

Stenographic Transcript
Before the

Subcommittee on Emerging Threats and Capabilities

COMMITTEE ON
ARMED SERVICES

UNITED STATES SENATE

HEARING TO RECEIVE TESTIMONY ON
DEPARTMENT OF DEFENSE SECURITY
COOPERATION AND ASSISTANCE PROGRAMS
AND AUTHORITIES

Wednesday, March 9, 2016

Washington, D.C.

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U.S. Senate

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Subcommittee on Emerging

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Threats and Capabilities

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Committee on Armed Services

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Washington, D.C.

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The subcommittee met, pursuant to notice, at 2:31 p.m.

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in Room SR-232A, Russell Senate Office Building, Hon. Deb

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Fischer, chairman of the subcommittee, presiding.

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Subcommittee Members Present: Senators Ayotte, Fischer

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[presiding], Cotton, Ernst, Nelson, Gillibrand, and Kaine.

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1 OPENING STATEMENT OF HON. DEB FISCHER, U.S. SENATOR
2 FROM NEBRASKA

3 Senator Fischer: The hearing will come to order.
4 Welcome, everyone.

5 The subcommittee meets today with a panel of outside
6 experts to review the security cooperation strategy and
7 associated legal authorities and resourcing of the
8 Department of Defense.

9 It is my goal that today's hearing will provide the
10 committee with a better understanding of the framework and
11 tools through which the Department identifies, prioritizes,
12 and executes security cooperation activities around the
13 world, as well as identify areas for improvement and reform
14 as we prepare to draft the NDAA.

15 Put more simply, is the current strategy and framework
16 for engaging with, training, and equipping the security
17 forces of partner nations accomplishing the security
18 objectives of the Department of Defense and the broader U.S.
19 Government? And if not, what should we change?

20 Numerous studies over the years, including some written
21 by our witnesses, have noted the challenges confronting the
22 Department's ability to plan, execute, and assess its
23 security cooperation activities. These challenges include
24 the growing disconnect between strategic priorities and the
25 alignment of resources, the difficulty of navigating the

1 unwieldy and cumbersome patchwork of over 100 related
2 security cooperation authorities, and the inability of the
3 Department to effectively assess whether its activities are
4 achieving their desired outcomes.

5 As the Nation increasingly relies on the U.S. military
6 to execute security cooperation and building partnership
7 activities around the world, there must be a commensurate
8 emphasis on ensuring the Department is appropriately
9 postured to execute this mission effectively.

10 I would now ask Senator Nelson for any opening remarks
11 that he would like to make.

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1 STATEMENT OF HON. BILL NELSON, U.S. SENATOR FROM
2 FLORIDA

3 Senator Nelson: Well, thank you, Madam Chair.

4 And welcome.

5 And over the past decade and a half, the Department's
6 authorities to conduct security cooperation and building
7 partnership capacity activities -- it has expanded. And
8 that has created some observers to note this patchwork that
9 the chairman has mentioned that allows the Department to
10 conduct train-and-equip activities in a variety of niche
11 areas with varying constraints. So funding for these
12 activities has also grown, contributing to a change in the
13 traditional balance within the State and Defense
14 Departments.

15 And that expansion of authority and funding has
16 complicated how do you set the priorities on a lot of these
17 activities. How do you build well trained personnel and how
18 do you develop the policy architecture to support all of
19 this? The Department has done a lot of work in this area.

20 Now, what I think we need to do is improve the
21 transparency and how do we measure the effectiveness.

22 So I would like to hear you all talk about it. Give us
23 an assessment of DOD's security cooperation and assistance
24 activities. Discuss whether this committee should make any
25 changes to the current authorities and talk about how the

1 Department can measure the effectiveness of the programs and
2 what are lessons learned.

3 Thank you.

4 Senator Fischer: Thank you, Senator Nelson.

5 I would now turn to our witnesses. Your full
6 statements will be submitted for the record. Thank you for
7 that. And I would ask each of you if you would please
8 introduce yourselves and then make a brief opening
9 statement. So, Mr. Eggers, if you would begin please.

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1 STATEMENT OF JEFFREY W. EGGERS, SENIOR FELLOW,
2 INTERNATIONAL SECURITY PROGRAM, NEW AMERICA FOUNDATION

3 Mr. Eggers: Thank you, Madam Chair and Ranking Member
4 Nelson, and members of the committee. I appreciate the
5 opportunity to testify on this important topic and I am
6 honored to join my colleagues, Mike McNerney and Melissa
7 Dalton.

8 I am currently a senior fellow at New America. And my
9 testimony today is informed by my experience, first as an
10 operational practitioner of security cooperation programs,
11 more than 20 years ago a strategic policy advisor on such
12 programs at the institutional level, and most recently on my
13 research on the efficacy of U.S. security assistance
14 programs.

15 Considerable media attention has shed important light
16 on the costly failures of these types of programs, most
17 importantly in Syria and Yemen. But this scrutiny has not
18 yet yielded any significant debate towards reengineering a
19 better solution. So I welcome this subcommittee's attention
20 to the important issue here today.

21 The foundations of the modern security assistance
22 system were, obviously, assembled amidst a time where the
23 threat environment was moving more slowly. Despite the
24 radical shift in the global security landscape since the
25 turn of the century, these half-century-old building blocks

1 remain the foundation of a modern system. And numerous
2 attempts, of course, have been made in the last 15 years to
3 update this paradigm to make it more responsive and agile to
4 the current threat environment.

5 And mostly this effort involved, as you have said,
6 involved new Title 10 authorities focused on building
7 partner capacity to address the perceived challenge of
8 fragile and failing states, giving rise to sub-state
9 transnational threats. And it is this effort that has
10 largely in my view and in my research proven ineffective.

11 The first problem is that the framework has become a
12 cumbersome "patchwork," as you have said, of authorities
13 atop this outdated foundation, which I suspect my colleagues
14 are going to speak to.

15 The second problem is that building partner capacity as
16 a means of buttressing fragile states has not been
17 realistically implemented against the recipient nation
18 dynamics. As a result, BPC programs have proven ineffective
19 in fragile high threat environments where we attempt to
20 accelerate the delivery of brand new capability.

21 And yet, this is increasingly what we are seeking to
22 do, principally because building partner capacity is seen as
23 a preferred alternative to direct and unilateral U.S.
24 intervention is more cost effective in a time of
25 increasingly constrained defense budgets.

1 So a key lesson is that the effectiveness of security
2 assistance is a function of U.S. intent. In cases where the
3 programs seek to make gradual improvements to existing and
4 mature capabilities, as was the case in Colombia and the
5 Philippines, these programs have been more effective. In
6 other instances where the assistance is employed to either
7 buy access or influence, the track record is mixed in this
8 more modest and transactional mode. However, efforts to
9 literally build new capability in high-risk theaters with
10 political instability have largely been ineffective.

11 And there are four basic types of difficulties behind
12 these challenge programs. One, security capability is being
13 developed ahead of or in the absence of civilian governance
14 and rule of law infrastructure. Two, tactical capability
15 development precedes institutional, logistical and financial
16 support to sustain those programs for the long term. Three,
17 program planning does not adequately account for political
18 will, corruption, or the intent to use a capability. Four,
19 programs are too ambitious, as I have said, in that they
20 seek to build new capabilities where they do not exist
21 rather than reinforce existing capabilities.

22 Of course, a related overarching concern is the lack of
23 a coordinated U.S. Government strategy for security sector
24 assistance. Aside from broad guidance, there is no
25 detailed, top-down strategy as to why the current array of

1 programs and activities is structured the way it is.
2 Rather, the array of programs is generally the result of a
3 bottom-up process driven by country teams and regional
4 leadership.

