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United States Senate

WASHINGTON, DC 20510

May 2, 2024

The Honorable Carlos Del Toro
Secretary of the Navy
Department of the Navy
100 Navy Pentagon
Washington, DC 20350

Dear Secretary Del Toro,

I am writing to respectfully urge a temporary halt to the Navy's ongoing divestiture process involving 56 CH-46E tandem rotor transport helicopters. This pause would afford an opportunity for a comprehensive review of alternative strategies that better align with the national security needs of our allies and offer enhanced benefits to U.S. industry. Such a suspension would enable a thorough evaluation of the Navy's most appropriate course of action concerning these aircraft.

I recently became aware that the Navy has initiated the divestiture of 56 former Marine CH-46E helicopters, presently in long-term storage. It appears that the Navy intends to either auction these aircraft through the General Services Administration or dismantle them for spare parts. I recognize the importance of divestitures like this one to modernization efforts and commend the rapid execution of acquisitions decisions crucial to equipping our servicemen and women with the most advanced aircraft available.

However, I believe the current divestiture may be contrary to U.S. national security policy and objectives. It is U.S. policy to promote peace and security, including countering Russian and Chinese influence, by increasing domestic production capability and strengthening domestic supply chains while supporting our allies and partners with U.S.-made weapons and equipment.¹ We have multiple programs, including the Foreign Military Sales program² and the Countering Russian Influence Fund,³ to provide such assistance to our allies and partners while strengthening the U.S. industrial base. Consistent with these policy priorities, at least ten allied nations have expressed interest in acquiring reset versions of the CH-46E through the Foreign Military Sales (FMS) program, including via formal Letters of Interest and Letters of Request.⁴

¹ 22 U.S.C. § 2301 (Apr. 4, 2024), <https://www.law.cornell.edu/uscode/text/22/2301>; Kathleen Hicks, *Forward from Deputy Secretary of Defense to 2023 National Defense Industrial Strategy*, i, DEPARTMENT OF DEFENSE (Nov. 16, 2023), <https://www.businessdefense.gov/docs/ndis/2023-NDIS.pdf>.

² *Foreign Military Sales*, DEFENSE SECURITY COOPERATION AGENCY (Apr. 4, 2024), <https://www.dsca.mil/foreign-military-sales-fms>.

³ *Information Report: Countering Russian Influence Fund*, DEPARTMENT OF STATE OFFICE OF INSPECTOR GENERAL (Dec. 2022), <https://www.stateoig.gov/report/aud-mero-23-09>.

⁴ Panama submitted to Office of Defense Cooperation (ODC) for CH-46E; Bolivia submitted to Columbia Helicopter Inc. (CHI) for CH-46E; Philippine Coast Guard submitted to Joint U.S. Military Assistance Group (JUSMAG) for 107-II; Philippine Coast Guard submitted to JUSMAG for CH-46E; Argentina was advised by ODC

Many of the interested allies intend to replace Soviet helicopters no longer serviceable due to recently instated sanctions on Russia. Yet, if all 56 CH-46E rotorcraft are divested, these allies will not have the opportunity to transition from a Soviet platform to this American helicopter as requested.

The Navy International Programs Office has declined allied nation requests for CH-46 aircraft because of concerns that CH-46E “would face major sustainment challenges if transferred as Excess Defense Articles (EDA) under the FMS program. In particular, the U.S. Navy program office is unable to provide CH-46E military technical data, engineering expertise, or support structure to enable a successful program.”⁵

While the Navy no longer possesses the internal capability to service and maintain this fleet, the U.S. industrial base is well-equipped to sustain it. Proceeding with the program with non-organic industrial base support would bolster domestic manufacturing while alleviating the Navy’s burden of having to provide direct support. The Original Equipment Manufacturer (OEM), who holds the FAA Type Certificate for the civil variant of the CH-46 (Model 107-II), possesses the requisite technical data, expertise, and infrastructure to sustain the CH-46. The OEM currently operates over 50 Model 107-II aircraft globally. Additionally, the OEM has partnered with the original inventor of the CH-46E’s tandem helicopter configuration to establish a potential reset program for all 56 CH-46E helicopters at a newly acquired 219,000 square foot helicopter production facility in Pennsylvania. Over the next five years, such a program could support up to 200 domestic manufacturing jobs, addressing a potential \$1.4 billion market for reset CH-46E/107-II aircraft.

A reset program of this nature could leverage existing non-standard program offices to provide required management and support in collaboration with the qualified industrial base to reduce the sustainment burden on the Navy. The Director of the Defense Security Cooperation Agency has advocated for a hybrid FMS and Direct Commercial Sales model for the potential foreign sale of the Navy’s 56 CH-46E helicopters. Many Department of Defense programs have shown this model to be successful.⁶

not to submit for CH-46E; Argentina requested Joint Visual Inspection of CH-46E Excess Defense Articles; Nepal requested Rough Order of Magnitude (ROM) scope and pricing of COMNAVAIRSYSCOM and ODC Kathmandu; Bangladesh requested ROM of COMNAVAIRSYSCOM and ODC Dhaka; Sri Lanka requested ROM of COMNAVAIRSYSCOM and ODC Colombo; Sri Lankan Air Marshal Raup Rajapaksa submitted Letter of Request; Mexico expressed interest but ODC told CH-46E not available; Peru expressed interest and ODC supports for Mi-17 replacement; Ecuadorian Army requested ROM.

⁵ Rear Admiral A. E. Rossi, *Letter to U.S. Representative Chrissy Houlahan*, DEPARTMENT OF NAVY INTERNATIONAL PROGRAMS OFFICE (Aug. 22, 2023).

⁶ Deputy Under Secretary of the Air Force for International Affairs, *Guidelines for Direct Commercial Sales (DCS)/ Foreign Military Sales (FMS) Hybrid Programs*, SECRETARY OF THE AIR FORCE, INTERNATIONAL AFFAIRS (Aug. 2013), <https://www.safia.hq.af.mil/portals/72/documents/afd-130823-007.pdf?ver=2016-07-29-113146-527>; Oman – AVENGER Fire Units/STINGER Missiles/Surface-Launched AMRAAM, DEFENSE SECURITY COOPERATION AGENCY (Oct. 19, 2011), <https://www.dsca.mil/press-media/major-arms-sales/oman-avenger-fire-unitsstinger-missile-surface-launched-amraam#:~:text=The%20proposed%20purchase%20of%20the,Direct%20Commercial%20Sale%20hybrid%20effort>.

Given these factors, I respectfully urge you to temporarily suspend the divestiture of CH-46E helicopters to enable a thorough examination of alternative strategies. Such a pause would facilitate the exploration of options that not only bolster our allies but also fortify our industrial base and further our national security objectives. Thank you for your attention to this matter and for your continuous efforts in safeguarding our nation.

Sincerely,



Robert P. Casey, Jr.
United States Senator