

**THE PRESIDENT'S FISCAL YEAR 2009 WAR  
SUPPLEMENTAL REQUEST**

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**HEARING**

BEFORE THE

**COMMITTEE ON APPROPRIATIONS**

**UNITED STATES SENATE**

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

**SPECIAL HEARING**

APRIL 30, 2009—WASHINGTON, DC

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# THE PRESIDENT'S FISCAL YEAR 2009 WAR SUPPLEMENTAL REQUEST

THURSDAY, APRIL 30, 2009

U.S. SENATE,  
COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The committee met at 10:02 a.m., in room SD-106, Dirksen Senate Office Building, Hon. Daniel K. Inouye (chairman) presiding.

Present: Senators Inouye, Leahy, Mikulski, Kohl, Murray, Dorgan, Feinstein, Johnson, Landrieu, Reed, Lautenberg, Nelson, Pryor, Tester, Specter, Cochran, Bond, McConnell, Shelby, Gregg, Bennett, Brownback, Alexander, Collins, Voinovich, and Murkowski.

## OPENING STATEMENT OF SENATOR DANIEL K. INOUYE

Chairman INOUYE. The committee will come to order. This morning, the committee meets to review the supplemental appropriations request for fiscal year 2009. The request by the administration totals \$83.4 billion, of which approximately 95 percent is to support military and related security efforts in Iraq, Afghanistan, and Pakistan.

An additional 4 percent is requested for other security initiatives, with the remaining 1 percent related to other issues, such as wildlife protection and improved communication equipment for the Capitol Police.

To discuss the majority of the funding requests, the committee is pleased to receive testimony from the distinguished Secretaries of State and Defense, the Honorable Hillary Clinton and the Honorable Robert Gates. It is good to see both of you.

The members of the committee know each of you very well. We hold you both in great esteem and are familiar with and appreciate your candor. We look forward to your responses to the many questions, which I'm certain we will have.

As we review the request, I want to note first that I'm pleased that the President has indicated that this will be the last increment of funding for the wars in Iraq and Afghanistan that will be requested outside of the regular appropriations process.

While we recognize that no one can predict what other new requirements might emerge which would require the administration or Congress to seek additional funding, it is clearly a positive step that beginning in fiscal year 2010, we can expect to see the cost of these ongoing efforts will be contained in the regular budget.

I believe it is also a positive step that the request for this last increment is not listed as an emergency. For several years, led by

Chairman Byrd, this committee has urged the administration to get rid of that gimmick, declaring war supplementals as emergencies. We very much appreciate the willingness of the new administration to put these costs on budget.

In general, it is my belief that the Senate is likely to be supportive of this request. Funding contained in the proposal will provide very necessary funds to support our troops in harm's way, and almost as critical, provide funding to assist our allies and support the Governments of Iraq, Afghanistan, and Pakistan.

There are several areas, however, which I believe the committee will need additional clarification or justification before it can recommend funding. For example, many of my colleagues are concerned for the precise plan involved in the closure of the prison at Guantanamo.

We wonder about the potential plan to station our war-weary National Guard troops on the Southwest border, and we question the appropriateness of providing foreign assistance for Pakistan under the jurisdiction of the Department of Defense. So, too, will we be seeking assurances that the administration is not attempting to provide any assistance to Hamas.

Hopefully, these issues will be among those addressed either in your statements or in the questions which will follow. I would note to my colleagues that I recognize that there are many issues which you want to address, and remind you that today's hearing is on the 2009 supplemental request and not on the 2010 budget request, which we will be receiving next week. So I would urge my colleagues to refrain from trying to discuss items in the 2010 request.

We will be inviting both Secretaries back before the committee at later dates to discuss the 2010 budget. I thank both of you for appearing today. Without objection, your full statements will be made a part of the record. At this point, I would like to yield to the vice chairman of this committee, the Honorable Thad Cochran, for any opening remarks he may wish to make.

#### STATEMENT OF SENATOR THAD COCHRAN

Senator COCHRAN. Mr. Chairman, thank you very much. I'm pleased to join you in welcoming our distinguished witnesses, Secretary Clinton and Secretary Gates, to our committee today as we consider the request for supplemental appropriations. These are national security issues of great import, and we are going to carefully review the request to be sure that we provide the resources needed to deal with these critical international challenges.

We're at a critical juncture for the future security of our country as we begin to draw down forces in Iraq and shift our focus to dismantling Al Qaeda and extremist networks in Afghanistan and Pakistan.

The security environment in both Iraq and Afghanistan remain tenuous. In Iraq, we need to watch for signs the security situation does not degrade as our forces withdraw. I'm pleased to see the greater emphasis that the administration has placed on eliminating terrorist safe havens in Pakistan's federally administered tribal areas using greater cooperation and counterinsurgency training of Pakistani security forces.

In considering the administration's request for overseas contingency operations, we must be mindful of our duty to provide our servicemembers and diplomatic officers with the resources needed to conduct their missions successfully. They're asked to do much in support of our national security, and we must provide them the resources necessary to accomplish their missions.

We look forward to the testimony today and your estimates, if you can provide us that, of when the Department will need these additional funds. Thank you.

Chairman INOUE. Thank you very much, Mr. Vice Chairman.

PREPARED STATEMENT OF SENATOR ROBERT C. BYRD

Before you proceed, the committee has received a statement from Senator Byrd that I will insert into the record at this point.

[The statement follows:]

PREPARED STATEMENT SENATOR ROBERT C. BYRD

Thank you, Chairman Inouye, for holding this hearing. Thank you, Secretary Clinton and Secretary Gates, for coming today to discuss with the Committee the details regarding your supplemental request. The ongoing costs of the operations in Iraq and Afghanistan, and elsewhere around the world, are important—not only for the goals that we aim to achieve in these volatile spots, but also for the nation and our economy here at home. It is even more important during these difficult economic times that funding requests be justified and clearly contribute to the national security of the United States.

I was pleased to learn that the fiscal year 2010 Department of Defense and Department of State budget requests are expected to include funding for operations in Iraq and Afghanistan. As the co-author of the Byrd-McCain Amendment to the fiscal year 2005 Emergency Supplemental Appropriations Act, which required regular budgeting for military operations in Iraq and Afghanistan, I will be glad to see this.

Like many Americans, I have grown increasingly concerned about the situation in Pakistan, which bears so heavily on the prospects for success in Afghanistan. I note that the supplemental request includes funding for assistance to Pakistan, and for increased diplomatic operations in Pakistan. I have also noted the increase in funding requested for additional diplomatic and civilian personnel in Afghanistan, to supplement the growth in the American military presence there. I will be watching their activities carefully. Recent press reports that many of these civilian positions might be filled by military reservists is something I find worrisome. Our military reserves have been stretched to the limit; to call them into a war zone because of their civilian background, rather than their military training, may cause fewer people to consider serving in the reserves. Surely, in this economic climate, many people with the right kinds of skills would be willing to consider work in Afghanistan. The bottom line, however, is that the systemic problems in both Afghanistan and Pakistan cannot be solved simply by more activity, and more money. It must be smart activity, targeted and focused on achievable goals that fit within an overarching strategy that is not yet, I fear, clearly defined.

As the U.S. presence and activities in Afghanistan increase, and our troops redeploy from Iraq, I also expect to see that some of the lessons learned in Iraq transfer to Afghanistan. Much has been learned about force protection in Iraq that might usefully be applied in Afghanistan. Over the last few months, I have worked with the Department of Defense to correct deficiencies in emergency medical evacuation and forward surgical capabilities to treat wounded service men and women in Afghanistan. I thank you, Secretary Gates, for your personal attention to this matter. I will be carefully monitoring the changes you have implemented that will, I hope, greatly reduce the amount of time expended before wounded soldiers receive critical medical care.

I remain concerned, however, about the ground medical evacuation vehicle capability in both Iraq and Afghanistan. I understand that a majority of the ground evacuation vehicles in use were designed around 1960. Given the new realities of operating in an IED environment, this unnecessarily puts our wounded and our medical specialists in harm's way. Medical corpsmen responding to a roadside IED attack should be at least as well protected as other soldiers. I understand that consideration is being given to purchasing upgraded ground evacuation vehicles. In

fact, the Army had requested 323 such vehicles in the draft supplemental request, but that funding was not included in the request that was sent to Congress. I look forward to seeing that funding included in the fiscal year 2010 budget request.

I also urge both Secretary Clinton and Secretary Gates to remain vigilant against corruption and contract fraud in Iraq and Afghanistan. Last year, the Committee held a series of hearings examining corruption and contract fraud that is wasting taxpayer dollars and, even worse, might be financing the activities of our adversaries. I expressed concern then that inadequate resources were being put against this issue, and I challenged the Departments of State, Defense, and Justice to increase their investigative and capacity-building capabilities to address these extremely critical problems. I look forward to hearing from each of you what has been done to step up efforts to identify, investigate, and prosecute individuals involved in fraudulent and corrupt activities in Iraq and Afghanistan.

In addition to Iraq and Afghanistan, and the many other concerns before you, a new problem has emerged to challenge both the Department of Defense and the Department of State. That new, or reemerging, problem is that of piracy. The recent seizure of an American-crewed freighter by pirates off the coast of Africa raises new challenges for both of you. New or expanded international efforts must be undertaken to protect commerce and our citizens on the high seas, and new rules of engagement must be developed to address the activities of the pirates. The United States cannot, and should not, act alone in most instances, but our activities will require careful coordination with the other nations that have ships on patrol in those waters. Somalia, home to many of these pirates, is a lawless place with weak government control. I have doubts that the conditions in Somalia will allow the government there to effectively address the problem of piracy, and I would strongly caution those who think that we can do it for them. I know that you will both be struggling with this issue, as will the Congress. I suggest that the Administration work closely with Congress in addressing this challenge.

Chairman INOUE. It is now my pleasure and great honor to introduce the Secretary of State.

**STATEMENT OF HON. HILLARY RODHAM CLINTON, SECRETARY OF STATE, DEPARTMENT OF STATE**

Secretary CLINTON. Thank you very much. Thank you, Mr. Chairman, Senator Cochran, members of the committee, former colleagues, and friends. I thank you for this opportunity to appear before you, and I also thank you for your stalwart support of the men and women of the State Department and the United States Agency for International Development (USAID), who serve in critical and often dangerous missions in all corners of the world.

I'm honored to be here with Secretary Gates. I appreciate the partnership that we have developed in the first 100 days of this administration. And today, on day 101, I look forward to our further collaboration in the months ahead.

Before turning to the topic of today's hearing, let me just give you a brief update on how the State Department is supporting the Federal Government's response to the H1N1 flu virus.

We have established an influenza monitoring group within our operations center. We are tracking how other governments are responding to the threat and what assistance we might offer. We are constantly reviewing and refining our advice to Americans traveling or living abroad.

Our pandemic influenza unit set up in the last years is providing valuable expertise. Its director, Ambassador Robert Loftis, is keeping us apprised of their work and their interaction with health agencies and the World Health Organization (WHO).

Earlier this week, USAID announced it is giving \$5 million to the World Health Organization and the Pan America Health Organization to help detect and contain the disease in Mexico.



We will continue to coordinate closely with the Department of Health and Human Services (HHS), Department of Homeland Security (DHS), the WHO, the Centers for Disease Control and Prevention (CDC), and other agencies, and I'm very cognizant of the role that we all must play in attempting to stem and contain this influenza outbreak.

Secretary Gates and I are here together because our departments' missions are aligned and our plans are integrated. The foreign policy of the United States is built on the three Ds: defense, diplomacy, and development.

The men and women in our armed forces perform their duties with courage and skill, putting their lives on the line time and time again on behalf of our Nation. In many regions, they serve alongside civilians from the State Department and USAID, as well as other Government agencies, like the United States Department of Agriculture (USDA).

We work with the military in two crucial ways. First, civilians complement and build upon our military's efforts in conflict areas like Iraq and Afghanistan. Second, they use diplomatic and development tools to build more stable and peaceful societies, hopefully to avert or end conflict. That is far less costly in lives and dollars than military action.