5 Notwithstanding the lack of a global strategy,
6 strategic level oversight of security sector assistance is
7 further made difficult due to a lack of a centralized and
8 standardized way of cataloging programs and expenditures.

9 To close, a few thoughts on ways this important aspect
10 of our national security strategy might be improved.

11 First and as a strategic matter, we could be a bit more
12 humble about our ability to create new security capabilities
13 in an expedited manner in politically weak environments and
14 in the absence of civilian institutions.

15 Second, programming should be vetted at the front end
16 against an enhanced framework of selected feasibility
17 criteria to include political will, corruption, absorptive
18 capacity, sustainability, and so on

19 Third, we should look to leverage joint authorities to
20 enhance longer-term stabilization approaches focused on
21 governance and rule of law efforts.

22 Fourth, we should anticipate that the expansion of
23 security sector assistance will increasingly pit Leahy
24 Amendment requirements against human rights concerns and
25 update those requirements accordingly to manage this

1 expansion.

2 Finally, it will be important to follow through on the
3 fiscal year 2016 NDAA requirement to develop a global
4 strategic framework of U.S. security sector assistance.

5 Madam Chair, I greatly appreciate the opportunity to
6 offer this testimony today. None of this is to suggest that
7 security sector assistance should be abandoned in favor of
8 greater unilateral engagement. It is simply to suggest that
9 we need to be more prudent and judicious with expectations
10 of what these programs can and cannot achieve.

11 I hope my testimony serves useful, and I look forward
12 to assisting the committee in any way possible in the
13 future. Thank you.

14 [The prepared statement of Mr. Eggers follows:]

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1 Senator Fischer: Thank you, sir.

2 Ma'am?

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1 STATEMENT OF MELISSA G. DALTON, FELLOW AND CHIEF OF
2 STAFF, INTERNATIONAL SECURITY PROGRAM, CENTER FOR STRATEGIC
3 AND INTERNATIONAL STUDIES

4 Ms. Dalton: Chairman Fischer, Ranking Member Nelson,
5 and distinguished members of the subcommittee. I am honored
6 to testify before you today.

7 My name is Melissa Dalton. I am a fellow and the Chief
8 of Staff of the International Security Program at the Center
9 for Strategic and International Studies.

10 Security cooperation is central to meeting the
11 challenges of the 21st century, which heightens the
12 imperative of planning, managing, and resourcing security
13 cooperation effectively. I will focus my remarks on three
14 topics: applying resources strategically, measuring
15 effectiveness, and balancing activities for a coherent
16 program.

17 First, applying resources strategically. While we
18 should strive for streamlining security cooperation
19 authorities, we should also be cognizant of how the changing
20 security environment may require new approaches. The United
21 States faces an increasingly complex security environment
22 with interlinking challenges from China, Russia, Iran, and
23 North Korea to transnational threats including the Islamic
24 State and Al Qaeda and their affiliates, as well as cyber.
25 These include hybrid or gray zone security challenges with a

1 range of state and non-state actors in play.

2 With this level of complexity and a declining defense
3 budget, the United States must leverage its relationships
4 with partners in support of shared interests. I offer five
5 legislative recommendations for Congress.

6 First, consider a new legal authority to permit Title
7 10 security cooperation partnerships with non-state actors,
8 in coordination with the Department of State, to give the
9 President and the Department more options for addressing
10 hybrid challenges.

11 The default is to use Title 50 authorities and funding
12 in these situations. However, Washington may want to
13 publicly highlight partnerships with non-state entities for
14 strategic purposes or link those partnerships to military
15 activities. Through our Title 10 authority, we might create
16 more options for decision-makers. An assessment,
17 monitoring, and evaluation framework could help mitigate the
18 risks of partnerships with non-state actors with established
19 off-ramps for turning the assistance off if the program
20 objectives are not met.

21 The second recommendation. Congress should consider
22 requiring acquisition and delivery systems to be more
23 responsive to crisis requirements. The Department has the
24 authorities it needs to rapidly inject security cooperation
25 to partners in crisis response situations. However,

1 acquisition and delivery systems are often slow to
2 prioritize emerging requirements and may not have the
3 appropriate manpower to staff these requirements, resulting
4 in delays that present operational risks.

5 Third, Congress should consider evaluating the risks
6 and benefits of creating a transfer authority between the
7 Department and USAID to enable, where appropriate, DOD to
8 transfer funds to USAID. Such a mechanism could help
9 combatant commands better link counter terrorism efforts to
10 USAID countering violent extremism prevention programs.

11 Fourth, Congress should specify roles for the military
12 services such as organizing and allocating personnel for
13 security cooperation activities. Currently, the services
14 de-prioritize security cooperation in resource allocation
15 decisions because the operational benefits are not clearly
16 defined. Moreover, there is no security cooperation career
17 track for military personnel.

18 And fifth, the Congress should consider streamlining
19 the Office of the Secretary of Defense by, A, moving program
20 management of security cooperation to the Defense Security
21 Cooperation Agency under the oversight of the Under
22 Secretary of Defense for Policy, and B, consolidating all
23 policy oversight of security cooperation programs, including
24 counterterrorism and counternarcotics partnership programs
25 to a single OSD policy office.

1 The Department should take two steps in this area.
2 First, enact the security sector reform called for in
3 Presidential Policy Directive 23 to strengthen the linkage
4 between U.S. priorities and security cooperation
5 investments. It should also tighten the alignment from the
6 defense strategy and the guidance for the employment of the
7 force to theater campaign plans and specific security
8 cooperation activities.

9 The second topic I would like to address today is
10 measuring effectiveness. The Department lacks a system to
11 assess, monitor, and evaluate the performance of its
12 security cooperation efforts. Congress should, therefore,
13 consider tasking OSD to develop a framework for assessment,
14 monitoring, and evaluation in coordination with the
15 Department of State. This should include a rigorous front-
16 end assessment by DOD, State, and the intelligence community
17 of how security cooperation will affect a partner country
18 beyond the discrete military contact.

19 Congress should also consider requiring combatant
20 commands to conduct programmatic assessment, monitoring, and
21 evaluation for security cooperation within the parameters of
22 the policy framework.

23 The third and final topic I would like to address today
24 is balancing activities for a coherent program. Current DOD
25 policy is to create a comprehensive package of security

1 cooperation for partners, including institution-building and
2 sustainment. Yet, in practice, U.S. political imperatives
3 and operational demands, as well as partner preferences and
4 challenges, often hinder implementation of a coherent and
5 enduring program.

6 The DOD directive on defense institution building is a
7 promising start to orienting security cooperation efforts
8 for a more balanced and enduring approach. However, we
9 should moderate expectations for improvement to account for
10 long-term effects that are rarely evident in the short term.

11 To achieve a better balance of security cooperation
12 activities, Congress should consider requiring DOD to define
13 the outcome, not just the objectives, for security
14 cooperation programs when providing congressional
15 notification and explain how a range of tools, including
16 institution-building, will help achieve that outcome.

17 In conclusion, the United States faces a daunting array
18 of security challenges in the 21st century that only a
19 network of partners can address together. The Department
20 continually reaches for security cooperation to address
21 challenges, but does not give it the investments in training
22 personnel and policy to sustain and strategically employ it
23 as it does for its hard power tools. Applying resources
24 based on priorities, measuring effectiveness, and balancing
25 activities for a coherent program will enable the United

1 States to better employ security cooperation as a strategic
2 tool of national power.

3 Thank you, and I look forward to your questions.

4 [The prepared statement of Ms. Dalton follows:]

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1 Senator Fischer: Thank you.

2 Sir?

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1 STATEMENT OF MICHAEL J. McNERNEY, ASSOCIATE DIRECTOR,
2 INTERNATIONAL SECURITY AND DEFENSE POLICY CENTER, RAND
3 CORPORATION

4 Mr. McNerney: Chairman Fischer, Ranking Member Nelson,
5 distinguished members of the subcommittee, thank you for the
6 opportunity to testify on the important topic of security
7 cooperation.

