

# United States Senate

COMMITTEE ON COMMERCE, SCIENCE,  
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <https://commerce.senate.gov>

LILA HARPER HELMS, MAJORITY STAFF DIRECTOR  
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August 8, 2024

Rear Admiral Ann Phillips, USN, Retired  
Administrator  
Maritime Administration  
U.S. Department of Transportation  
1200 New Jersey Ave. SE  
Washington, D.C. 20590

Dear Rear Admiral Phillips:

I am concerned by the Biden administration's request to cut funding for the Maritime Administration (MARAD) Cable Security Fleet (CSF) Program while simultaneously increasing the operations budget of MARAD headquarters to advance "diversity and equity priorities."<sup>1</sup> The Biden administration's decision to defund undersea cable security while increasing spending on diversity, equity, and inclusion (DEI) undermines the strategic defense posture of the United States against our adversaries, like Russia and China, in favor of radically liberal and unpopular social policies.

Undersea cables form the backbone of modern communications and the global internet, carrying virtually all transoceanic digital commerce and communications,<sup>2</sup> including sensitive government and military communications.<sup>3</sup> Any disruption to these cables puts national and economic security at risk.

While most undersea cable damage is unintentional, caused by innocuous activities like fishing or dragging anchor, it can also result from intentional sabotage.<sup>4</sup> The administration acknowledged the security concerns by including undersea cables in a February 2024 National Science and Technology Council list of critical and emerging technologies that "are of particular

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<sup>1</sup> MAR. ADMIN., DEP'T OF TRANSP., BUDGET ESTIMATES FISCAL YEAR 2025 at 3, 44 (MAR. 11, 2024), [https://www.transportation.gov/sites/dot.gov/files/2024-03/MARAD\\_FY\\_2025\\_CONG\\_BUDGET-Final.pdf](https://www.transportation.gov/sites/dot.gov/files/2024-03/MARAD_FY_2025_CONG_BUDGET-Final.pdf).

<sup>2</sup> JILL C. GALLAGHER & NICOLE T. CARTER, CONG. RESEARCH SERV., R47648, PROTECTION OF UNDERSEA TELECOMMUNICATION CABLES: ISSUES FOR CONGRESS 1 (2023), <https://crsreports.congress.gov/product/pdf/R/R47648>.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* at 6–8.

importance to the national security of the United States.”<sup>5</sup> Soon after the administration released this list, three cables beneath the Red Sea that support telecommunications between Asia and Europe were cut, causing a communication blackout.<sup>6</sup> In May, U.S. officials alerted telecommunications companies that undersea cables could be vulnerable to tampering by Chinese repair ships, explaining that a state-controlled, Chinese cable repair company has been hiding its vessels’ whereabouts.<sup>7</sup> The repeated gaps in transponder data from Chinese cable repair ships and the location of the ships—in the vicinity of cables that are related to national security—raises red flags.<sup>8</sup> In spite of all this, the administration seeks to axe the dedicated program to enable repair of undersea cables in times of emergency, the CSF Program, in order to spend more money on woke nonsense.

Congress created the CSF Program through the *National Defense Authorization Act for Fiscal Year 2020* to ensure a domestic capability to maintain and repair undersea cables.<sup>9</sup> The program requires that MARAD, an operating administration of the Department of Transportation (DOT), contract with privately owned U.S.-flagged cable vessels to be available to the United States in times of national emergency.<sup>10</sup> The security of undersea cables depends on having access to these “trusted” ships for maintenance and repair of cables, rather than relying on foreign-flagged repair ships sometimes owned by foreign adversaries, which may be recalled to their home countries or otherwise pose risks and reliability concerns during conflict.<sup>11</sup>

Congress authorized \$10 million annually for the CSF program to contract with two cable vessels from Fiscal Year 2021 to Fiscal Year 2035.<sup>12</sup> Despite this statutory authorization, the proposed budget for MARAD for Fiscal Year 2025 requests no funding for the program.<sup>13</sup>

But what the MARAD budget does include is millions in additional funding for headquarters operations to implement the administration’s executive orders on race and equity, environmental justice, climate and sustainability, and pandemic response.<sup>14</sup> For instance, the Department’s budget request includes an increase of over \$1 million to hire an additional eleven full-time

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<sup>5</sup> NAT’L SCI. AND TECH. COUNCIL, CRITICAL AND EMERGING TECHNOLOGIES LIST UPDATE 2, 5 (Feb. 2024), <https://www.whitehouse.gov/wp-content/uploads/2024/02/Critical-and-Emerging-Technologies-List-2024-Update.pdf>.