As you know, the United States is facing serious challenges around the world. Two wars, political uncertainty in the Middle East, irresponsible nations led by Iran and North Korea with nuclear ambitions, an economic crisis that is pushing more people into poverty, and 21st century threats, such as terrorism, climate change, trafficking in drugs and human beings. These challenges require new forms of outreach and cooperation within our own Government and then with others as well.

To achieve this, we have launched a new diplomacy powered by partnership, pragmatism, and principle. We are strengthening historic alliances and reaching out to create new ones, and we're bringing governments, the private sector, and civil society together to find global solutions to global problems.

The 2009 supplemental budget request for the Department of State and the U.S. Agency for International Development is a significant sum, yet our investment in diplomacy and development is only about 6 percent of our total national security budget.

For Secretary Gates and myself, it is critically important that we give our civilian workers, as well as our military, the resources they need to do their jobs well.

In Iraq, as we prepare to withdraw our troops, our mission is changing, but it is no less urgent. We must reinforce security gains while supporting the Iraqi Government and people as they strengthen public institutions and promote job creation and assist those Iraqis who have fled because of violence and want to return home.

Last weekend, I visited Iraq, meeting on the ground our new Ambassador who was confirmed the night before. We visited the leadership. We visited with a cross-section of Iraqis in a town hall setting, and clearly, there are signs of progress, but there is much work that remains.

In meeting with Iraqis who are working with our provincial reconstruction teams and our Embassy, I was struck by the courage and determination to reconstruct their country, not just physically, but really through the reweaving of their society.

We have requested \$482 million in the supplemental for our civilian efforts to help Iraq move forward—we want to create a future of stability, sovereignty, and self-reliance—and another \$108 million to assist Iraqi refugees.

In Afghanistan, as you know, the President has ordered additional troops. Our mission is very clear: to disrupt, dismantle, and destroy Al Qaeda. But bringing stability to that region is not only a military mission. It requires more than a military response.

So we have requested \$980 million in assistance to focus on rebuilding the agricultural sector, having more political progress, helping the local and provincial leadership deliver services for their people.

As President Obama has consistently maintained, success in Afghanistan depends on success in Pakistan, and we have seen how difficult it is for the government there to make progress, as the Taliban and their allies continue to make inroads. Counterinsurgency training is critical, but of equal importance are diplomacy and development, to work with the Pakistani Government, Pakistani civil society, to try to provide more economic stability and diminish the conditions that feed extremism.

That is the intent of the comprehensive strategy laid out by Senator Kerry and Senator Lugar, which President Obama and I have endorsed and which the Senate will be considering in the next few days.

With this supplemental request, we are seeking funding of \$497 million in assistance for our work in Pakistan, which will support the government's efforts to stabilize the economy, strengthen law enforcement, alleviate poverty, and help displaced citizens find safe shelter. It will also enable us to begin to keep the pledge we made to Pakistan at the Tokyo Donors Conference earlier this month.

In addition to our work in Iraq, Afghanistan, and Pakistan, we are committed to helping achieve a comprehensive peace between Israel and its Arab neighbors and to address the humanitarian needs in Gaza and the West Bank.

At Sharm el-Sheikh last month on behalf of the President, I announced a pledge of \$900 million for humanitarian, economic, and security assistance for the Palestinian authority and the Palestinian people. Our supplemental request is included in that pledge; it is not in addition to it. And it will be implemented with stringent requirements to prevent aid from being diverted into the wrong hands.

Meanwhile, the current economic crisis has put millions of people in danger of falling further into poverty, and we have seen again and again that this can destabilize countries as well as sparking humanitarian crises. So we have requested \$448 million to assist developing countries hardest hit by the global financial crisis.

These efforts will be complemented by investments in the supplemental budget for emergency food aid, to counter the destructive effects on the global food crises; to try to help people who are undernourished; to succeed in school; participate in their societies. I'm

very pleased that the President has asked the State Department and USAID to lead a Government-wide effort to address the challenge of food security.

We must also lead by example when it comes to shared responsibility. So we have included in this request \$837 million for United Nations (U.N.) peacekeeping operations, which includes funds to cover assessments previously withheld.

I was recently in Haiti, where the U.N. Peacekeeping Force led by the Brazilians has done an extraordinary job in bringing security and stability to Haiti. It is still fragile, but enormous progress has been made. It is a good investment for us to pay 25 percent of that kind of stability operation instead of being asked to assume it for 100 percent of the cost.

We're asking also for small investments targeted to specific concerns: international peacekeeping operations and stabilization in Africa; humanitarian needs in Burma; the dismantlement of North Korea's nuclear programs, assuming that they come back to the Six-Party Talks; assistance for Georgia that the prior administration promised and we believe we should fulfill; support for the Lebanese Government, which is facing serious challenges; and funding for critical air mobility support in Mexico as part of the Merida Initiative.

Finally, if the State Department is to pursue an ambitious foreign policy agenda that safeguards our security and advances our interests and really exemplifies our values, we have to have a more agile, effective State Department and USAID. We have to staff those departments well. We have to provide the resources that are needed. We have to hold ourselves accountable. Our supplemental includes \$747 million to support State and USAID mission operations around the world.

Secretary Gates and I are also looking at how our departments can collaborate even more effectively. That includes identifying pieces of our shared mission that are now housed at Defense that should move to State.

With the budget support we've outlined in the supplemental request, we can do the work that this moment demands of us in regions whose future stability will impact our own.

Secretary Gates and I are committed to working closely together in an almost unprecedented way to sort out what the individual responsibilities and missions of Defense and State and USAID should be, but committed to the overall goal of promoting stability and long-term progress, which we believe is in the interest of the United States, and which we are prepared to address and take on the challenges and seize the opportunities that confront us at this moment in history. Thank you, Mr. Chairman.

Chairman INOUE. Thank you very much, Madam Secretary.  
[The statement follows:]

PREPARED STATEMENT OF HILLARY RODHAM CLINTON

Mr. Chairman, Senator Cochran, and members of the Committee, thank you for this opportunity. On behalf of President Obama and the entire Administration, thank you for your support of the men and women of the State Department and USAID, who serve in critical and often dangerous missions in all corners of the world.

I am honored to be here with Secretary Gates. I appreciate the partnership we have developed in the first 100 days of this Administration—and today, on Day 101, I look forward to further collaboration in the months ahead.

Before turning to the topic of today's hearing, let me give an update on how the State Department is supporting the federal government's response to the H1N1 flu virus.

We have established a monitoring group within our Operations Center, which is tracking how other governments are responding to the threat and what assistance we might offer. We are constantly reviewing and refining our advice to Americans traveling or living abroad. And our pandemic influenza unit is providing valuable expertise. Its director, Ambassador Robert Loftis, is keeping me apprised of their work.

Earlier this week, USAID announced that it is giving \$5 million to the World Health Organization and the Pan America Health Organization to help detect and contain the disease in Mexico.

We will continue to coordinate with the Departments of Health and Human Services and Homeland Security, the WHO, and other agencies. The resources and expertise of the State Department are being fully mobilized for this vital effort.

Secretary Gates and I are here together because our departments' missions are aligned and our plans are integrated. The foreign policy of the United States is built on the three Ds: defense, diplomacy and development. The men and women in the armed forces perform their duties with courage and skill, often putting their lives on the line to keep our nation safe. And in many regions, they serve alongside civilians from the State Department and USAID who work with the military in two crucial ways. First, they complement and build upon our military's efforts in conflict areas like Iraq and Afghanistan. And second, they use diplomatic and development tools to build stable and peaceful societies—work that is far less costly in lives and dollars than military action down the road.

As you know, the United States is facing serious challenges around the world: two wars, political uncertainty in the Middle East, irresponsible nations with nuclear ambitions, an economic crisis that is pushing more people into poverty, and 21st century threats such as terrorism, climate change, and trafficking in drugs and human beings—all of which require new forms of outreach and cooperation.

To achieve this, we have launched a new diplomacy powered by partnership, pragmatism and principle. We are strengthening historic alliances and reaching out to create new ones. And we are bringing governments, the private sector and civil society together to find global solutions to global problems.

The 2009 supplemental budget request for the Department of State and the U.S. Agency for International Development is a significant sum—yet our investment in diplomacy and development is only about 6 percent of our total national security budget. For Secretary Gates and me, it is critically important that we give our civilian workers, as well as our military, the resources they need to do their jobs well.

In Iraq, as we prepare to withdraw our troops, our mission is changing—but it is no less urgent. We must reinforce security gains while supporting the Iraqi government and people as they strengthen public institutions, promote economic growth and job creation, and assist Iraqis who fled their communities because of violence and want to return home.

Last weekend, I visited Iraq. Despite recent acts of violence in Baghdad and elsewhere, there are clear signs of progress. But there is much work that remains. I met with Iraqis who are working with our Provincial Reconstruction Teams and our Embassy, and I was struck by their courage and determination to reconstruct their country—not just physically, but also by re-weaving the fabric of their society.

We have requested \$482 million in the supplemental budget for our civilian efforts to help Iraq move toward a future of stability, sovereignty and self-reliance, and another \$108 million to assist Iraqi refugees.

In Afghanistan, additional troops are being deployed to disrupt, dismantle and destroy al Qaeda. But bringing stability to that region is not only a military mission, and it requires more than a military response. We have requested \$980 million in assistance to help the Afghans move toward sustained economic and political progress.

As President Obama has consistently maintained, success in Afghanistan depends on success in Pakistan. We have seen how difficult it is for the government there to make progress, and the Taliban continues to make inroads.

Counterinsurgency training is critical. But of equal importance are diplomacy and development to provide economic stability and diminish the conditions that feed extremism. This is the intent of the comprehensive strategy laid out by Senator Kerry and Senator Lugar, which President Obama has endorsed and which the Senate will be considering in the coming days. With this supplemental request, we are seeking

funding of \$497 million in assistance for our work in Pakistan, which will support the government's efforts to stabilize the economy, strengthen law enforcement, alleviate poverty, and help displaced citizens find safe shelter. It will also allow us to begin to keep the pledge we made to Pakistan at the Tokyo Donors Conference earlier this month.

In addition to our work in Iraq, Afghanistan and Pakistan, we are committed to help achieve a comprehensive peace between Israel and its Arab neighbors and to address the humanitarian needs in Gaza and the West Bank. At Sharm el-Sheikh last month, I announced a pledge of \$900 million for humanitarian, economic, and security assistance for the Palestinian Authority and the Palestinian people. Our supplemental request of \$840 million is included in that pledge; it is not in addition to it. And it will be implemented with stringent requirements to prevent aid from being diverted to the wrong hands.

Meanwhile, the current economic crisis has put millions of people in danger of falling further into poverty. We have seen how poverty can spark humanitarian crises and destabilize countries. So we have requested \$448 million to assist developing countries hardest hit by the global financial crisis. This is not merely a moral imperative. It is an investment in our own security and prosperity.

These efforts will be complemented by investments in the supplemental budget for emergency food aid, to counter the destructive effects of global food crises; people who are undernourished are less able to hold jobs and earn incomes; succeed in school; or participate fully in their societies. I'm pleased that the State Department and USAID will be leading a government-wide effort to address this issue. We are committed not only to providing short-term food relief, but also to helping nations build their own capacity to meet their long-term needs.

We also must lead by example when it comes to shared responsibility. We have included in this request \$837 million for United Nations peacekeeping operations, which includes funds to cover assessments previously withheld.

We are asking for small investments targeted to specific concerns: international peace keeping operations and stabilization in Africa; humanitarian needs in Burma; the dismantlement of North Korea's nuclear program, assuming that they come back to the Six-Party Talks; assistance for Georgia that the prior administration promised and that we believe we should fulfill; support for the Lebanese Government, which is facing serious challenges; funding for critical air mobility support in Mexico as part of the Merida Initiative.

Finally, if the State Department is to pursue an ambitious foreign policy agenda that safeguards our security and advances our interests, we must begin with our own agency. We are committed to creating a more agile, effective State Department and USAID, staffing these departments well, and giving our people the resources they need to do their jobs. Our supplemental request includes \$747 million to support State and USAID mission operations around the world.