8 I am Michael McNerney from the RAND Corporation. It is
9 a pleasure to appear before you along with my colleagues,
10 Jeff Eggers and Melissa Dalton.

11 Today I will focus on three questions. First, how does
12 the Department of Defense prioritize its security
13 cooperation investments? Second, how does DOD manage the
14 current patchwork of relevant legislative authorities?
15 Third, how can DOD and Congress better evaluate the
16 effectiveness of these activities?

17 Regarding prioritization, let us start with a few
18 numbers. DOD conducts about 3,000 to 4,000 security
19 cooperation events per year in more than 130 countries.
20 Total U.S. assistance to foreign militaries and police
21 forces runs between \$15 billion and \$20 billion a year,
22 about \$10 billion of which comes from DOD.

23 So what is the bang for the buck? A recent RAND study
24 found U.S. investments in security cooperation were
25 associated with reduced fragility around the world. This

1 link, however, is strongly connected with certain types of
2 countries, less autocratic, less fragile, and with certain
3 types of tools, namely those tools that focus on building
4 human capital and institutions.

5 Resilient partners are the best defense against
6 terrorism and other threats, and resilience comes from
7 strong institutions and professional security forces. Some
8 of the most important tools for building resilient partners
9 reside outside DOD, for example, with the Department of
10 State and the U.S. Agency for International Development.

11 So let me mention two recommendations relevant to
12 prioritization.

13 First, Congress might consider ways to encourage DOD to
14 more clearly prioritize partner countries and investment
15 tradeoffs and to more consistently prioritize activities
16 that strengthen a partner's institutions and the
17 professionalization of their security forces.

18 Second, Congress might consider ways to support DOD,
19 State Department, and USAID unity of effort. For example,
20 could DOD be authorized to transfer funds to USAID if a
21 military commander needs USAID's support in preventing
22 violent extremism?

23 Regarding authorities, last week, RAND released a
24 report analyzing legislative authorities for security
25 cooperation. Based on our research and on the focused

1 discussions we had with stakeholders in Congress and in DOD,
2 we created a framework to organize 106 Title 10 authorities
3 into several categories. We identified opportunities for
4 reducing these authorities by 15 percent from 106 to 91. We
5 also found opportunities to revise and add authorities to
6 improve flexibility, for example, in the areas of cyber and
7 ballistic missile defense.

8 Two recommendations on authorities.

9 First, Congress, working with DOD, might consider
10 RAND's proposals for consolidating, revising, and adding
11 Title 10 security cooperation authorities. Doing so would
12 likely increase operational effectiveness on the ground
13 while maintaining robust congressional oversight.

14 Second, Congress might consider a follow-on step to
15 analyze how DOD and Department of State authorities can be
16 better integrated.

17 The third major challenge I see in security cooperation
18 is how DOD and Congress can better evaluate effectiveness,
19 what is working and what is not. Understanding
20 effectiveness starts with smart objectives, specific,
21 measurable, achievable, results-oriented, and time-bound.
22 With smart objectives as the foundation, the next step is
23 building a comprehensive system for what is called AM&E,
24 assessments of partner capabilities and will, monitoring of
25 performance, and evaluations of effectiveness.

1 RAND is working with DOD to help it apply lessons from
2 various organizations like the State Department, USAID,
3 World Bank, Millennium Challenge Corporation, and working
4 with them to create a framework for managing AM&E more
5 effectively.

6 So looking ahead to when DOD provides its strategic
7 framework for security cooperation this spring, a key
8 question for Congress might be how DOD's AM&E system will
9 improve congressional oversight, particularly through
10 prioritized, analysis-based evaluations.

11 Chairman Fischer, Ranking Member Nelson, members of the
12 subcommittee, I appreciate the time to offer this testimony.
13 I look forward to helping the committee with its vital work.

14 [The prepared statement of Mr. McNerney follows:]

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1 Senator Fischer: Thank you all. I appreciate your
2 opening statements.

3 The ranking member has to leave shortly, so I will
4 defer and have Senator Nelson begin the questioning.

5 Senator Nelson: Thank you for the courtesy, Madam
6 Chairman.

7 Ms. Dalton, you talked about assistance to non-state
8 actors. Tell us.

9 Ms. Dalton: Thank you, Ranking Member Nelson.

10 What I am talking about is in the 21st century, the
11 United States faces considerable challenges from potential
12 adversaries that are leveraging non-state actors. If you
13 think of China's activities in the South China Sea, using
14 Coast Guard and commercial shipping assets, if you think
15 about Russia's activities in Europe, little green men,
16 political subversion, leveraging non-state capabilities, and
17 Iran has a long history of leveraging non-state actors in
18 the Middle East.

19 The fact of the matter is the 21st century security
20 landscape is incredibly diffuse with power distributed
21 across state and non-state boundaries. And so for the
22 United States to remain competitive in that space with its
23 potential adversaries, I think we need to get creative about
24 who we are partnering with. And that might require us
25 thinking through whether we have the right authorities to

1 conduct military activities in various parts of the world.

2 As I mentioned, there are currently mechanisms in other
3 parts of the government that allow for that, but there may
4 be an argument for considering a more public approach to
5 highlight the partnerships that we might strike with non-
6 state actors. We have also done this in sort of an ad hoc
7 manner in places like Syria, support for the Kurds. And so
8 the question is do we need a more systematic approach, given
9 the evolution of the strategic landscape that does not seem
10 to be faltering at this time.

11 Senator Nelson: Before I leave, I need to get to
12 another question, but I would like a brief comment from the
13 other two of you about this.

14 Mr. Eggers: Thank you, Senator.

15 Senator Nelson: Brief.

16 Mr. Eggers: Ms. Dalton has put her finger on an
17 important problem. Libya and Syria exemplify the multi-
18 dimensional conflicts we face where it is not clear that the
19 sub-state enemy of our enemy is our friend. It is clearly
20 not so simple in the case of Al Nusra and the even wider
21 factualization in Libya.

22 However, I am also not sure that it is necessarily
23 right to formalize vehicles for such type of support, but I
24 do think it would be better to bring some mechanism and some
25 discipline so that it does not sit entirely within Title 50.

1 There are pretty good lessons of where that has gone. It
2 has been successful, but long-term unintended consequences
3 need to be watched.

4 Senator Nelson: And the gentleman from RAND.

5 Mr. McNerney: Thank you, Senator.

6 I agree it could be a helpful approach, but it would
7 have to be monitored pretty carefully. But I do think Title
8 10 can bring a more open approach, and not everything
9 working with non-state actors has to be clandestine or
10 covert. So why not have a more open approach to non-state
11 actors if we do not need to operate in a covert manner with
12 them?

13 Senator Nelson: Let us go to Eastern Europe. How
14 important is it to our Eastern European allies that there
15 are training opportunities and exercises basically for their
16 capability, as well as reassurance? Anybody.

17 Mr. McNerney: I will go first.

18 So the research I talked about showed less autocratic,
19 more stable countries seem to be able to use security
20 cooperation assistance better, and Eastern Europe countries
21 are in general a very good example of where I think the U.S.
22 gets a good bang for the buck.

23 Senator Nelson: All right. So we send U.S. forces
24 there. They train or conduct exercises with those allies,
25 and they do it in multilateral settings. Everybody agree

1 with that? Okay.

2 Now, what about Ukraine? We are concerned in building
3 partner capacity. We are focused on addressing the
4 institutional problems of corruption and flawed management,
5 and yet we have to help them build better tactical skills.
6 Do you want to comment on that?

