With a range of more than 150 miles, SLAM-ERs fired from Taiwanese F-16s can play a significant role in targeting PLA ships or ground forces supporting a Chinese invasion.

The Department of Defense announced the sale of 135 SLAM-ER missiles to Taiwan in October 2020. Taiwan signed a LOA for the missiles in December 2022. As is the case for the airlaunched Harpoon missiles, the Navy still has not made a Request for Proposal soliciting production bids for the SLAM-ERs. If the budget set in the LOA is exceeded due to inflation and rising manufacturing costs, the production and delivery of these missiles would be pushed further into the future.

The delays involving the Harpoon and SLAM-ER missiles to Taiwan ultimately boil down to the same core problem: the pace of contracting, production, and delivery matches neither the rhetoric of our own leaders warning of a potential Chinese invasion within four years nor the sense of urgency with which the Navy must be acting at this dangerous time. Unfortunately, the lengthy timelines for arming Taiwan with vital weapons are not unique to Harpoon and SLAM-ER missiles. The inability to supply key weapons at such a consequential moment in our efforts to prevent war is deeply troubling.

Due to Congressional concerns about delays in arms sales to Taiwan, Congress legislated a reporting requirement in Section 5508(b) of the National Defense Authorization Act of FY2023 (Div. E, P.L. 117-263) directing the Department of Defense and Department of State to submit a report to Congress detailing existing delayed sales and actions the Departments are taking to address the delays. When the report was submitted, we were disappointed to find that many of the same sales we expressed concerns about in previous years remained pending and that the report did not provide details about actions the Departments were taking to address delays.

To better understand and fix the alarming delays, we respectfully request that you provide written responses to the following questions no later than November 8, 2023. To the extent that such information is classified, please supplement written responses with a classified briefing, as appropriate.

- 1. When do you expect the delivery of the 400 Harpoon missiles and 100 HCDS launch systems and radar units, discussed above, to be completed?
- 2. What is the status of Requests for Proposal for the productions of the 60 air-launched Harpoon missiles and the 135 SLAM-ER missiles, discussed above?
 - a. Is there a reason Requests for Proposal or draft Requests for Proposal can't be released upon signing of a Letter of Acceptance?
 - b. When do you expect the contracts for the above missiles to be awarded? What options are available to get these missiles on contract as quickly as possible?
 - c. What changes can be made to the contracting system so that the Navy can promptly make Requests for Proposal after a Letter of Acceptance is signed?

- d. When do you expect the deliveries of the above missiles to be completed?
- e. Based on the dates you listed above, what is the likelihood that the budgets outlined in Taiwan's Letters of Acceptance for the Harpoon and SLAM-ER missiles will be exceeded?
- f. If the budgets are exceeded, how much would that further delay the production and delivery of these missiles to Taiwan?
- 3. What options are available to the Navy to accelerate the production and delivery of the missiles and systems, discussed in this letter, to Taiwan as quickly as possible?
 - a. What steps can be taken to increase the production rates of the weapons? If such steps are implemented, how would they affect the production and delivery timelines?
 - b. Please discuss the impact multi-year procurements can and will likely have on the production and delivery of the weapons.
- 4. What are alternate paths to the standard Foreign Military Sales process that can speed up the contracting, production, and delivery of the weapons discussed in the letter?
 - a. What steps has the Navy taken to analyze and implement any such alternate paths?
 - b. If the Navy has not taken any such steps, please explain why.

The House Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party has broad authority to "investigate and submit policy recommendations on the status of the Chinese Communist Party's economic, technological, and security progress and its competition with the United States" under H. Res. 11.

Under House Rule X, the House Foreign Affairs Committee has legislative and oversight jurisdiction over "[r]elations of the United States with foreign nations generally." Furthermore, 22 U.S.C. § 2680 states, "The Department of State shall keep the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives fully and currently informed with respect to all activities and responsibilities within the jurisdiction of these committees. Any Federal department, agency, or independent establishment shall furnish any information requested by either such committee relating to any such activity or responsibility."

To make arrangements to deliver a response, please contact Select Committee staff at (202) 226-9678 and Foreign Affairs Committee staff at (202) 226-8467.

Thank you for your attention to this important matter and prompt reply.

Sincerely,

Mike Gallagher Chairman Select Committee on China

Young Kim Chairwoman Subcommittee on the Indo Pacific

Cc:

Dr. William LaPlante, Under Secretary of Defense for Acquisition and Sustainment Admiral John Aquilino, United States Navy, Commander, Indo-Pacific Command