Secretary Gates and I are also looking at how our departments can collaborate even more effectively. That includes identifying pieces of our shared mission that are now housed at Defense and should move to State.

With the budget support that we've outlined in this supplemental request, we can do the work that this moment demands of us in regions whose future stability will impact our own.

I'm confident that I speak for both Secretary Gates and myself in saying that we are committed to working closely together in the months ahead to promote stability and long-term progress in key regions around the world.

Thank you.

Chairman INOUE. Now, may I call upon the Defense Secretary, Secretary Gates.

**STATEMENT OF HON. ROBERT M. GATES, SECRETARY OF DEFENSE,  
DEPARTMENT OF DEFENSE**

Secretary GATES. Mr. Chairman, Senator Cochran, members of the committee, thank you for giving me the opportunity to discuss the fiscal year 2009 supplemental request. I'm honored to be here with Secretary Clinton. Our joint appearance symbolizes the continuing improvement in relationships and close collaboration between the Departments of State and Defense.

As Secretary Clinton said, this is intended to be the last planned war supplemental request the administration will make. Future

budgets, starting with fiscal year 2010, will instead be presented together, with money for overseas contingency operations clearly marked as such.

On that subject, some of you may have heard about my fiscal year 2010 budget recommendations to the President. I look forward to coming back here next month to discuss some of those details with you. Of the \$83.4 billion in this request, approximately \$76 billion is for the Department of Defense, most of it to directly support operations in Iraq, Afghanistan, and Pakistan.

This covers a wide range of activities, whose highlights include: \$38 billion for everyday costs associated with maintaining forces in Iraq and Afghanistan, from pre-deployment training to transportation to or from theater, to the operations themselves. I should note that this supplemental takes into account planned reductions in troop numbers in Iraq this year and increases in Afghanistan.

\$11.6 billion to replace and repair equipment that has been worn out, damaged, or destroyed in Iraq and Afghanistan. This includes money for four F-22s to replace one F-15 and three F-16s, classified as combat losses.

\$9.8 billion for force protection, which includes, among other things, money for lightweight body armor, surveillance capabilities, and \$2.7 billion for sustainment, retrofit upgrades, and new procurement of 1,000 MRAP all terrain vehicles to meet the latest requirements in Afghanistan.

\$3.6 billion to expand and improve the Afghan national security forces. We have not requested and will not request in the future any money for Iraq's security forces. The Government of Iraq has taken on that financial burden.

\$1.5 billion to continue to deal with the threat posed by improvised explosive devices (IED), a threat that, considering its effectiveness, we should expect to see in any future conflict involving either state or non-state actors.

\$400 million for the Commander's Emergency Response Program, a program that has been very successful in allowing commanders on the ground to make immediate, positive impacts in their areas of operation. It will continue to play a pivotal role as we increase operations in Afghanistan and focus on providing the population with security and opportunities for a better life. I should note that the Department has taken a number of steps to ensure the proper use of this critical combat-enhancing capability.

Finally, there is \$400 million for the Pakistan Counterinsurgency Capability Fund (PCCF). This program will be carried out with the concurrence of the Secretary of State and will complement existing and planned State Department efforts by allowing the CENTCOM commander to work with Pakistan's military to build counterinsurgency capability.

I know there is some question about funding both the PCCF and the Foreign Military Financing Program, but we are asking for this unique authority for the unique and urgent circumstances we face in Pakistan, for dealing with a challenge that simultaneously requires wartime and peacetime capabilities.

General Petraeus, General McKiernan, and the U.S. Ambassador on the ground have asked for this authority, and it is a vital element of the President's new Afghanistan-Pakistan strategy.

The supplemental also includes money for programs to support the warfighter and ease strain on the force. Due to higher-than-expected recruiting and retention rates, we are well ahead of schedule to expand the Army and Marine Corps, which will help ease the burden on our troops and help reduce, with the goal of ending, stop-loss.

Currently, we expect the Marine Corps and the Army to meet their respective end-strengths of 202,000 and 547,400 by the end of this fiscal year. The supplemental includes \$2.2 billion to that end.

There is also \$1.6 billion for wounded warrior care and programs to improve the quality of life for our troops and their families. On that note, I thank the Congress for funding in the stimulus bill programs that provided infrastructure improvements, including \$1.3 billion for hospital construction.

I should mention that in the fiscal year 2010 budget, I am proposing to move funding for programs like these to the base budget to ensure long-term support for the programs that most directly affect our Nation's greatest strategic asset: our troops and the families that support them.

As was the case last year, the Department of Defense will have to be prepared for continued operations in the absence of a supplemental or another bridge fund. Currently, some operational funds will begin to run out in July, which has historically affected the Army and the Marine Corps first. After Memorial Day, we will need to consider options to delay running out of funds. We also expect to run out of money to reimburse Pakistan by mid-May. I urge you to take up this bill and pass it as quickly as possible, but please, not later than Memorial Day.

As Secretary Clinton discussed, the supplemental also includes \$7.1 billion for international affairs and stabilization activities, including economic assistance for Afghanistan and Pakistan. Needless to say, I strongly support this funding.

As I had said for the last 2 years, I believe that the challenges confronting our Nation cannot be dealt with by military means alone. They instead require whole-of-Government approaches, but that can only be done if the State Department is given the resources befitting the scope of its mission across the globe. This is particularly important in Afghanistan and Pakistan, where our ability to provide resources beyond military power will be the decisive factor.

One of the most interesting and thoughtful discussions I've had during a hearing was almost exactly 1 year ago, when Secretary Rice and I sat before the House Armed Services Committee to discuss section 1206 and 1207 authorities, both of which have improved levels of cooperation between State and Defense.

Secretary Clinton and I are also dedicated to figuring out how best to bring to bear the full force of our entire Government on the pressing issues of the day. So I ask you to continue supporting not just our men and women in uniform, but the men and women at the State Department who are just as committed to the safety and security of the United States.

Let me close by once again thanking you for your ongoing support of our troops and their families. I know you share my desire

to give them everything they need to accomplish their mission, and to support them and their families when they come home. Thank you.

[The statement follows:]

PREPARED STATEMENT OF ROBERT M. GATES

Mr. Chairman, Senator Cochran, members of the committee: Thank you for giving me the opportunity to discuss the fiscal year 2009 Supplemental Request.

I am honored to be here with Secretary Clinton. Our joint appearances symbolize the continuing improvement in relationships and close collaboration between the Departments of State and Defense. As Secretary Clinton said, this is intended to be the last planned war supplemental request that the administration will make. Future budgets, starting with fiscal year 2010, will instead be presented together—with money for overseas contingency operations clearly marked as such.

On that subject, some of you may have heard about my fiscal year 2010 budget recommendations to the President. I look forward to coming back here next month to discuss some of those details with you.

Of the \$83.4 billion in this request, approximately \$76 billion is for Department of Defense funding—most of it to directly support operations in Iraq, Afghanistan, and Pakistan. This covers a wide range of activities, whose highlights include:

- \$38 billion for everyday costs associated with maintaining forces in Iraq and Afghanistan, from pre-deployment training, to transportation to or from theater, to the operations themselves. I should note that this supplemental takes into account planned reductions in troop numbers in Iraq this year, and increases in Afghanistan.
- \$11.6 billion to replace and repair equipment that has been worn-out, damaged, or destroyed in Iraq and Afghanistan. This includes money for four F-22s to replace one F-15 and three F-16s classified as combat losses.
- \$9.8 billion for force protection, which includes, among other things, money for lightweight body armor, surveillance capabilities, and \$2.7 billion for sustainment, retrofit upgrades, and new procurement of 1,000 MRAP All Terrain Vehicles to meet the latest requirements in Afghanistan.
- \$3.6 billion to expand and improve the Afghan National Security Forces. We have not requested, and will not request in the future, any money for Iraqi Security Forces. The government of Iraq has taken on that financial burden.
- \$1.5 billion to continue to deal with the threat posed by Improvised Explosive Devices—a threat that, considering its effectiveness, we should expect to see in any future conflict involving either state or non-state actors.
- \$500 million for the Commander's Emergency Response Program (CERP)—a program that has been very successful in allowing commanders on the ground to make immediate, positive impacts in their areas of operation. It will continue to play a pivotal role as we increase operations in Afghanistan and focus on providing the population with security and opportunities for a better life. I should note that the Department has taken a number of steps to ensure the proper use of this critical combat-enhancing capability.
- Finally, there is \$400 million for the Pakistan Counterinsurgency Capability Fund (PCCF). This program will be carried out with the concurrence of the Secretary of State and will complement existing and planned State Department efforts by allowing the CENTCOM commander to work with Pakistan's military to build counterinsurgency capability. I know there is some question about funding both the PCCF and the Foreign Military Financing program, but we are asking for this unique authority for the unique and urgent circumstances we face in Pakistan—for dealing with a challenge that simultaneously requires wartime and peacetime capabilities. General Petraeus, General McKiernan, and the U.S. ambassador on the ground have asked for this authority, and it is a vital element of the President's new Afghanistan-Pakistan strategy.

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Let me close by once again thanking you for your ongoing support of our troops and their families. I know you share my desire to give them everything they need to accomplish their mission—and to support them and their families when they return home.

Thank you.

#### GUANTANAMO FUNDING

Chairman INOUE. Thank you very much, Mr. Secretary. Noting the extraordinary attendance of members, I have instructed the staff director to utilize the clock, and we will be limited to 4 minutes per person.

If I may, I would like to begin the questioning by asking a question on a small item, \$50 million for the Department of Defense and \$30 million for the Department of Justice. This is on Guantanamo. Though small, it's been controversial and a matter of great concern. What is your precise plan to close Guantanamo? How are you going to utilize this money?

Secretary GATES. Well, let me start and then see if Secretary Clinton has anything to add. We are in the process—or the Justice Department, I should say, is in the process of reviewing each of the detainees at Guantanamo, their files, to make a determination whether we should try and find a way to transfer them to other countries that might take them, whether to try them under Article 3 courts, or what to do with the rest of them.

Those discussions are going on right now, and in fact, I think just this week, the discussions are beginning in terms of trying to decide where the detainees would go that are not transferred to other countries or are not tried in Article 3 courts.

Those discussions have just gotten started. There clearly will be a specific plan that comes out of this, but what we've had to await

is the determination, roughly speaking, of about how big a group of people we will be talking about. And so the review of each of these case files has had to precede the development of a specific plan, in terms of where the prisoners would go or the detainees.

And so we have put a plug in the budget for \$50 million, just as a hedge that would allow us to get started if some construction is needed to be able to accommodate those detainees. The other \$30 million is for the Justice Department as a part of the process of going through these determinations at Guantanamo.

Chairman INOUE. How many detainees are involved in this process?

Secretary GATES. I think that there are now about—I don't have the precise number, Mr. Chairman. We can get that back to you. But I think it's about 250.

[The information follows:]

There are currently 240 detainees being held at Guantanamo Bay, Cuba (GTMO) by the Department of Defense. Per the President's Executive Order signed on January 22, 2009 the Department of Justice is tasked with determining the disposition of all 240 detainees at GTMO. While the review process is being conducted in an expeditious manner, it will not be completed until October 1, 2009. Throughout the review process, detainees will be transferred, released, prosecuted, or found to be in some other lawful disposition. The Department is supporting the Department of Justice review and will carry out any necessary action in accordance to the various disposition determinations.

Secretary GATES. And it's what the subset of that will be that we have to accommodate long-term that we're working on.

Chairman INOUE. So you have not determined as to whether these prisoners will remain in Federal prisons or elsewhere?

Secretary GATES. That is correct, Mr. Chairman.

Chairman INOUE. You have no hint to give us?

Secretary GATES. No, sir.

Chairman INOUE. Madam Secretary, anything to add?

Secretary CLINTON. Mr. Chairman, as Secretary Gates outlined, there's a very intensive process underway, led by the Attorney General, and the determinations as to each detainee are being conducted by an intensive review of all files and other material available.

But as Secretary Gates said, we are not yet at a point where decisions to any great extent have been made. Speaking for the State Department, obviously, our role is circumscribed. What we are attempting to do is try to convince other countries to take back their own nationalities of detainees and perhaps even others. And we have an intensive outreach effort going on to that effect right now.