7 Mr. Eggers: I think the example of Ukraine is, as Mr.
8 McNerney said, a good bang for the buck example where there
9 is a high return on investment because the new threats of
10 the 21st century are in, as Ms. Dalton said, these gray
11 areas where the 20th century toolbox is not working. And
12 the one thing in that toolbox that can work in this paradigm
13 is buttressing and, as you said, reassuring our support and
14 commitment in these areas. The South China Sea is another
15 great example of where there are fewer tools that we can
16 use. This is an example where the old paradigm does meet
17 the new wave of threats in my view.

18 Senator Nelson: I am only 30 seconds over.

19 Senator Fischer: Not bad. Thank you, Senator Nelson.

20 I would like to ask you just some basic questions about
21 these programs. As you know, we are looking at different
22 reforms in moving forward as a committee. And so I kind of
23 want to do a broad view of these programs. And any of you
24 that would like to respond to the questions, it would be
25 fine.

1 Do you believe that our current structure of security
2 cooperation authorities allows the Department to effectively
3 being able to marry the strategic policy with appropriate
4 operations and resources? And if not, where do you think
5 this process breaks down?

6 Mr. McNerney: I would say the authorities are not the
7 biggest problem in terms of the breakdown, but they could be
8 made clearer, more consolidated to make it a little bit
9 clearer for those on the ground to understand what they can
10 and cannot do. In our report, we have got some what we call
11 low-hanging fruit options that are very easy to consolidate
12 and a few new ideas for authorities to enable the men and
13 women who are working so hard on the ground to do this to
14 feel confident that, yes, I can work with this partner to
15 strengthen their cyber capabilities and I am not going to
16 get shut down by a Pentagon lawyer a month later. So, yes,
17 there is room for improvements in that regard.

18 But the bigger problem is often in the guidance that
19 flows then down from the Pentagon and the need for the
20 people on the ground to understand what is expected of them
21 and for them to communicate with the partner how this is
22 going to work. And that is where we usually have more
23 problems.

24 Senator Fischer: And as we have seen the growth in
25 threats, we also see a growth in the security cooperation

1 authorities. I talked about a patchwork and just the vast
2 number of authorities that are out there. I believe it was
3 you, Ms. Dalton, who spoke about being able to combine some
4 of them. How do you think that would impact our efforts,
5 though, in moving forward? Are we going to be able to save
6 some time and resources by consolidating some of these
7 authorities, making it more time-sensitive in many ways as
8 well? Again, any of you feel free to answer.

9 Ms. Dalton: Yes, Madam Chairman. I do think that
10 doing some streamlining of authorities would simplify the
11 choices that decision-makers and practitioners have to make
12 when faced with a challenge that seems to require some sort
13 of security cooperation, and then opening the grand menu of
14 100 authorities, it is quite a task.

15 You know, there are folks in the security cooperation
16 enterprise that have years of experience that are in pockets
17 in different offices. But oftentimes you have embassies
18 staffed with security cooperation officials that are very
19 well intended, have significant operational background, but
20 do not have the training on how to do security cooperation.
21 They have had a 2-week crash course on what the security
22 cooperation authorities are, but have not had a career of
23 looking at this issue set and so are often somewhat
24 scrambling in a way to define what the appropriate mix of
25 tools is correct for a particular application.

1 Senator Fischer: So as they are attempting to navigate
2 through this process, how much time is wasted? How much of
3 our resources are wasted? Do you have any way to gauge
4 that? A lot, a little?

5 Mr. Eggers: Madam Chair, my guess is that the has
6 evolved to the complexity of the framework, and so people
7 are now holding essentially doctorates in how to patch
8 together these 160 authorities to get what they need to do
9 done. So making it consolidated and more streamlined would
10 probably lower the bars to entry for becoming an expert
11 planner, and these people have an immense amount of
12 experience and knowledge to be able to work with this
13 patchwork. But I am not sure it would save time. I think
14 it would lower the bar to entry so that it would be more
15 accessible and more easily trained. Again, I do not think
16 it is one of the strategic variables impacting the
17 effectiveness of the overall process.

18 Mr. McNerney: I would think about opportunity costs
19 also. So sometimes the person at the embassy working with
20 the partner directly -- they will not waste a lot of time.
21 They will just say, well, I do not understand this, so I am
22 going to do what my predecessor did, or I am going to do
23 what we did last year because it is easy and I know it will
24 get approved. So sometimes it can still be implemented
25 quickly, but it might not be the most effective approach.

1 Senator Fischer: Thank you.

2 Senator Kaine?

3 Senator Kaine: Thank you, Madam Chair and members of
4 the committee. And thanks to the witnesses for being here.

5 I will start with the positive, then questions and
6 concerns.

7 So I have been a huge fan of security assistance
8 programs. I have seen our special forces working together
9 with the Lebanese army and thanked profusely for the
10 commitment of our country to their special forces training.
11 We have special purpose Marine air-ground task force
12 training units in Africa doing a lot of work with a lot of
13 the different countries there. They are both helping
14 countries tackle their challenges, they are building good
15 relations between the United States and those countries.
16 And a lot of the work is done in areas that have been
17 identified as near or adjacent to high-threat embassy posts
18 so that if we were ever to need to do something quickly at a
19 high-threat U.S. embassy, we would have the working
20 relationships there to enable us to do it. So there are a
21 lot of reasons for these investments.

22 And then finally, the work that we have done in
23 security cooperation with Colombia has really been
24 remarkable in the last 15 years. And so now you see
25 Colombians that we have trained in Central America helping

1 the northern triangle countries deal with their violence.
2 You see them in the Sinai as part of the multinational force
3 observers guarding the border between Egypt and Israel. And
4 so we have trained them well enough that they are going out
5 and providing stability elsewhere, which is fantastic.

6 So I generally am a fan, but I am really glad that the
7 chairwoman called this hearing because I think there are
8 potentials for confusion and overlap and how do you
9 rationalize all this.

10 We had a hearing in January in the Readiness
11 Subcommittee -- I think Senator Ernst was part of it --
12 where we were looking a tug of war between basically DOD and
13 USAID over the DOD Task Force for Business and Stability
14 Operations, which led to a lot of kind of shocking headlines
15 about over-expenditure on what would seem like USAID
16 activity. And even though the witnesses were sort of making
17 a case that some of the instances were not as bad as maybe
18 they initially appeared, they did concede actually, when
19 they looked at it, it would be better for USAID to do this
20 kind of work than DOD. That was a helpful concession that
21 they made in connection with the hearing.

22 So I sort of am curious to have you talk really about
23 two things -- if we are working with other nations to help
24 them on security, the purpose is great -- how to coordinate
25 better between what DOD provides and what State or USAID

1 provide first.

2 And then second -- and you touched on this a little bit
3 in your testimony -- the whole question of measuring effect.
4 It is like what are the goals you set out in advance and
5 then how do you measure their effectiveness. The 160
6 different authorities not only makes it hard to plan, but it
7 makes it hard for us to exercise oversight if the
8 authorities are also very different. And that is something
9 we ought to be doing to measure the effectiveness of this
10 \$10 billion annual investment.

11 So if you could talk about either effectiveness or
12 coordinating among the different participating U.S.
13 agencies.

14 Mr. Eggers: Thank you, Senator. I will take the first
15 one.

16 One of the bright spots in the evolution of
17 authorities, the expansion of Title 10 authorities and so
18 forth, the innovation since 9/11 in these types of
19 authorities that I found that people were relatively pleased
20 with were the utilization of joint authorities and getting
21 away from the old mechanism where it was really one or the
22 other and there was either a coordination consultation
23 requirement, which since they were not well defined, could
24 create tensions and lack of coordination between the
25 agencies. But there was a fair amount of consensus that the

1 innovation of using a joint mechanism for these types of
2 authorities, while it obviously requires more work because
3 two agencies have to come together, it also steps around a
4 lot of the tension that was built up in the older model.