<sup>6</sup> Jon Gambrell, *3 Red Sea Data Cables Cut as Houthis Launch More Attacks in the Vital Waterway*, ASSOCIATED PRESS (Mar. 4, 2024), <https://apnews.com/article/red-sea-undersea-cables-yemen-houthi-rebels-attacks-b53051f61a41bd6b357860bbf0b0860a>.

<sup>7</sup> Dustin Volz et al., *U.S. Fears Undersea Cables Are Vulnerable to Espionage from Chinese Repair Ships*, WALL ST. J. (May 19, 2024), <https://www.wsj.com/politics/national-security/china-internet-cables-repair-ships-93fd6320>.

<sup>8</sup> *Id.*

<sup>9</sup> National Defense Authorization Act for Fiscal Year 2020, Pub. L. No. 116-92, 133 Stat. 1224 (2019).

<sup>10</sup> Gallagher & Carter, *supra* note 2, at 22.

<sup>11</sup> Volz et al., *supra* note 7.

<sup>12</sup> 46 U.S.C. §§ 53202(a)(2), 53209 (2019).

<sup>13</sup> MAR. ADMIN., *supra* note 1.

<sup>14</sup> *Id.* at 44–47.

positions to provide “critical support for . . . diversity and equity priorities.”<sup>15</sup> DOT requests \$6 million for the Maritime Environmental and Technical Assistance program to address environmental issues and “mitigat[e] the impact of climate change,” and \$10 million for the U.S. Marine Highway Program to, in part, “support[] environmental justice.”<sup>16</sup>

The administration’s request to zero out the CSF program is puzzling considering the uptick in threats to undersea cables. In 2018, the *Associated Press* reported that Russia had the capability to cut top-secret cables, connect to them, and jam sensors that detect intrusions.<sup>17</sup> Last spring, NATO warned that Russia may sabotage undersea cables in retaliation for Western support of Ukraine.<sup>18</sup> U.S. officials have raised concerns that foreign cable repair ships—on which we will further rely absent the CSF program—pose a security threat because underwater cables are vulnerable to tampering.<sup>19</sup> Specifically, other countries could tap undersea data streams, conduct reconnaissance on U.S. military communication links, or steal valuable intellectual property used in cable equipment.<sup>20</sup> NATO launched a new center last summer to protect undersea cables in light of reports that Russian ships have actively mapped critical undersea infrastructure.

The Standing Rules of the Senate provide the Committee with jurisdiction over DOT, as well as matters concerning “communications” and “marine and ocean navigation, safety, and transportation.”<sup>21</sup> To assist the Committee with its oversight of the Cable Security Fleet program and MARAD, please provide the documents and communications requested below as soon as possible but no later than August 23, 2024, and in accordance with the attached instructions:

1. All documents and communications referring or relating to the Cable Security Fleet program, from Fiscal Year 2021 to present;
2. All guidance documents referring or relating to DEI, from January 20, 2021, to present; and
3. All guidance documents referring to relating to environmental justice, from January 20, 2021, to present.

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<sup>15</sup> *Id.* at 44.

<sup>16</sup> *Id.* at 47–52.

<sup>17</sup> Deb Reichmann, *Could Enemies Target Undersea Cables That Link the World?*, ASSOCIATED PRESS (Mar. 30, 2018), <https://apnews.com/article/moscow-north-america-ap-top-news-politics-russia-c2e7621bda224e2db2f8c654c9203a09>.

<sup>18</sup> Sabine Siebold, *NATO Says Moscow May Sabotage Undersea Cables as Part of War on Ukraine*, REUTERS (May 3, 2023), <https://www.reuters.com/world/moscow-may-sabotage-undersea-cables-part-its-war-ukraine-nato-2023-05-03/>. NATO launched a new center last summer to protect undersea cables in light of reports that Russian ships have actively mapped critical undersea infrastructure. Lorne Cook, *NATO Moves to Protect Undersea Pipelines, Cables as Concern Mounts over Russian Sabotage Threat*, ASSOCIATED PRESS (June 16, 2023), <https://apnews.com/article/nato-russia-sabotage-pipelines-cables-infrastructure-507929033b05b5651475c8738179ba5c>.

<sup>19</sup> MAR. ADMIN., *supra* note 7.

<sup>20</sup> *Id.*

<sup>21</sup> S. Rules XXV(1)(f), XXVI(8)(a)(2).

Additionally, please contact [REDACTED] on Ranking Member Cruz's Committee staff at [REDACTED] by August 15, 2024, to schedule a briefing with the Committee covering the following issues:

1. Information on the threat and known attacks by adversaries on undersea cables; and
2. An explanation of how the Biden-Harris administration intends to ensure continuity of undersea communications networks during conflict without an operative CSF program.

Thank you for your attention to this matter.

Sincerely,



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Ted Cruz  
Ranking Member