Chairman INOUE. One final question, Mr. Secretary. What will happen to the facility itself?

Secretary GATES. I suspect that the detention facility will be mothballed once all the detainees are removed. I don't think we've actually addressed that piece of it yet, but I suspect that's what would happen.

Chairman INOUE. I thank you very much. Mr. Vice Chairman.

#### SURGE OF CIVILIAN EXPERTS

Senator COCHRAN. Mr. Chairman, Madam Secretary. The submission to the committee contemplates what is called a surge of civilian experts who will be brought together by the administration

to help develop strategies and programs for economic and cultural development efforts in Afghanistan.

I'm curious to know if we have begun recruiting people or assembling people. Is someone in the Department of State identified to head this economic and agricultural development program? And how much of the request contemplates money going directly to this effort?

Secretary CLINTON. Well, Senator, this is our commitment to try to provide additional civilian experts and workers in fields like agronomy that we are in the process of recruiting Jack Lew, the Deputy Secretary of State for Resources and Management, working with Special Representative for Afghanistan and Pakistan Richard Holbrooke.

Really, it's a Department-wide effort, as well as with USAID, actually identifying where we need to put people, what kind of people. Now, our numbers are not yet determined because this is obviously a challenging recruitment, but we believe we can recruit—the latest figure was about 500 civilians.

The Defense Department, as part of our ongoing discussion about how to enhance the capacities of the State Department, which we are undertaking, but not yet have fulfilled, has talked about looking at some of their civilians and some of their Guard and Reserve members to perhaps help in specific areas.

Richard Holbrooke and General Petraeus have been planning very carefully at a local level what we're going to need. We are committed to coming up with our share of the civilians.

One thing I would add, Senator, which, of course, is a concern, is the safety and security of these civilians, because we're talking about direct American hires or contract hires. We will also, of course, cooperate with non-governmental organizations (NGOs), other nations' civilian workers, locally engaged and hired nationals.

So what we're talking about is a small number of what we hope will be a large civilian presence coordinated and focused. But security remains a challenge here and in Iraq, and it's something that we are spending a lot of time looking at with the Department of Defense.

Senator COCHRAN. We noticed the request includes Department of Defense funding for this purpose, as well—well, \$141 million for the Department of Defense and \$104 million for the Department of State.

Mr. Secretary, is there a particular person you're putting in charge of this program at the Department of Defense to see that these funds are spent in an effective way?

Secretary GATES. The Deputy Secretary, Bill Lynn, is overseeing this and it's really, for our part, trying to see if we can't—we think this situation is urgent enough that it's important to get people into the field as quickly as possible.

And so as a bridging effort to get from where we are today to the full deployment of the resources under the State Department's auspices, we are looking at asking members of the Reserve component for volunteers. We'll have veterinarians, agronomists, accountants, and so on, who would serve for a period of months until the long-term State Department folks are there.

And it's our intent, I think, initially for those who will be out in the field to use the additional civilians or volunteers to plus up the provincial reconstruction teams, because there's already a structure that would provide security for them, as Secretary Clinton indicated.

Senator COCHRAN. Thank you.

Secretary CLINTON. Senator, could I just add one additional point? In Secretary Gates' testimony, he referenced what has been a very effective program on the ground for our military, the CERP funds, the Commander's Emergency Response funds.

Every time I was in Iraq, I was struck by how these really smart, focused captains and majors were given significant funds to be able to make on-the-spot decisions. If some tribal leader's house was damaged, they could say, "Well, I'm going to give you the money. We'll rebuild it." Or some road was blocked, "Well, we'll get the money to clear it."

That was an incredibly flexible and useful tool. Nothing like that exists on the civilian side. And so when we talk about working through the authorities and the capacities between State and Defense, for a lot of reasons right now, Defense is able to be more agile and flexible, with streams of money that go right to the ground, into the communities.

And we're going to have to work with the committee and others to try to figure out how we get more of that kind of agility and flexibility in our Embassy and on the ground with our civilian workers.

Senator COCHRAN. Thank you.

Chairman INOUE. Senator Leahy.

Senator LEAHY. Thank you, Mr. Chairman. I'm delighted to see you both here. I think having both of you in the positions you are in is a tremendous service to our country, and we're fortunate that both of you are here.

Secretary Gates, I spoke to you earlier about the 1,800 citizen soldiers from the Vermont Guard that are going to Afghanistan. I'll have some written questions on particular armor and equipment for them, and I would ask if you or your staff could respond to that when you get the written questions.

Secretary GATES. Sure.

#### FLU FUNDING

Senator LEAHY. Madam Secretary, you mentioned the H1N1 flu virus. Earlier this week, the President requested an additional \$1.5 billion in the supplemental, but that goes to the Department of Health and Human Services.

WHO says this is becoming a global pandemic. Millions of Americans are traveling, studying, or stationed overseas. We know this is a virus that knows no boundaries. Should we have additional funding in here for unanticipated health emergencies outside the United States, much of which could impact Americans?

Secretary CLINTON. That's a very good question, Senator. You know, Mexico requested from us—and a number of other countries, as well as the World Health Organization—some help in getting access to the drugs that are needed, and we are working with our partners to try to help resolve that and assist the Mexicans. They

also needed additional kinds of diagnostic and technological expert help, as well, and we've sent people down to our Embassy in Mexico to work with the Mexican Government.

I do think that much of the work that we did in the Congress over the last several years on avian flu has put us in a better position than we would have been, but I think that we could very well require additional help to deal with the emergencies in other countries. Because what will happen—it's human nature—is that as the influenza spreads, people will be increasingly reluctant to share their supplies.

Senator LEAHY. So what you're saying is we may need additional funds?

Secretary CLINTON. I would like to get back to you with a specific request, Senator, because I think you're right to raise that.

[The information follows:]

We very much appreciate your interest in helping the Department fulfill its mission. The White House has already requested \$1.5 billion to enhance the capacity of the United States to respond to this emerging and unpredictable situation. This requested fiscal year 2009 supplemental money would be provided to a proposed new account, Unanticipated Needs for Influenza, in the Executive Office of the President. These funds would be available for transfer by the Office of Management and Budget to Departments and Agencies, including the Department of State and the U.S. Agency for International Development. To deal with similar situations in the future the President is asking Congress to approve a request of \$8.6 billion for fiscal year 2010—and \$63 billion over 6 years—to shape a new, comprehensive global health strategy, rather than continue to confront individual illnesses in isolation.

Senator LEAHY. I look at the diplomatic and development components of the administration's strategy for Afghanistan. I don't see it differing much from the previous administration's—it funds some of the same things. I worry that we have spent billions in Afghanistan and we have yet to see the results that you or Secretary Gates or I would like to see.

What goals are realistic? How does your supplemental request of \$980 million differ from what we've done before? What failed before? What's going to work now?

Secretary CLINTON. Well, I think that we're at a point now, Senator, where lessons learned are finally being acquired and listened to. There have been some successes in certain provinces and departments of the national government in Afghanistan. The Afghan National Army has proceeded to be built up so that it has the respect of the nation.

Some of our partners in the international security assistance force (ISAF), the Dutch, the British, and others in the provinces they were responsible for, have had positive results. This review that we engaged in was intensive and it was no holds barred. What works, what doesn't work? It was a joint military-civilian undertaking.

I can't tell you sitting here today that everything we're going to try is going to work, but let me give you one quick example about what we think can make a difference. We did not emphasize agriculture.

You know, Afghanistan used to be the garden of central Asia. If you go back 30, 40, 50 years, you see huge orchards. Now when any of us fly over, we see eroded, denuded landscape with hardly a tree in sight. And there was a real cry for the Afghans to please get

some help in doing this, but our principal objective has been to eradicate the poppy crop, and we never took seriously alternative livelihoods.

We believe, on both the civilian and the military side, that this is a great opportunity for us. We know that from our intelligence, a lot of the members of the Taliban are not there because they are ideologically committed, but because it's a job and, frankly, it's a job that pays better than being in the police, and it pays better than trying to scrounge around to make a living without any help out of the land.

So I think, Senator, we've got a view of what we think will work better, and we're going to recruit the people, and we're not going to be all things to all Afghanistan's population. We're going to have very discrete missions, and we're going to hold ourselves accountable.

Senator LEAHY. Thank you. Thank you, Mr. Chairman. We're going to need further discussions on this before the subcommittee takes it up, but thank you.

Chairman INOUE. Thank you. The Republican leader Senator McConnell has special responsibilities on the floor. In recognition of this and in the spirit of bipartisanship, Mr. Leader.

#### GUANTANAMO—MILITARY COMMISSIONS

Senator MCCONNELL. Thank you, Mr. Chairman. I appreciate that. Welcome, Senator Clinton—Secretary Clinton and Secretary Gates. Let me pick up on the subject matter that the chairman led off with, and that's Guantanamo.

Secretary Gates, as you know, we had a vote in the Senate 2 years ago, 94 to 3, on the issue of whether or not the detainees at Guantanamo should come to the United States—come to U.S. soil. I know the Attorney General—I've heard you both say the Attorney General's in charge of this review. But I do have some questions related to the \$50 million request for Guantanamo in the supplemental.

The first one, I guess, would be I didn't hear you mention the military commissions as a possible way to deal with these detainees. The Supreme Court, in effect, ordered us to pass military commission law, which we did a couple of years ago. Am I to conclude or are we all to conclude that the military commissions are now out, as a way of trying whatever detainees we cannot convince others to take and we have to deal with ourselves?

Secretary GATES. No, sir, not at all. And I should have included them as one of the alternatives. One of the areas that I think the Attorney General and the Justice Department are looking at is the military commissions, whether to go forward with the—I think there are nine cases that are already before the military commissions, whether—or not. And should there be any changes to the military commission law, if they decide—if the decision is made to retain the military commissions. But it still—the commissions are very much still on the table.

Senator MCCONNELL. As you've probably heard, various communities are beginning to discuss their interest in taking these, and so far, there isn't any. In fact, I believe some communities have ac-

tually begun to pass resolutions saying they don't want them. How do we solve this dilemma?

We know this about Guantanamo. Everyone who's visited there, including the current Attorney General, has said it's a good facility. They're being treated humanely, and we know no one has escaped from there. During all of these years, we know we haven't been attacked again since 9/11. It seems to me to be working.

A lot of our European critics will—see, I guess we don't fully know the answer whether many of them are willing to take any of these people. But we do know that some of the countries from which they have come haven't had a great record of keeping them incarcerated once we send them back. Many of them ended up back on the battlefield. What are your thoughts about—what are we going to do with these people?

Secretary GATES. Well, the question really is what are we going to do with those that cannot be returned home, either because we fear that they won't be kept under—they won't be monitored or kept under watch, or we worry that they'll be persecuted when they go home. For example, the Uighurs, the 17 Uighurs. So we're talking about probably somewhere between 50—

Senator MCCONNELL. Well, could I just interject on the Uighurs?

Secretary GATES. Yes.

Senator MCCONNELL. I gather the plan is simply to release them in the United States, right?

Secretary GATES. Well, some of—

Senator MCCONNELL. Not to be incarcerated, but just to be released in the country?

Secretary GATES. I'm not sure a final decision has been made. What I've heard people talking about is our taking some of the Uighurs, probably not all. Because it's difficult for the State Department to make the argument to other countries they should take these people that we have deemed in this case not to be dangerous if we won't take any of them ourselves.

But the question is—to the core of your question is what do we do with the 50 to 100, probably in that ballpark, who we cannot release and cannot try, either in Article 3 courts or military commissions?

And I think that question is still open. The President has made the decision to close Guantanamo. It's something that his predecessor said should be done, something that I said should be done over 1 year ago. I fully expect to have 535 pieces of legislation before this is over, saying, "Not in my district. Not in my State."

Senator MCCONNELL. I think you can count on it.

Secretary GATES. And we'll just have to deal with that when the time comes.

Senator MCCONNELL. My time is up, but let me just say, in conclusion, I understand the dilemma. The previous administration, of which you were a part also, said they wanted to close Guantanamo. Both candidates for President last year said they wanted to close Guantanamo. The difference is that this administration's actually put a date on it and actually has to answer the question, what are you going to do with them?