5 And I would defer the effectiveness question to my
6 colleagues.

7 Ms. Dalton: Thank you for that question, Senator.

8 In regards to coordination between the Department and
9 its interagency partners, the Presidential Policy Directive
10 23 calls for the creation of integrated country strategies
11 that would originate in the embassies, and so it would
12 involve all various members of the country teams, State,
13 USAID, DOD, and others collaborating to synchronize
14 objectives and priorities and activities in that strategy.
15 And then that, in theory, is supposed to come back up to
16 Washington to have the policy oversight of that.

17 The trick then is also feeding that into the theater
18 campaign plan development. And so that linkage would need
19 to happen in DOD, particularly in OSD and the Joint Staff.

20 So there is interagency work afoot to try to address
21 that, but I think we are not quite there yet.

22 To the point of measuring effectiveness, I completely
23 agree that the 100 authorities that we would have to measure
24 effectiveness against would be quite a daunting task. And
25 so being able to streamline the authorities with -- you

1 know, in part one of the objectives of enhancing our ability
2 to measure effectiveness would be quite significant in both
3 creating a policy framework, how do you create parameters
4 for the framework around the authorities that you are going
5 to measure, as well as the burden on the combatant
6 commanders to do programmatic evaluation of security
7 cooperation. If you kind of narrow the number of things
8 that people have to look at, surely there are efficiencies
9 to be made.

10 Senator Fischer: Thank you, Senator Kaine.

11 Senator Cotton?

12 Senator Cotton: Thank you.

13 Mr. McNerney, you stressed in your written testimony
14 the importance of prioritization. Oftentimes when I hear a
15 conversation about security assistance and security
16 cooperation programs, it is focused on the Middle East where
17 we have been for a long time and countries in Africa that
18 need some very basic capability-building, you know, police
19 forces, shoot, move, communicate at the small unit tactic
20 level. But then you look in places like Southeast Asia
21 where we deal with very advanced militaries that still need
22 assistance with maritime security especially towards China
23 and their aggressive actions in the South China Sea.

24 Could you say a little bit about the qualitative
25 differences in security assistance across the main regions

1 where we are engaged, East and Southeast Asia, the Middle
2 East, and Europe, and how we might think about prioritizing
3 those efforts?

4 Mr. McNerney: Thanks, Senator Cotton.

5 So I think you are exactly right that for every region
6 the assistance really needs to be tailored, and even every
7 country has a great variety.

8 I think the way to think about tailoring, though, is to
9 start with the same fundamental tools. And so institution-
10 building is relevant in all regions. It is just done in a
11 different way. So in Europe, for instance, we work with
12 institutions on a more peer basis to share classified
13 information in a more efficient way, almost the way the U.S.
14 works within the interagency. So State and DOD have trouble
15 talking to each other. The U.S. and the U.K. might have
16 similar challenges working across agencies. So we work at
17 the institutional level in a very sophisticated way. And so
18 it is important to reinforce that.

19 Whereas, in the Middle East, we are not as close
20 because we do not have a NATO alliance equivalent. And so
21 the cooperation is not as sophisticated, and yet there needs
22 to be an ability to work with those partners and try to
23 align our values and our interests over time. And that is a
24 really long game, but it is well worth the investment. So
25 there it is less about sharing some top secret piece of

1 information today. It is more about how can we become
2 closer over the next 20 years.

3 In Southeast Asia, it is helping them develop the
4 institutions. Often it is pushing on an open door where
5 countries are already working to strengthen institutions,
6 and we can build on that, and it is basically putting seed
7 in fertile ground, whereas in Africa, you might get more
8 resistance.

9 So in all cases, the tools are important. You just
10 have to apply them in different ways. To save time, I will
11 not go through train and equip or professional military
12 education, but it is the same way of thinking for each of
13 those.

14 Senator Cotton: Ms. Dalton, would you care to add
15 anything? It was a CSIS report recently on the Asia-Pacific
16 rebalance that talked about the need for more maritime
17 security cooperation in the South China Sea.

18 Ms. Dalton: Yes. That was combined effort from my
19 office and the Asia team, and that was absolutely
20 highlighted as a priority for investment on the part of the
21 Department going forward, including the creation of a joint
22 operational center to synchronize maritime security
23 activities and enhance investments in undersea warfare,
24 electronic warfare, and ISR, among other capabilities. So
25 from our perspective, that is certainly a priority for

1 investment going forward for the Department.

2 Senator Cotton: I am going to throw this out for all
3 three witnesses because I am not sure which has the best
4 perspective. So feel free to claim the jump ball.

5 In our country when we think about authorities, we have
6 a pretty sharp distinction between Title 10 and Title 50.
7 Suffice it to say those authorities and that distinction is
8 not as clear cut among our adversaries and among many of our
9 allies. And if you look at some of the challenges that
10 countries on Russia's periphery face, they certainly face
11 something that we might consider closer to a Title 50
12 authority challenge than a traditional military challenge,
13 even though those lines are not as clear. Russia has a
14 larger intelligence budget for instance than the entire
15 government budget of Estonia and Latvia.

16 Is that something that we need to address as a
17 government, the fact that we have a very bright line between
18 those two authorities but allies, countries who need
19 capacity- and capability-building do not have such a bright
20 line?

21 Ms. Dalton: Senator, as I mentioned in my opening
22 remarks, I do think that we need to take a look at how we
23 approach this issue of hybrid warfare and gray zones because
24 there is a difference, as you note, between how our
25 adversaries approach these issues and how they are task

1 organized to address them, and then the clear distinctions
2 on our side.

3 Certainly we need to be very careful in approaching
4 that. There are very good reasons why we have those
5 distinctions. We are a democracy. We want to have that
6 civ-mil distinction and have a clear distinction between our
7 intelligence and our military activities.

8 But as I mentioned earlier, I do think that in order to
9 remain competitive in this space, that it requires some
10 creative thinking on our part in terms of how we organize
11 and how we approach these problem sets, which may have
12 implications for our authorities.

13 Senator Cotton: Mr. Eggers, Mr. McNerney?

14 Mr. Eggers: I would agree with Ms. Dalton. I think it
15 is right to identify these areas as a need for focus, but
16 really the first place to invest would be targeting these
17 areas with greater priority with the tools that we have, as
18 is being done with the Eastern Europe reassurance and South
19 China Sea and so forth, before we need to get to engineering
20 kind of new authorities that kind of go with what Putin and
21 the Russians are doing. I think there is probably more that
22 could be done, but I think it is right to focus on this as a
23 problem area.

24 Senator Cotton: Thank you.

25 Senator Fischer: Thank you, Senator Cotton.

1 Senator Ernst?

2 Senator Ernst: Thank you, Madam Chair.

3 And thank you to the witnesses today for being here.

4 It is an interesting discussion.

5 And I am going to go back a little bit. Senator Cotton
6 had mentioned the Middle East and the South China Sea. If
7 we can go back to the Middle East a little bit, as we talk
8 about measurements and what is working and what is not
9 working, Mr. McNerney, if you can set the stage for us.

10 Right now if we focus on the Middle East, in
11 particular, in Iraq, developing a Sunni fighting force is
12 really key to defeating ISIS in Iraq, and holding and
13 building in Sunni areas that ISIS has destroyed, that is
14 very important. But it does not seem like we have had much
15 emphasis coming from the Iraqi Government on actually
16 developing that Sunni force. Now we have a Shia force that
17 is rivaling the Iraqi Security Forces in that area and
18 outside of Baghdad.

19 So if you could set the stage for us on why it is
20 taking so long for the Iraqis to develop a Sunni fighting
21 force and maybe any influences in that. And then I would
22 like to move on to Ms. Dalton and talk about being creative
23 and tailoring some of these programs that exist to retool
24 and do better. But if you could set the stage for us,
25 please, Mr. McNerney.