And I think it is perfectly clear that many of them are going to return to the battlefield if they can, and the conclusion is going to

be with many of them that they need to be incarcerated, and the question then is when.

And we're going to have a continuing interest in this, in terms of your own facilities and whether they can successfully contain them as Guantanamo has for the last 7½ years. Communities are going to be upset about this.

This is a very important issue and it deals with public safety, as we all know. Now, we haven't been attacked again since 9/11. We like that, and we would like for that record to continue. Thank you very much.

Chairman INOUE. Thank you. Senator Mikulski.

Senator MIKULSKI. Mr. Chairman, good morning. Well, President Obama certainly put together a turbo team for foreign policy, and it's a pleasure to welcome both of you. Secretary Gates, I want to thank you for your ongoing commitment to the warfighter, not only in the theater, but when they come back home.

We want to acknowledge within this supplemental request increased money for healthcare for the returning warfighters, and we will be looking at whether that's adequate. Because as we've talked about on so many occasions, they bear the permanent wounds of war, the permanent impact of war, as well as the Yellow Ribbon Integration Program. So we'll be working with you on this.

And Secretary Clinton, you've had your own 100 days. Twenty-two countries, 74,000 miles, 3 o'clock in the morning phone calls, and they go on 24 hours throughout the day.

But friends and colleagues, with this excellent presentation, know that I have very serious reservations about our Afghan policy, and my reservations are based on this, and then three specific things.

Number one, the fact that Afghanistan seems threatened not only by the Taliban, but by a government that's riddled with cronyism and corruption. And it's part of that cronyism and corruption that is also the whole issue of is Afghanistan on its way to becoming a narco-state.

And number three, and not at all least, something I know our Secretaries champion, is the role and status and safety and security of women. The fact that we have a government in Afghanistan that turns the other cheek when girls have acid thrown in their face when they go to school, and they actually codify domestic rape.

You see what the situation is, so I'm being asked to send in the marines, where they want to continue to grow poppies. The cronyism and corruption, which would then, in and of itself, be an unstable government, and the treatment of women.

So my question is not why should we go. I know you'll talk about it. But then dealing with those three issues, what do you see dealing with it? And Secretary Clinton, I'd like to start with you with the cronyism, the corruption, and also the treatment of women and what you think is in here, what you think is also in the policy that would reassure the people of America why should we send in the marines to do this?

Secretary CLINTON. Well, Senator, I think those are all very legitimate questions. We've given them a lot of thought. With respect to the government, its capacity, its problems providing services, its



perception of being less than straightforward, transparent, honest, it's a problem. I'm not going to sit here and tell you it's not.

There are, however, significant pockets of progress that we want to build on. Several of the members of the current government's cabinet are doing an excellent job. The build-up of the Afghan National Army is proceeding in a way that engenders confidence to the people of Afghanistan.

But we have made it very clear that we expect changes and we expect accountability, and we're going to demand it. It's among the highest priorities of the team that we have sent to Afghanistan.

I swore in Karl Eikenberry, the former general who had served in Afghanistan twice, yesterday as a new Ambassador. He knows the people. He understands what it takes to move them. Obviously, the rest of the group that we have in place is equally committed, so we're tackling this and we are taking it on.

With respect to the narco-trafficking, that is why we believe we've got to support alternatives. I mean, this is not going to disappear just because we aerial-bomb it with pesticides. It's just too profitable. It is now the largest source of opium for heroin in the world, and we have to tackle it at the local level and provide alternatives and get people to reject it culturally, which is—

Senator MIKULSKI. Is Karzai committed to working with us to do that?

Secretary CLINTON. That is what we are demanding of him. Now, we are not taking a position in this presidential election. We are neither for nor against any candidate, including the President, and we have made it clear what we expect of anyone who's elected.

I mean, part of our problem is there are a lot of mixed messages sent over the last 7 years, and we have to have a very clear message from the highest levels of our Government, both the executive and the legislative branch, that certain behaviors are not accepted. We're going to go after them. We're imposing conditions that we think are both workable and leading to the changes we're seeking.

But let me just finish by saying something about women. I deeply share your concerns. The law that you referenced is being brought back by the Afghan Government and by the President. I've personally been involved in that. But the problems go much deeper, and we're going to continue to emphasize our support for girls and women for their education, for their healthcare, for their rights.

That is an integral part of our strategy, because we think it is a clear leading indicator as to whether there is a commitment to the future in a way that we can continue to support. So I can assure you that the women's issues are not just a side issue or a marginal one. They are core to the strategy that we have developed.

Senator MIKULSKI. Well, thank you. I know my time is up. What I—so there are many things that I liked about this testimony, but that this is the last supplemental that we could deal with this in a regular order in our committees, through DOD, through foreign operations. The whole idea that it's defense, diplomacy, and development. We look forward to working with this turbo team. Thank you.

Chairman INOUE. Thank you very much. Senator Bond.

Senator BOND. Thank you. Secretary Clinton, Secretary Gates, I commend you both for putting the emphasis on the strategy that

worked in Iraq, the counterinsurgency strategy clear, hold, and build. I believe it's been—I'm calling it smart power. I believe that with most of our military and intelligence leaders, that the war against terror is 10 percent kinetic and 90 percent development and governance.

For 2 years after getting a request personally from President Karzai and putting in money for USAID to send agricultural specialists to Afghanistan, not a single one showed up. In 2007, I worked with the Missouri National Guard. We got it cleared through the Defense Department in early 2008. The first agriculture development team went to Nangarhar province. It was tremendously successful. The second one is there now.

Eight other States have sent their National Guards. They are dependent upon the CERP funds that Secretary Clinton mentioned. Those worked in the Philippines and Mindanao. It is far better, particularly in Islamic countries which are friends of ours, that we put American sandals on the ground so we don't have to wait until a strike and put American boots on the ground.

I look forward to working with you on the details of this plan because we cannot afford to fail in Afghanistan and Pakistan.

I want to address very briefly a couple of the issues, one of them that I hope could be addressed in the supplemental. I will discuss with you at much greater length, Mr. Secretary, the tremendous bathtub in the TACAIR that is going to leave our Navy without ships on carrier decks. It's going to leave the National Guard without anything except Cessnas to fly and air sovereignty alert, and it's even going to shortchange the Air Force itself. But we will go into that later.

#### SHUTTING DOWN C-17 LINE

The F-35 is way behind schedule, over budget. The F-22 doesn't do the job that the F-15s, F-16s, and F-18s can do. But I am very much concerned, after the great principles that were laid out for the Defense policy, that the President recommended shutting down the C-17 line. That's the last wide-body large military aircraft production line in the United States. Gives us the ability, the only one in the world to respond quickly and independently in any adversarial military activity or humanitarian needs.

And with the air mobility study due to be finished late summer, where I believe we will hear the need for continued air mobility support, the decision to shut the C-17 down now is a question of ready, fire, aim.

I would hope that you would rethink this and allow funding in the supplemental for the long lead time. Otherwise, we will not have the capacity to turn out the air mobility that we will need for military and humanitarian actions, and we're going to be left with a situation where we're going to be running around the world trying to buy cargo aircraft. C-5s are over their lifespan. C-17, to me, needs to be rethought. And I would ask for your comments on that, Mr. Secretary.

Secretary GATES. Well, first of all, I agree with all the good things you said about the C-17. It's a terrific aircraft. The Air Force believes, and transportation command believes, that we have more than necessary capacity for lift for the next 10 years or so.

One of the problems that we have in that context is that there is a legislative prohibition effectively against us decommissioning the A model of the C-5s. And so as we look at the capacity that we have with those 59 C-5As and we get more and more C-17s, we just are continuing to build excess capacity.

But the other side of it is that even if you lifted the prohibition on decommissioning C-5As, the Air Force has to look at what—if it has no need on the requirement side for greater capacity, then what are they going to give up? What are they going to have to give up in other programs in order to buy more C-17s?

It's a zero-sum game. If you had everything that is put in the budget that is excess to our requirements, means that there's something else we can't do. And what I'm trying to do is figure out how do you balance all of these things and have the maximum possible capability for the maximum range of potential conflict?

Senator BOND. Thank you, Mr. Secretary. I look forward to working with you and this committee because I've got some ideas.

Chairman INOUE. Thank you very much. Senator Kohl.

Senator KOHL. Thank you, Mr. Chairman, and welcome, Secretary Gates and Secretary Clinton. Secretary Clinton, I would like to thank you for hosting yesterday's gathering on global food security. I believe that the USDA and our land grant colleges, as I said yesterday, have a vital role to play in fighting hunger and instability in developing countries, and I would like to work with you on that in the months to come.

The supplemental request before us provides \$300 million for Public Law 480, which is a key part of the overall food security effort. In terms of tonnage, has the global demand for food assistance changed from this time last year?

Secretary CLINTON. Senator, as you know, there have been a number of food crises, and we do think that the demand and the need has increased. But we have a very careful analysis as to why this money in the supplemental should be sufficient through this fiscal year to be able to produce the response that we may be called on to make.

But I want to underscore—and thank you for your interest in food security—our current system is just not as effective as it needs to be. And that's why we want to shift our focus to agricultural sustainability, focusing on the small producers, helping them understand the value of GMOs, genetically modified organisms, to help them have drought-resistant crops, helping them with farm-to-market roads, the kind of approach that we actually did quite effectively in the 1960s and the 1980s.

So I think our capacity for the response set forth in the supplemental is fine, but we've got to go further than that, and that's what I'm looking forward to working with you on this committee to do.

Senator KOHL. Thank you, Secretary Clinton. Recently, the Taliban came within 60 miles of Pakistan's capital, Islamabad, as you know. Now, if India's military was 60 miles from the capital of Pakistan, the entire country would have been on a total war footing. But as you remarked, Secretary Clinton, many in Pakistan seemed unthreatened by the idea of the Taliban imposing Sharia

law in the country because they're so unhappy with their own government.

So have the recent gains by the Taliban changed the views of the Pakistanis about how dangerous the Taliban are? Do the Pakistan people now see the Taliban as a real threat to their way of life, and not just a thorn in the side of the United States?

And finally, last night, the President, at his press conference, called the Government of Pakistan very fragile. He also said that he was confident that Pakistan's nuclear arsenal would not fall into the hands of the Taliban. What would be our response if the Taliban forced the Government of Pakistan to fall, and how can the President be so sure that Pakistan's nuclear arsenal would be safe from the Taliban?

Secretary CLINTON. Well, Senator, let me start by responding that we do think that the Government of Pakistan, both civilian and military leadership, is demonstrating much greater concern about the encroachment by Taliban elements in parts of the country that had before then not been subjected to their presence and are not in the ungovernable areas that have been part of Pakistan going back even to the British Empire.

So we believe that we're getting a much more thoughtful response and actions to follow. And I think Secretary Gates might want to focus on the military piece of this. But it was heartening to see the military sent in to the Buner district and to begin to try to push the Taliban advance back.

With respect to the nuclear arsenal, I think that much of that would have to be in a closed session, Senator. But let me just reiterate that based on everything that we are aware of, the Pakistani military is very focused on the protection of their arsenal, and we have certainly kept our eyes very closely on that, and I think that's where the President's assurance comes from.

#### MOTIVATING PAKISTAN

Senator KOHL. Thank you. Thank you, Mr. Chairman.

Chairman INOUE. Thank you. Senator Shelby.

Senator SHELBY. Secretary Clinton, Secretary Gates, welcome to the committee. I'd like to pick up on the line of questioning about Pakistan that Senator Kohl has going. If Pakistan is, as some people have said, maybe a little more—and I think the President used the word fragile. Some people call it a ticking time bomb.

And it seems to me, although I've always supported and will support this supplemental with money and help, that the government and the army has lost the will, or seems to have lost the will to fight even for their own country. And I think some of this money would be used, I understand, Secretary Gates, for training of forces and so forth. Is that correct?

Secretary GATES. Yes.

Senator SHELBY. But how do we impart the will to fight? That seems to be lacking there. And how do we help them, because we have been there—been helping them about 8 years now with a lot of money. And I think it was necessary, but they don't even have control of a lot of their territory. You know that, and they seem to be losing territory day after day. And we all know, as Senator Kohl

alluded, that they do have a huge nuclear arsenal. This could be a real, real problem to all of us; could it not?

Secretary GATES. Well, it certainly could. And I would say, Senator Shelby, that, I mean, my perspective on it is that the Pakistani Government has not seen what has been going on in the western part of Pakistan as an existential threat. Their view has been since their inception that India was the principal threat to Pakistan's continued existence.

I think that they have—the areas in much of western Pakistan have not really been under serious government control perhaps for most of Pakistan's history, if not all of it, and the Pakistani Government, Pakistani population is dominated by Punjabis. They dramatically outnumber the number of Pashtuns in the western part of the country and have always tried to deal with that situation out there, either by setting tribes against one another, working with individual tribes, cutting the kinds of deals that we've seen, and occasionally using the military.

And I think what has happened just in recent weeks and really since—beginning with the assassination of Mrs. Bhutto, is the reality dawning on the Pakistanis that what has happened in the west is, in fact, now a real threat to them. And I think that the Taliban moving into Bunair set off an alarm bell that may, in fact, begin to create a broader political consensus in Pakistan that would include not just President Zadari and Prime Minister Khalani, but perhaps the Shalifs and others, as well, including the army that, in fact, they now face a real threat.

I think they have seen the situation in the west as largely of our making as we drove the Taliban out of Afghanistan, and now they're beginning to see these guys have designs on the Pakistani Government itself. And so I think those realities that have begun to dawn on them, I think provide some grounds for—I won't go as far as optimism, but some grounds to believe that there is a growing awareness in Islamabad and in Pakistan that this is a threat to them.

And I would just use the analogy, you know, the United States was first attacked by Al Qaeda in 1993. Al Qaeda was at war with the United States for 8 years before we decided we were at war with Al Qaeda. And I think the same kind of thing has kind of happened in Pakistan. They have—the Pakistanis haven't realized the threat that has been posed to them over the last several years.

Senator SHELBY. If this is not a wake-up call, I don't know what could be; do you?

Secretary GATES. I agree.

Senator SHELBY. Thank you, Mr. Chairman.

Chairman INOUE. Thank you very much. Senator Murray.

Senator MURRAY. Thank you very much, Mr. Chairman. Welcome to both of you. I just wanted to echo the comments of Senator Mikulski regarding the issues of women's rights in Afghanistan. I appreciate your response very much, Secretary Clinton.

Let me ask both of you—both of you have talked at great length about the need for smart power and elevating the role of development in our national security strategy. It appears from the President's proposed budget and from the supplemental appropriations request that the Obama administration is making a major effort to

rebalance national security strategy by giving civilian aid, diplomacy, and the non-military dimension of national security more strength and impact.

However, in order to make that work, we're not just talking about money, we're talking about people. Secretary Clinton, you mentioned in your remarks USAID and the need for more foreign service officers. I am an original cosponsor of a bill with Senators Durbin and Bond called the Increasing America's Global Development Capacity Act that would address this deficit. Can you talk a little bit about the need to have full-time foreign service officers and whether we have the capacity we need?

Secretary CLINTON. Thank you very much, Senator, and the short answer is no, we don't. We don't have the capacity. We don't have the authorities yet. And as you know, USAID has lost a lot of its capacity over the last years. It is viewed by many now as largely a contracting agency. There are only four engineers currently employed by USAID for the entire world. So we have allowed a lot of our capacity to just migrate out of the government.

And we don't get the accountability. It often costs more than it should in order to deliver the service that we're seeking. So we will be coming to you with a set of ideas. And I'm looking forward to consulting with all of you, and I appreciate the efforts made by Senators Durbin and Bond. We have to rebuild our diplomatic and development arsenal. We just don't have it.

And so it's awkward when people say, "Well, we need to be sending civilians out." And we have a hard time getting the people we need in language areas, just bodies on the ground, able to do the functions we're talking about.

When Senator Bond was talking about how difficult it was in agriculture development teams, I faced the same experience as a Senator. I was trying to get a project going to get fruit trees planted again in Afghanistan. I even had an interest in the market. We just couldn't do it. It was absolutely the most frustrating experience.

So we are trying to cut through the redtape and the bureaucracy. We're trying to get the resources that we need and to have a rebuilt diplomacy and development mission that can actually respond to the very good ideas that all of you have.

#### PUBLIC/PRIVATE PARTNERSHIP FOR CIVILIAN HELP

Senator MURRAY. Secretary Gates, do you agree?

Secretary GATES. Absolutely. And I would just go back to a comment that Senator Kohl made. I think we also need to think creatively about public/private partnerships that can help us.

And I was really—as the former president of Texas A&M, I was glad to hear Senator Kohl talk about the potential role of land grant universities, because most of them have extension services that operate all over the world, and they have the expertise, and we can draw on them and work with them.

And A&M's had people in Afghanistan and Iraq for the last 4 or 5 years, and so we have a lot of assets in this country that aren't necessarily Government employees that I think we could harness, and those people would be willing to volunteer, or we could put them on contract.

But in terms of the need for more foreign service officers, I couldn't agree more. I've been arguing for it for 25 years. If you took every foreign service officer in the world, it wouldn't be enough people to crew one aircraft carrier.

Senator MURRAY. Okay. My time is out. And, Secretary Gates, I did want to ask you about how we're going to continue to have a competitive industrial base as we cut back our military. As I mentioned in our recent conversation, this is something that I want to continue to dialogue with you about. I appreciate both of your comments today. Thank you.

Chairman INOUE. Senator Dorgan.

Senator DORGAN. Mr. Chairman, thank you very much. Secretary Clinton, let me deviate just a bit. I need to ask you about the journalist that's imprisoned in Iran. Roxana Saberi is someone who I know.

She, as you know, was born and raised and educated, sports all-star, all-star academic, Miss North Dakota top-ten finalist, and Miss America. Master's degree from Northwestern. Master's degree from Cambridge, England. Went to Iran and reported for National Public Radio and many other venues.

Now sits in a 10 foot by 10 foot prison cell, first accused of buying a bottle of wine, then next accused of reporting without a license, and then accused of espionage and sentenced to 8 years in prison.

It is an unbelievable miscarriage of justice, and I have been working on that case for several months. Can you give us some notion of what the activities are at State?

Secretary CLINTON. Senator, I know you have. I've talked with you. I've talked to Senator Conrad. I've talked to the Governor of your State. We are also working very hard. We have great concerns about Ms. Saberi's health and well-being. She has arbitrarily been, in our view, held without any kind of transparency or process.

We have called on the Iranian Government, both directly and through other Emissaries, to release her. As you may know, she is extremely unhappy and quite rebellious about being held in such a horrible situation and is on a hunger strike. Her parents, as you know, have been there for several weeks.

We have reached out and are continuing to reach out in every channel that we know of, public and private. We obviously use the Swiss as our consular representative in Tehran. We hear mixed responses all the time from the government. They're going to let her out. They're going to let her out in 2 months. They're going to sentence her to 8 years. They're going to do an appeal.

I think it shows you how difficult it is to deal with this government in Iran, because they are impervious to the human rights and the civilized standards that one should apply. And so we are, I can assure you, doing everything we know to do.

Senator DORGAN. Madam Secretary, thank you for that. And I hope you'll obviously continue as much pressure as we can apply to the Iranian Government. First of all, let me thank you for all of your work and your travels and your representation of our country.

## OVERSEEING CONTRACTORS

Secretary Gates, I'm really pleased that you've stayed on, and I think you have an admirable record. And I do want to say this to you, though, that I've held 18 hearings on the subject of contract abuse in Iraq and Afghanistan.

And I have just learned again, just in recent days, of award fees being given to contractors, very large award fees for excellent work, being given to contractors that have had level three corrective actions taken against them because their work was deficient.

I want to continue this discussion about the Army's sustainment command and others that are shelling out all of this money. \$38 billion of that which we're considering in this request is for ongoing support of operations in Iraq and Afghanistan. I assume that's the Logcap project and so many other things.

But I just hope that you will have a renewed effort to put a magnifying glass on these contractors and the amount of money that's going out, because there is unbelievable abuse and waste and, yes, fraud, and we just have to lace it up and stop it.

So I just—I say that to you again. I'm pleased you're where you are, but you and I have had discussions about it. I've had discussions with your deputy. But in recent months, once again, award fees have gone to contractors that have done insufficient and inappropriate and inadequate work, in some cases, resulting in the death of soldiers.

Secretary GATES. I would just say, Senator, that this is clearly a high priority for myself, but also for Secretary Lynn and our new Under Secretary Ash Carter. And I think that part of our effort—part of the problem that we have is the number of contractors we have who are overseeing contractors.

And I think that the initiatives that I've put forward for 2010 to significantly expand the number of professional acquisition procurement contracting officers who are full-time U.S. Government employees in place of contractors will put us in a better place, in terms of trying to deal with these contract problems.

Our goal will be to have 4,000 of those people on board during fiscal year 2010 and 20,000 over the course of the 5-year defense plan, and we're doing it also on professional services and management, and we hope to add 13,000 jobs in that category, displacing contractors in that category during fiscal year 2010, and 30,000 over the course of the 5-year defense plan.

But this is a very high priority and it goes to some of the discussion that Senator Bond and I had. We can't afford to spend a single dollar that we don't have to, and because it takes away from resources to do other things, and to spend it on contractors who aren't doing their jobs is not just waste, fraud, and abuse, it impacts our capabilities.

Senator DORGAN. Thank you.

Chairman INOUE. Senator Bennett.

Senator BENNETT. Thank you very much, Mr. Chairman, and thanks to both of you for your service and your professionalism you bring to your jobs.



## HOW MANY F-22S ARE NEEDED?

Secretary Gates, you mentioned the F-22. You're familiar, I'm sure, with the comment made by the Chief of Staff of the Air Force, General Schwartz, who said that the military requirement for the F-22 was 243 and not 187.

Now, I know the chairman doesn't want to get into a subject that isn't directly connected to the supplemental, but in the supplemental, you have some funds for unmanned aerial vehicles (UAVs). And one of the problems with UAVs, particularly in Iran and Syria, if we are required to use them there, is that they do not have stealth capability, and the F-22 does.

So I'd be interested in your comment about the F-22. And I quote, Air Force leadership said that based on warfighting experience over the past several years and judgments about future threats, the Defense Department is revisiting the scenarios on which the Air Force based its assessment regarding the requirement for the F-22.

Could you explain the scenarios that are being revisited, when and what the results were that caused you to make the decision to take the F-22 down from 187 to—from 243 to 187?

Secretary GATES. First of all, Senator, the Chief of Staff of the Air Force and the Secretary of the Air Force are on the record and, in fact, in the newspaper saying that the program of record of 183 plus the 4 in the supplemental meets military requirements and is a sufficient number in their view.

I think that the way the discussion about the F-22 has proceeded has been somewhat confused. The reality is that since 2005, the program of record for the F-22 has been 183 aircraft. That's under two different Presidents, two different Secretaries of Defense, two different Chairmen of the Joint Chiefs of Staff, and the Secretary and Chief of Staff of the Air Force.

So there's no cutting of the program. There is a completion of the program of record that has existed under both President Bush and President Obama since 2005. We can get into the jobs issue or anything else, but this is one that—where I think there has been some mischaracterization of what we're doing here. We are not cutting the F-22. We are completing the program of record that was established in the Bush administration and, frankly, if my top line were \$50 billion higher, I would make the same decision.

Senator BENNETT. Thank you. Secretary Clinton, the chairman mentioned a reference to U.S. funding to Palestine that could fund the possibility of funding Hamas. Could you discuss that with us?

Secretary CLINTON. Well, Senator, there is no possibility of funding Hamas. That is absolutely not possible under the language of the supplemental, nor is it possible under our administration's policy.

What we have said is that if there were to be, which at this moment, seems highly unlikely, a unity government that consisted of the Palestinian authority members from Fatah and any members from Hamas, the government itself, plus every member of the government, would have to commit to the quartet principles. Namely, they must renounce violence, they must recognize Israel, and they

must agree to abide by the former PLO and Palestine authority agreements.