1 Mr. McNerney: Thank you, Senator Ernst.

2 I think the Middle East is obviously the greatest
3 challenge of all in the security cooperation realm, and I
4 think where the Department could do better is in presenting
5 expected outcomes and risk. What we usually get is hoped-
6 for outcomes when we get assessments. And so if there was a
7 little more sort of skeptical assessment of what will come
8 out of efforts, I think it then allows Congress to maybe
9 make better judgments about what the investments are going to
10 do.

11 And again, I would reiterate that that is a really long
12 game in the Middle East. So the investments really have to
13 be balanced between long-term and short-term goals. And at
14 times in Iraq, being a great case, we were very short-term
15 focused during the effort to withdraw and getting to certain
16 levels of troops at a certain readiness standard and may not
17 have done as good a job thinking about the political
18 frameworks and the sort of institutional piece of that. And
19 so we do not want to make the same mistake now. Of course,
20 you cannot force a sovereign nation to take action, but we
21 have a lot of tools to encourage ways of doing business that
22 we need to have a more open dialogue about, including here
23 on the Hill.

24 Senator Ernst: Certainly. And do you see other
25 governmental forces, particularly Iranian forces -- are they

1 having an influence in that in why we are not able to see
2 greater Sunni participation?

3 Mr. McNerney: Well, absolutely. Iran as a next door
4 neighbor and having a relationship with the government
5 absolutely has influence there as well. And I always say
6 that the United States does not have much leverage, but we
7 have tremendous influence. By leverage, I think of a
8 transactional you need to do X or else we will withdraw
9 funding. That does not work very well. Both countries,
10 Iran and the U.S., have influence but it is a much more
11 subtle sort of soft power way of thinking, and we need to
12 try to think about how to use tools that help in that
13 regard.

14 Senator Ernst: Well, okay. So now we have got the
15 stage set with some of the issues that we have and the
16 influences that we have.

17 Now, Ms. Dalton, can you take that stage and further
18 develop it, retooling the way we think about the situation
19 and the other types of assistance or cooperation that we can
20 utilize in that area to do a better job? Can you maybe give
21 us an idea what you think perhaps could work in that area?

22 Ms. Dalton: Thank you for the question, Senator.

23 I do think that this is one of the areas where this
24 concept of greater engagement with non-state actors could be
25 helpful. And we had this one-off example of the Awakening

1 in Iraq in 2007-2008 where we provided assistance to the
2 tribes at a local level and that helped turn the tide. That
3 for a variety of reasons did not work over the long term.
4 And so I think that that is the big lesson learned there,
5 that there are cases in the past where we have ad hoc
6 assisted non-state actors in places in the Middle East, but
7 then connecting that to a broader political framework such
8 that it is a sustainable solution such that if we empower
9 the tribes and they set up their expectations in terms of
10 their role in the future of Iraq, that there is some answer
11 at the end of that for them. I think we did not close the
12 circle on that last time. And so if we are to step our
13 engagement with the tribes this time, that is something that
14 we should definitely look to do better on.

15 Senator Ernst: Thank you, Ms. Dalton.

16 Thank you, Madam Chair.

17 Senator Fischer: Thank you, Senator Ernst.

18 Senator Gillibrand?

19 Senator Gillibrand: Thank you, Madam Chairwoman.

20 The international partners who are a focus of our
21 security assistance efforts have a wide range of financial
22 means. Saudi Arabia, for example, a vastly wealthy state,
23 is capable of funding most of the capacity-building
24 arrangements it has with the U.S. Other strategically
25 important partners like Jordan are much more dependent on

1 U.S. financial assistance to sustain such activities.

2 When a partner nation commits its own resources towards
3 paying for U.S. security assistance, does that influence its
4 efficacy and outcome? And when partner nations are not able
5 to bankroll the assistance the U.S. provides, what reasons
6 justify or which metrics should be met to determine whether
7 the U.S. supports that relationship financially?

8 Mr. McNerney: So I have always been of the mind that
9 even the partners with the least resources need to have some
10 buy-in, and we always say you cannot want it more than they
11 do. So even a partner who is really strapped for resources
12 -- they need to buy into sustainment, maintenance over time,
13 and at least providing trained personnel who are going to
14 stay with the equipment or other assistance that we provide.

15 On the other end of the coin, a country like Saudi
16 Arabia -- I am definitely a heretic in this regard, but I
17 think the U.S. should be willing to even fund Saudi Arabian
18 participation in certain events if the U.S. feels like it
19 will not come otherwise and it is really important for us to
20 have them there. The U.K. actually does that. Sometimes
21 the U.K. will say we are doing an event on something to do
22 with professionalization and we want everyone to come and we
23 will just pay for everyone. Of course, we do not do that
24 for sound financial reasons, but there may be times we want
25 to make exceptions to that rule.

1 Senator Gillibrand: Anyone else?

2 Ms. Dalton: Senator, thanks for the question.

3 I would just also add to Mike's great comments that
4 there is also a difference in leverage, as Mike noted
5 earlier, being a factor in security cooperation
6 relationships. And that has an impact as you look to
7 measuring effectiveness and the identification of what
8 outcomes we are trying to achieve. If our partner has more
9 of a say in terms of the dollar amount that they can commit
10 to their security investments, that arguably puts us on a
11 different playing field with them in terms of leverage.

12 And so if there is a difference in the outcomes that we
13 want to achieve, it perhaps is harder for us to square those
14 different outcomes. If there is a partner that is more
15 dependent on us for resources, arguably we may have a bit
16 more leverage. And so any differences in objectives and
17 outcomes might be more easily bridged, I would venture.

18 Senator Gillibrand: Related. Since 2001, the U.S. has
19 spent more than \$100 billion on programs to build partner
20 capacity in weak states like Iraq, Syria, and Afghanistan,
21 all producing limited degrees of success. What metrics are
22 used to determine the efficacy of capacity-building programs
23 there, and what might be better indicators of success?

24 Mr. Eggers: Senator, I think metrics I will leave to
25 my colleague, Mr. McNerney, to address.

1 One of the things that I have advocated before is
2 before we even get to the question of measuring the
3 effectiveness of the program, vetting the feasibility of the
4 program on the front end. I think it is going to be always
5 difficult to really find concrete and quantitative metrics,
6 even when these programs are well implemented and appear to
7 be creating good results. I think it is always going to be
8 difficult. I think it is easier to come up with principles
9 for which these types of programs should be applied and
10 where we think we are going to get a reasonable return on
11 investment and focus on applying that on the front end.

12 Mr. McNerney: Maybe I could just add something about
13 the way USAID creates its metrics. And they work on what is
14 called project design, and they have a theory of change.
15 And they have a very sophisticated way of thinking about
16 where they want the partner to be over time and creating
17 milestones to get there.

18 DOD does that sometimes but in a more informal way, and
19 it is not clear to me DOD always engages with the partner as
20 early in the process as, say, AID does. I always say
21 sometimes they bake the cake and give it to the partner and
22 say, you can put the icing on it, whereas it is better to be
23 right in there with the eggs and the flour and the sugar
24 with the partner right away, and that often comes out with
25 better measures right up front.

1 Senator Gillibrand: Do you consider the money we spend
2 with regard to Pakistan to be one of those partnerships or
3 not?

4 Mr. Eggers: Senator, I put that in the category of
5 security cooperation that is buying us influence and access.

6 Senator Gillibrand: Because we do not have any control
7 where the money goes, and we have zero oversight and zero
8 accountability.