And that has been our policy. That is what we have told our partners in Europe and elsewhere, which is why we've been very hesitant and quite unconvinced about any efforts to create a unity government, but so have the Palestinian authority. So there is no likely outcome that would present that, but if there were, the conditions are very clear.

Senator BENNETT. Thank you.

Chairman INOUE. Senator Feinstein.

Senator FEINSTEIN. Thank you very much, Mr. Chairman, and welcome to both of you, and my congratulations to the jobs that you're both doing. And Madam Secretary, it's a political delight for me to see you at this table, as you know, so thank you for being here.

#### MORE TROOPS FOR AFGHANISTAN

Secretary Gates, I've been trying to understand the number of troops that we have committed to Afghanistan. As I look at it, it's 63,000, with a request from General McKiernan for 10,000 more. Is that a correct analysis?

Secretary GATES. Senator, the level of troops that the President has approved to this point is 68,000.

Senator FEINSTEIN. And McKiernan's request is still out—

Secretary GATES. He has—the request is out there. It is for troops that would not go to Afghanistan until well into 2010. And CENTCOM has not—Central Command has not forwarded that additional request to the Pentagon at this point.

My own view is that before recommending those additional forces to the President, I think we ought to see how the forces that we are committing today, have already committed, are performing and what the real requirement is toward the end of this year or early next.

And particularly, given the fact that those troops or those forces wouldn't go, even if the President did approve them, until well into 2010, but it goes to a larger concern of mine that I've spoken about publicly, and that is that I worry a great deal about the size of the foreign military footprint in Afghanistan. The Soviets were in there with 110,000 troops, didn't care about civilian casualties, and couldn't win.

With our North Atlantic Treaty Organization (NATO) allies and other partners, with the troops the President has approved, we will be at about 100,000. And so I think we need to look very carefully at how our strategy is proceeding some months down the road before I would contemplate forwarding a recommendation for additional troops to the President.

#### SITUATION IN IRAQ

Senator FEINSTEIN. Well, thank you very much. I don't think most people in America know the size and number. And I think there's a real concern that we just get drawn in and drawn in, and we're into it like we were in Iraq over a substantial period of time, which raises the subject, and that is Iraq, and that's Sadr City, and

that's the five suicide bombings yesterday, the four last week, the very substantial loss of life.

And a sentence in this morning's New York Times—and let me read it to you and get your response—Mr. Maliki is torn between demands for the United States and some Sunni leaders to reconcile with some former members of the Hussein government and the Shiite partners who reject an accommodation. What is that all about?

Secretary GATES. Well, first of all, I think having just had a conference call with General Odierno a couple of days ago, or teleconference, his judgment and the judgment of his commanders is that most of the violence that we are seeing in Iraq today, these suicide bombings, are, in fact, the work of Al Qaeda in Iraq.

They are clearly—they have a campaign that they started about 6 weeks ago. There's even a name for it that Al Qaeda has, and I can't remember it. But they are clearly trying to take advantage of our drawdown and particularly our drawing back away from the cities to try and provoke a renewed round of sectarian violence.

So this has less to do with Maliki's political decisions and who he's reaching out to. I mean, the latest information we have is that he's reaching out to some of the Sunni groups. He does have a problem with the Ba'athist party and Saddam Hussein's—some of the people who worked for Saddam Hussein.

But he is reaching out to other Sunnis, in terms of political alliances. But the judgment of the commanders is this is an orchestrated effort on the part of Al Qaeda to try and provoke the very kind of sectarian violence that nearly tore the country apart in 2006.

Senator FEINSTEIN. My time is up. Thank you very much, Mr. Secretary.

Chairman INOUE. Thank you. Senator Alexander.

Senator ALEXANDER. Thank you, Mr. Chairman. Thank you to both Secretaries for your service and for being here. Senator Feinstein's questions provoked me to—and some of the others make me ask this question.

Do you think, Secretary Gates or Secretary Clinton, either that sometime within the next several months, that it would be appropriate for the President to present to us his strategy for Afghanistan and for there to be some sort of expression of support for it in the Congress?

I would start with Secretary Gates, because the war in Iraq became President Bush's war. And in the last few years of it, there was not bipartisan support in the Congress for conclusion. Several of us tried to take the recommendations of the bipartisan Iraq study group, on which you served for a while, Secretary Gates, and we couldn't get agreement between the Senate leadership, Democratic, and the Republican President.

Upon that, even though we've ended up today with a conclusion in Iraq that is about the same as that envisioned by the Iraq study group some time ago, in which President Bush and President Obama both seem to agree on now, it would seem to me that it would be more effective—it would send a more effective message to our enemy and a more effective message of support to our troops if we made sure that the war in Afghanistan doesn't become Presi-

dent Obama's war in the same way that Iraq became President Bush's war.

And would not one way to help make sure that does not happen be for the President to take his time to develop a strategy before we move ahead with many more troops, for us to vote on it and say, "Yes, we agree with you, Mr. President. We want our enemies to know that, and we want our troops to know that."

SUPPORT FOR THE STRATEGY IN AFGHANISTAN

Secretary GATES. Well, Senator Alexander, I think that that's basically a political call. I guess I would just say from my standpoint that anything that can be done that conveys strong bipartisan support for what the President is trying to accomplish in Afghanistan has value, because it is a fact of life that our adversaries, as well as our friends, read the press avidly, and they are very well aware of what's going on in this country.

I was stunned when I was in RC East and Khost province 1½ years ago, and a village elder, in his robes and everything, said he had read my Landon Lecture at Kansas State University on the Internet. I said, "Where do you plug it in?"

But I think—so they are watching, and anything that conveys a strong bipartisan support for what the President is going to do and that we will see this through to a successful outcome has value. What the best way to manifest that is, I think is for people who are more politically aware than I am.

Senator ALEXANDER. I wonder, Secretary Clinton, the words see through to the end whatever our mission is, is essential in support of our troops. What would be your response to that?

Secretary CLINTON. Well, Senator, I do think that there's value in that approach, because I believe that the country needs to be engaged, along with our Government, in thinking through what is at stake here.

We did, in many ways, create the problem we're now coping with. During the 1980s in our struggle against the Soviet Union, which had invaded Afghanistan, we created a funding stream. We trained. We armed Mujahaddin and their allies in both Afghanistan and Pakistan.

And then once the Soviet Union retreated and fell, we were not paying attention. Others were. Most particularly, bin Laden, who knew that there could be a safe haven amidst that chaos in Afghanistan. So I think that there are many legitimate questions to ask about the situation we confront today.

And I hope that from both Secretary Gates and myself, you're not hearing any message, other than our recognition this is hard, and we are trying the best we can to come up with an integrated civilian-military strategy along the lines that many of you have referenced.

But I think it's important for the American people to be engaged, as well as the Congress. And this supplemental, of course, begins that discussion, and I think it could be quite helpful and productive.

Senator ALEXANDER. Thank you, Mr. Chairman.

Chairman INOUE. Thank you. Senator Landrieu.

Senator LANDRIEU. Thank you, Mr. Chairman. Madam Secretary and Secretary Gates, your partnership here is extremely powerful. And it is immensely encouraging to me and to my constituents and to many of us about this new approach, this enlightened approach, and this hopefully successful approach that you all have outlined this morning.

Several of my questions have been asked. I want to associate myself with the Senator from Maryland and her questions about women and girls. I'm completely sure that you're the best person for that job, Madam Secretary, but let me ask this.

The National Solidarity Program (NSP), from some experts, is one of the most successful and cost-effective aid programs. I understand it operates in thousands of villages. Its method of electing councils mandating the inclusion of women, its literacy education, business training, I understand has been effective.

My question is, what is your view of this program? Is it as effective as I've been led to believe? Are there 20,000 shovel-ready projects ready to go, and is it being funded? And if not, what can we do to support it?

Secretary CLINTON. Senator, I am absolutely in agreement with the tone and substance of your question. The National Solidarity Program is an important tool. It has been very successful. I want to reiterate that the United States Government funds the NSP through the Afghanistan Reconstruction Trust Fund. It's a facility managed by the World Bank.

And from fiscal year 2004 to 2008, USAID has given \$100 million to the NSP. In this 2009 supplemental, we are requesting \$85 million in additional funding for the Afghan Reconstruction Trust Fund, which we intend to target toward the NSP. I think there is more we could do. It's exactly the kind of program that sort of makes our case. It's on the ground. It's Afghans in the lead, supported by technical assistance and expert liaisons. And it is, I think—I was last told 24,000 villages. So we are very strongly in support of this.

Senator LANDRIEU. Thank you. And Mr. Chairman and ranking member, I would just ask you all to make special note of this particular program. It's small, but has such potential to make a difference, and we'll be following up as we go through this process.

My second question, Senator—I mean, Secretary Clinton, is about USAID. I know we've had several, but it's a different twist to it. I understand, and I'd like you to clarify for us, both of you, if this is correct.

I asked for a review about the dangers facing Afghan workers in Afghanistan. The casualty rate for USAID employees and locally engaged employees, I understand, is 1 in 10, as opposed to the casualties of our military, Secretary, 1 in 57. Can both of you comment about what we're going to do to provide the—if this is correct, what are we going to do to provide the security that our aid workers need to obviously carry out this mission that both of you have thought so clearly about and articulated this morning?

Secretary CLINTON. Well, Senator, those are the best numbers that we have available. Obviously, any loss of life of any of our young men and women in uniform is a matter of grave concern to us. Many of the casualties on the civilian side, as you rightly point

out, are non-U.S. contract employees, NGO employees, locally engaged Afghans.

But the numbers are quite disturbing, and it is a problem for us. And that's something that Secretary Gates and our respective teams are working on, how do we provide the security necessary?

You know, if you look at Iraq and the PRTs that have been embedded with our military, they've been very successful because they did have that security backup. In Afghanistan, we expect there will also be initially a lot of support from our military for our civilian workforce.

But we want to be effective, and we're going to go places that the military may not see as a high priority. And it is a concern to me personally, as I know it is to the rest of the Government, and we're trying to figure out the best ways to provide that.

I mean, these are war zones. I mean, it's dangerous for our military or our civilian personnel. But because our civilians are not armed and are not equipped to defend themselves unless there is a military presence or a contractor providing that support, we have to be very careful about how we proceed.

Senator LANDRIEU. Thank you.

Chairman INOUE. Thank you. Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman. Secretary Clinton, I want to follow up on Senator Mikulski's concerns about the treatment of women at a time when we're proposing to ramp up our economic assistance to Afghanistan.

The first time that I met Hamid Karzai was in 2003, and it was before he was president, but he had been brought back to Afghanistan. And I recall it so well because he seemed so committed to reopening schools for girls, and pledged personally to me that better treatment of girls and women would be among his highest priorities.

Then you and I, on a subsequent trip to Afghanistan, met with a group of Afghan women, and it looked like real progress was being made. But now, Afghanistan is going backward in its treatment of women.

We've seen President Karzai sign a highly repressive law that, among other provisions, actually legalizes marital rape. And it's troubling to me that the American taxpayers are being asked to ramp up assistance to Afghanistan at a time when the treatment of girls and women is becoming more repressive.

So my question for you is are we conditioning this additional assistance on any standards for the treatment of girls and women?

Secretary CLINTON. Senator, we are making it very clear that among our now more limited priorities, the treatment of girls and women stays right at the core of what we're doing. And as we are meeting with the Afghan Government and President Karzai next week in our second trilateral meeting with the Pakistani Government, we will be raising these issues and demonstrating clearly to them how seriously we take this.

I have to say too that I was very disappointed by that law going through the Parliament. I have spoken with a number of officials in the Afghanistan Government, and I think this is one of those where they viewed it as a request by a minority group, and with a straight face, were saying, "Well, no, we still support women. It's

just something that is demanded for this minority.” And we made it very clear that that just was not acceptable, that we wanted clear, unequivocal commitments to the well-being of women and girls.

Now, in many ways, the situation has improved the number of schools that are operating. But as we look at our objectives in some of the most difficult areas of the country, certainly the Taliban uses intimidation against girls going to school—throwing acid in their face, burning their schools down, threatening their families if they send the girls to school.