9 Mr. Eggers: And Pakistan is not alone in that regard.

10 But I think there is a pretty clear acknowledgement
11 that even where we are buying capability, it is going to
12 have, at best, a mixed use, and the Pakistani intentions for
13 those are not generally going to align with where we would
14 want to see them go. In fact, in most cases, we are pretty
15 sure they do not. But they have been at least kind of
16 ostensibly effective in maintaining a relationship that gave
17 us access, for instance, to supply lines in Afghanistan for
18 the coalition.

19 Senator Gillibrand: Do you think our investment has
20 paid off?

21 Mr. Eggers: In Pakistan?

22 Senator Gillibrand: Yes.

23 Mr. Eggers: I think it is hard to make those kinds of
24 judgments because of the amounts of funding we are talking
25 about are of kind of an almost unprecedented magnitude.

1 They, of course, are small relative to the overall cost of
2 the effort in Afghanistan, and they were instrumental.
3 Without many of those supply lines through Pakistan, the war
4 effort would not have been possible. So it is really
5 impossible to make a judgment of whether or not they were,
6 quote, worth it. I think once we decided that this military
7 effort and this style of engagement in Afghanistan was
8 required, it was part of the cost of that.

9 Senator Gillibrand: Thank you.

10 Thanks, Madam Chairwoman.

11 Senator Fischer: Thank you, Senator.

12 Mr. McNerney, in your comments that you provided, you
13 discuss the Syria train-and-equip program. And you gave
14 that as an example for the need for better monitoring, and
15 you spoke about the need for an alert system that would
16 notify us earlier on when a system, when a program was
17 failing. How do you see that program operating in practice,
18 if we have this early alert system?

19 Mr. McNerney: Thank you, Senator.

20 I think when a project is so high-profile and so high-
21 risk, you need to have -- and by alert system, it is not
22 sort of a red phone type of system, but more of a way for
23 leaders in the field to let leaders in Washington know that
24 risk is growing or that they are seeing problems growing.

25 Senator Fischer: Objectives would not be met on a

1 schedule that hopefully had been preset?

2 Mr. McNerney: Yes, ma'am.

3 And an example in Syria, of course, there is a startup
4 cost when you are going to train a force. There is
5 infrastructure. There is equipment that has to be brought
6 in. And then you are hoping that the students will show up
7 or the trainees will show up.

8 Now, there should be a way to alert the system when you
9 are starting to worry that maybe the trainees will not show
10 up. And I find it hard to believe that the U.S. spent as
11 much money as it did and never had any sense that the
12 trainees would not show up. So there must have been that
13 worry, and so that alert system is really about
14 communicating risk and communicating it to Washington so
15 that senior leaders in the Pentagon can come here and
16 communicate it here.

17 Senator Fischer: Would you recommend having a third
18 party be involved in this, or do you believe it could be
19 handled within the current system that we have?

20 Mr. McNerney: I have never actually given that
21 thought, but it is an interesting idea.

22 So I have thought about red teaming, so where you have
23 like the CIA and others do where they have a skeptical group
24 inside who plays devil's advocate. I think what you might
25 be suggesting, ma'am, would be to have sort of a third party

1 play that role, and I think there are groups within the U.S.
2 that have better linkages to civil society in a country
3 where we are working where they may have a better sense of
4 the reality on the ground that the U.S. could leverage
5 better. That may be a way to use a third party.

6 Senator Fischer: Ms. Dalton or Mr. Eggers, do you have
7 anything to add on that?

8 Mr. Eggers: I would agree. I always advocate and
9 endorse the idea of more objective assessors. I think
10 anytime you are in the business of having people responsible
11 for the development and implementation of programs,
12 cognitive bias makes it difficult for them to view and
13 assess those programs objectively.

14 Ms. Dalton: And, Madam, I would just add to that that
15 if we are going to be relying on, as I myself recommended,
16 the combatant commanders to provide programmatic assessment,
17 monitoring, and evaluation, that the COCOMs actually have
18 the incentive to report back positively so that they may
19 receive more resources. So the idea of having a third
20 party, some sort of red teaming, is probably wise.

21 Senator Fischer: Thank you.

22 Also, Mr. McNerney, in your opening statement, you
23 suggested the need for a new authority to improve the
24 multilateral engagement on missile defense. And could you
25 elaborate on that?

1 Mr. McNerney: Yes, ma'am. So the U.S. has authorities
2 or DOD has authorities to engage on a range of topics, but
3 ballistic missile defense is one that has not been used in
4 the past. And so lawyers could be nervous to allow that
5 topic to come in. And in none of the authorities is there
6 that sort of mission-based ability.

7 Senator Fischer: So we would not modify an existing
8 authority. It would take creating a new one?

9 Mr. McNerney: Yes, ma'am. In fact, that was the one
10 case, the only case, where we found you could not easily
11 revise an existing authority. It was the only one where we
12 said you probably need a brand new authority. In the case
13 of cyber, we thought there are cyber-related authorities.
14 It is just a matter of sort of extending them in different
15 ways. Maritime security -- the same thing, but not missile
16 defense.

17 Senator Fischer: And would either of you have anything
18 to add on that?

19 [No response.]

20 Senator Fischer: Thank you.

21 Senator Kaine?

22 Senator Kaine: Thank you, Madam Chair.

23 This is a great hearing, really important for us.

24 And this is a question that is going to be out of left
25 field, but I just would be curious because you kind of

1 represent the intellectual think tank community that looks
2 big picture at some of these questions.

3 The chairman of the committee, Senator McCain, is
4 interested in having us this year possibly as part of the
5 NDAA process tackle a Goldwater-Nichols type -- you know,
6 since 1986, look at the whole structure of the Pentagon, the
7 service chiefs, the civilian secretaries, the COCOMs, kind
8 of look at all that.

9 And it strikes me if you were looking at that in a
10 world where you are not doing a lot of cooperation with
11 other nations, you might set it up one way, but if you are
12 looking at it in a world where this kind of cooperation is
13 likely to be probably more frequent rather than less, you
14 might set things up differently. So, for example, if the
15 COCOMs are going to be in charge of these security
16 cooperation instances or if you continue with the
17 presidential executive order and you basically make
18 everything hinge around the ambassador, you know, that all
19 kind of fits into a structure.

20 Would you have any general advice for us, as we
21 approach the notion of Goldwater-Nichols reanalysis, about
22 how to factor in the reality of these security cooperation
23 agreements, which I think are only going to grow, how to
24 fact that into looking at structural questions about the way
25 we ought to organize our DOD mission?

1 Mr. Eggers: Thank you, Senator.

2 I had the opportunity to testify in one of the hearings
3 in December on that question.

4 As it relates to this topic, my sense is that the
5 opportunities for reform on Goldwater-Nichols are not
6 trivial. They are significant. Most of them have to do, at
7 least in the hearings that I observed, with programmatic
8 and acquisition on our side. And I advocated for personnel
9 reform in that same manner.

10 I think as it pertains to this, the objective of maybe
11 revisiting the relationship between the service secretaries
12 and the service chiefs and the Secretary may not be as
13 related to the question of whether COCOMs have the majority
14 influence and the prerogative to shape the security
15 cooperation and the theater security cooperation plans in
16 their theaters. And the current system, obviously, I think
17 is advantageous to them in that way. And I do not see the
18 shifting the balance or the onus of ever shifting from being
19 kind of a regional/theater approach to being one that is
20 built more around services, if that makes sense. But
21 admittedly, that is as much as I have thought about that
22 very interesting question thus far.

23 Senator Kaine: You do not see it shifting from kind of
24 a regional-based strategy to a service-based strategy.

25 Mr. Eggers: That is correct.

1 Senator Kaine: Okay.

2 Ms. Dalton: Senator, I think it is a great question.

3 I think that one of the areas that we should
4 collectively look at is this tightening of an alignment
5 between the defense strategy, the guidance for the
6 employment of the force, and theater campaign plans and who
7 kind of orchestrates that and drives that to ensure that
8 then connects to security cooperation activities. Right now
9 it is a variety of actors that are involved in that process,
10 and not everybody is necessarily on the same sheet of music.
11 But to be clearly be able to pull the thread through from
12 prioritization to what COCOMs are executing on the ground
13 when they conduct security cooperation activities I think
14 could be tightened up perhaps in thinking through who is
15 involved with planning, how that is driven, and what
16 mechanisms are used. And certainly those are topics to be
17 taken up in the defense reform conversation.

18 Mr. McNerney: The only addition I would make, Senator,
19 is maybe to dust off the Beyond Goldwater-Nichols reports
20 that Jim Locher did a couple years ago. They are
21 voluminous, but there are some interesting components in
22 there that talk about not just DOD but how do you have a
23 Goldwater-Nichols approach to interagency cooperation. And
24 there may be some useful ways to improve that.

25 Senator Kaine: Thank you.

1 Thanks, Madam Chair.

2 Senator Fischer: Thank you, Senator Kaine.

3 I would like to do one more question. I will let
4 Senator Kaine stay and ask another one too, if we can.

5 Mr. McNerney -- or Mr. Eggers. I am sorry. In your
6 opening statement, you noted that concern over the problem
7 of excess, overlapping, or stovepiped authorities is not
8 universally shared as some stakeholders find benefit in the
9 patchwork as a means of securing dedicated resources.

10 Can you elaborate more on the potential resistance to
11 changing the current architecture of the authorities?

12 Mr. Eggers: Thank you, Madam Chair, and you are not
13 the first person who stopped on that finding and found that
14 somewhat surprising.

15 I myself was surprised in the course of doing research
16 and interviews to hear people express anywhere from
17 acquiescence to the status quo to resistance to
18 consolidation.

19 Senator Fischer: Does this go to the Ph.D.s you were
20 speaking of earlier?

21 Mr. Eggers: Some of them probably were doctors.

22 Senator Fischer: I will let you continue. Go ahead.

23 Mr. Eggers: And I will give you two main reasons. One
24 is that some people like the status quo because its
25 patchwork nature is necessarily specific in places and it

1 allocates resources to certain theaters or even specific and
2 particular efforts. And they are concerned that they would
3 lose out in resourcing if there was a consolidation that
4 lost that degree of specificity because they would not
5 become a priority. And having a dedicated authority with
6 the name of their issue or their region on it is beneficial
7 to their securing resources.

8 The second is one that was more particular to the State
9 Department, which is that to the extent the proliferation of
10 new authorities has been in Title 10 and it has been to
11 their perception something of an encroachment upon
12 traditional State security assistance responsibilities, that
13 the consolidation would formalize, institutionalize some of
14 this, quote, encroachment. And there was some sense of
15 being cautious about consolidation for that reason, that we
16 should be kind of slow and methodological in making sure
17 that we do not kind of step past a certain kind of
18 traditional boundary there.

19 Senator Fischer: Thank you.

20 Other comments? Do you have views that you would like
21 to share?

22 Mr. McNerney: I would just add that we found sunset
23 clauses can often be very valuable because sometimes, as Mr.
24 Eggers said, it can be helpful to shine a light on a
25 particular mission that needs to be accomplished or a

1 particular partner that is in dire straits, as you mentioned
2 Ukraine. But then we should have a feeling for what is
3 temporary and what is forever. And so the sunset clauses
4 help keep people focused on the fact that this is a surge to
5 focus on a particular problem and eventually things should
6 go back to the normal process.

7 Senator Fischer: Where resources could be allocated by
8 conditions on the ground.

9 Mr. McNerney: Yes, ma'am.

10 Senator Fischer: Thank you.

11 Senator Kaine, did you have any other questions?

12 Senator Kaine: You know, I have got a ton, but maybe I
13 will do one. Let us see. Which one will I choose? Maybe I
14 will go to Ms. Dalton.

15 You answered a question that Senator Ernst asked, and I
16 wish she was here because I am going to reference her in
17 another way too. She had a very interesting amendment on
18 the table in the NDAA last year that I thought was one of
19 the hardest votes I cast. I ended up not supporting the
20 amendment, but it was around do we provide our arms directly
21 to the Kurds in Iraq. So you indicated that we may need to
22 be open to do security cooperation with non-state actors.
23 And we really grappled with this as a policy matter.

24 So we are supporting one nation, Iraq. We have not yet
25 said we support a devolved Iraq. But the Kurds are -- they

1 have been our best fighters. There is a very, very good
2 relationship between the Kurds and the United States. And
3 the Iraqi central government treatment of the Kurds,
4 sometimes militias, sometimes maybe not militias but
5 negligent in not paying oil revenue. There is a lot to
6 complain about that.

7 So the debate was really about can we support a group
8 like the Kurds that really have been good allies without
9 undermining a policy if we want the central government to
10 work. So we really grappled with that. And I still find
11 that that was a tough one even looking in the rear view.

12 But if we were going to think about doing security
13 cooperation with non-state or sort of lesser-than-state
14 entities, what would your advice be to us about how we do
15 that without weakening -- because part of what we are trying
16 to do with security cooperation is ultimately build up
17 institutional capacity and strength. We do not want to do
18 it in a way that will weaken institutions or more atomize a
19 situation that is already too atomized. So what would be
20 some advice you could give us on the general topic?

21 Ms. Dalton: It is a great question, Senator.

22 I think that, as with all things, taking it on a case-
23 by-case basis and evaluating what the tradeoffs are in a
24 particular instance. So, you know, the example of the Kurds
25 in Iraq and Syria -- were we betting on the fact that they

1 are the most capable militia that has proven in battle and
2 that could create some space for us in that part of both
3 countries and help push back against ISIS, but on the other
4 hand, undermining the Government of Iraq, fraying relations
5 with the Turks, a whole host of issues?

6 And so I think in this broader question of should we be
7 partnering more with non-state actors, it is really going to
8 be a calculation of risks and tradeoffs to does it make
9 sense to potentially empower that actor and then diminish
10 the broader fabric of that country, or is the trajectory
11 already such that the country is already fragmenting and so
12 we need to place our bets on a group that could be a part of
13 the future of -- you know, whether it is a constellation of
14 -- you know, a federated approach. And so taking it on a
15 case-by-case basis I think will be key.

16 Mr. Eggers: Senator, I would just add that while I
17 think it is obvious that the 21st century power is shifting
18 from states to non-state actors and we have to monitor and
19 try and kind of adapt in keeping with that trend, I think we
20 should be cautious about shifting to the mode of kind of
21 working with non-state actors in the same way until we kind
22 of fully kind of shift off the Westphalian world order. Our
23 track record in picking these types of course is not always
24 good. And I think that there is a risk of slipping from
25 perhaps in this case backing what happens to be a very

1 effective force fighting for our interests to having
2 unintended consequences where we are stepping in the middle
3 of kind of a larger regional dynamic among rivals with
4 proxies or in other cases backing kind of an ethnicity
5 without a state. And there are serious consequences I think
6 that have to be considered as long as we are still more or
7 less trying to work with kind of the Westphalian world
8 order.

9 Mr. McNerney: I would say, Senator, if you can find
10 ways to help that non-state actor in a way that reinforces
11 the eventual institutions of the central government, then it
12 can be valuable, but, as Mr. Eggers said, that can be a
13 pretty tricky thing to navigate.

14 Senator Kaine: Thank you, Madam Chair.

15 Senator Fischer: Thank you, Senator Kaine.

16 I would like to thank all three of you for being here
17 today. The information you have provided will be most
18 valuable to us. Thank you very much.

19 We are adjourned.

20 [Whereupon, at 3:45 p.m., the hearing was adjourned.]

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