And we’re going to make it clear that the United States and our European allies and others who are working with us in this are just not going to stand by and let that happen.

Senator COLLINS. Good.

#### HELP FROM EUROPEANS

Secretary GATES. I would just add, Senator, that just to pick up on Secretary Clinton’s last comment, this is an area where we actually have a lot of help from the Europeans. They are very conscious of not just the treatment of women and girls, but other kinds of repressive actions, such as the treatment—the criminal treatment of children, and other things like that, where they react very strongly to that, and they carry that message directly to President Karzai and other members of the Afghan Government.

Senator COLLINS. Thank you. Thank you both.

Chairman INOUE. Thank you. Senator Nelson.

Senator NELSON. Thank you, Mr. Chairman. Thank you both for being here today. I think we’re all encouraged by the partnership that you’ve been able to put together between State and Defense, and we wish you well in your endeavors to bring together the various activities, because they are interrelated.

And I’m encouraged, as well, that, Secretary Gates, you’ve made it clear from the very beginning that we will not win simply by military means alone. That’s why it’s so important you do this. Before we get mired down in the new budget, we probably ought to step back for a moment and look at the mission that we really want to achieve in Afghanistan.

As you know, I’ve been one who pushed for benchmarks or measurements that we can measure what it is that—what our success is in important areas we might proceed. I’ve been encouraged, as well, by the recognition that having the equivalent of benchmarks, if not by that name, the equivalent of some metric to evaluate how we’re doing in these critical areas where we have goals that are set.

And I wonder if you might update us on what’s going on, because some of them are obviously going to be State goals and some are going to be Defense goals. And I wonder if you might—I’ll start with you, Secretary Gates, and then Secretary Clinton.

#### BENCHMARKS FOR AFGHANISTAN

Secretary GATES. The benchmarks are still—or I guess we’re going to call them measures of effectiveness, are going to—are I think well advanced at this point, but still haven’t come to the principal’s level for approval and forwarding to the President.

But based on the preliminary looks that I've had, the measures fall into three categories: security, development, and governance. And they apply to both Afghanistan and Pakistan. And so those categories will be in each of the three.

And I think that one of the reasons that I have strongly supported this is that, before we can come up here, we need to be in a position to evaluate honestly and without sort of rolling the goals in front of us to see whether we're making progress 6 months from now on the issues that today we think are important.

And I think that there's a real commitment on the part of the administration to do this, and I think the benchmarks are going to be pretty elaborate when they're completed.

Secretary NELSON. Secretary Clinton.

Secretary CLINTON. Senator, I remember sitting, sometimes in this room, occasionally over in Hart in the Senate Armed Services Committee, and our constant effort to try to get some measures of performance, some metrics that we could judge. And it was a moving target, and it was very difficult. And you and others were real leaders in trying to achieve that.

We're going to start this effort with such metrics, I mean, exactly what Secretary Gates said, in the three big areas, but then broken down into much smaller bites. And we're going to be measuring from every perspective. Whether it's diplomatic and development efforts or military efforts or intelligence efforts or agricultural development, we are going to have a list of such measurements.

So I hope that the Congress will give us a chance to put these in place and then be able to brief you on them and report to you on them, because I think that it will be a better approach if we can do this within the context of the different departments and not legislatively mandated at this point.

But we really agree with you completely that this has to be part of our mission going forward to figure out how effective we're being, and they are pretty far advanced. And obviously, we'll be sharing them with you and seeking ideas or suggestions as well.

Senator NELSON. Will they be made public? Will the measurements be made public?

Secretary CLINTON. Well, some could not be because they would be classified and military mission-related, but we haven't made a final decision. Certainly they could be shared with the Congress. Whether they could be in some form made public is a question that we will try to answer affirmatively, because it's part of what we're hoping to do, which is to enlist broad support for what we're attempting.

Senator NELSON. It would help develop the support. I appreciate it very much. Thank you both. Thank you, Mr. Chairman.

Chairman INOUE. Thank you. Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman. Both your answers to that last question were really music to my ears because, like Secretary Clinton said, we've pushed hard over the last several years to try to get some way to measure success or progress in Iraq, and it's very difficult. And basically, from my standpoint, it never really happened.



## GREATER ACCOUNTABILITY ON PAKISTAN

Secretary Gates, let me ask you, if I may, and make sure I understand your previous answer. What you're saying is this is a pretty sharp departure from the previous administration, that you're trying to establish internally a real measurement of the effectiveness and of the progress that we're going to be making in Afghanistan; is that fair to say?

Secretary GATES. Yes, sir. And I felt fairly strongly—having been through the experience with Iraq 2 years ago, I felt it was very important that the administration take the initiative on this and say, “We will hold ourselves accountable, and here are the things we will hold ourselves accountable to.”

Senator PRYOR. I think that's great. And as Secretary Clinton alluded to, if you could share that with the Congress, that would be most helpful, and whatever you can make public that would be appropriate, I think would help the American people understand what we're doing there.

Secretary GATES. Well, as Secretary Clinton said, there's no question about what we'll share with the Congress, and we'll make public as much of it as we can.

Senator PRYOR. That'd be very much appreciated. Let me ask also, Secretary Gates, about the request for \$400 million for the Pakistan Counterinsurgency Capability Fund.

As I understand it, we have been giving Pakistan money in years past, but there hasn't been a lot of accountability, and my belief is that they've been taking at least some of our money, and maybe most or all of our money, and actually moving it over to the eastern side of the country, using it to beef up their defenses, et cetera, against India, rather than helping in the international effort that we wanted them to help on in the other parts of their country.

What sort of accountability will you put on this money in Pakistan to make sure that it is spent in accordance with the United States' purpose?

Secretary GATES. Well, first of all, let me make clear the distinction between the coalition support funds that we have paid the Pakistanis over the past 7 years and this PCCF. The coalition support funds are all reimbursements of the Pakistanis. They make a claim to us. It's reviewed by our Defense office in the Embassy in Islamabad. It's then reviewed by Central Command. Then it's reviewed by the Comptroller at the Defense Department before the reimbursement is provided.

We have taken some steps after this became an issue last year. We tightened these procedures significantly in June 2008 to ensure that these measures were being—that the accountability issues were being applied consistently, that there was somebody clearly responsible, and that's the commander of Central Command. And then also, to ensure that the Pakistanis—that we provided some assistance to the Pakistanis so they could help meet our demands for accountability. There were just some capabilities, accountants and so on, that they didn't have.

So I think we're in a better place for that. And the reality is because it's a reimbursement, they then can spend the money however they want, because it's a claim that they filed with us.

On the PCCF, these are funds that we will be applying directly to border security, to training. The funds would be used, for example, to build the border coordination centers. They would be used for the training of the Frontier Corps, and so we know that the training camps are being built for the Frontier Corps. So these are things—the money that we will be allocating for this will be for things we can see and that we can document where that money has gone.

So I think it's a very different kind of thing, in the sense that it's not a reimbursement, but it is for training and equipping of the security forces and related counterinsurgency strategies. I know there's been some concern here on the Hill about whether this money ought to be in the State Department or it ought to be in the Defense Department.

And what Secretary Clinton and I have agreed that we would recommend very strongly to the Congress is let's do it this way for the fiscal year 2009 supplemental. Let's see if there's a way that we can—part of the problem is authorities and capacity in the State Department to be able to apply this money with the agility Secretary Clinton was talking about, like the CERP funds.

So then our proposal would be to see if we can work with the Congress to have a way that the money can be allocated, appropriated to the State Department in fiscal year 2010, but with the authority for an immediate pass-through to the Department of Defense to implement it. And then we would use fiscal year 2010 to build the capacity and get the Congress to approve the kinds of authorities that would give the State Department the capability to administer the money and manage the money beginning in fiscal year 2011.

Senator PRYOR. Thank you. And again, that gives me a lot of comfort, and I appreciate that. It's great to see you both. Thank you.

Chairman INOUE. Thank you. Senator Voinovich.

Senator VOINOVICH. Thank you, Mr. Chairman. First of all, I want to congratulate all of you on what I refer to as the Obama doctrine, and that is smart power. And it's nice to see the relationship the two of you have built. And I've had a chance to talk to General Jones last week, and I'm very pleased with what you're doing.

One of the things that's coming up more and more often when I go back to Ohio are people are asking me, "How can we continue to be Uncle Sugar to the world?" And the question they're asking is have we set priorities in terms of where we're going to invest our time and material and our men and women, and what is the capacity to respond financially to these challenges that we have?

If you look at this supplemental, if it passes, and probably will, this deficit for 2009 will be over \$2 trillion, 14 percent of the gross domestic product (GDP). Most people agree that in the next 5 years, we'll double the debt; triple it in 10 years.

We're really in a financial crisis here today in this country. People are out of work and they're wondering what's going on. How can we keep going?

And I would suggest to both of you, all of you that are in the non-entitlement programs in the silos, to talk to the President and

Peter Orszag about it's time for us to deal with entitlements and tax reform in this country. And if we don't do it, we're going to do away with our credibility, in terms of the rest of the world, and our credit will be zilch.

Now, that being said, and I think it's really important that we get at this thing right now, because people around the world are worried about what we're doing. Some of them can't even believe it. And the same people are asking us for help.

The question I have for Afghanistan is this. I remember in 2003, when I put my foot down and said we weren't going to have any more than a \$350 billion tax reduction, the President of the United States and Vice President and everybody else said, "Don't worry, George. The spending in Iraq's going to be taken care of. You don't have to worry about it."

#### LONG-RANGE STRATEGY FOR AFGHANISTAN

Well, it wasn't. Now we're talking about Afghanistan. And what really worries me is do we have a comprehensive plan? I'm talking about long range. How long's it going to take? How much money is it going to take? How many of our military are going to have to be there? What kind of infrastructure are we going to have to build? In addition to that, what role are our NATO allies going to be playing? I've talked with the Brits. They said, "We're stretched. We can't do it." I've talked to the French. "We're stretched. We can't do it."

Now, Afghanistan was supposed to be a test of NATO, and we still have people over there with KVS. I'd like to know, has anybody really sat down and looked at where are we going, how long, and talk to our allies about what their responsibility is going to be, militarily, infrastructure-wise, humanitarian, and all the other stuff that we've talked about, or is this going to fall back right in our laps, for the most part, like Iraq has?

Secretary GATES. Well, Senator, in my view, I think we have looked at the longer-range strategy. I think we have set some clear priorities and clear goals that are more realistic. There is no question that this is a multiyear undertaking.

I would tell you that we all wish that our allies would do more, but the reality is, they are doing a lot. They have 32,000 troops in there. They are taking serious casualties. The Canadians, the British, the Danes, the Australians, the Dutch are in the fight in a big way, and now so are the French. And the north and the west are mainly quiet, but the Germans have thousands of troops there in the north and the Italians in the west, along with the Spanish.

They are responsible for more than one-half of the provincial reconstruction teams. They run 53 of the operational mentoring and liaison teams, and have promised to fund 103 by the end of 2011.

So do I wish they had more there? Sure. Do I wish they would donate more to the Afghan National—the trust fund for the Afghan National Army? Yes. But the fact is, they are participating and they are paying, and they are paying with blood as well as treasure.

I believe that an honest answer to your question is that we will have to have troops in Afghanistan for some period of years. I think the exit strategy for all of us is a more effective Afghan Gov-

ernment, but especially, an effective Afghan National Police and effective Afghan National Army partnering with us initially, and then taking sole responsibility over time, as well as some measure of improved governance, so that people who are sitting on the fence in Afghanistan come over on the government's side.

So this is hard. It's going to cost us more money. But the reality is, I think most Americans understand that we were attacked out of this country in 2001, and that if we don't see this thing through, then the same people who attacked us in 2001 will reestablish a safe haven there, where they have the capacity to plan sophisticated attacks against us.

Chairman INOUE. Senator Tester.

Senator TESTER. Thank you, Mr. Chairman. I want to thank both of you for being here. We're getting toward the end of a fairly long hearing, but I appreciate your answers and your matter-of-factness.

A couple of things. The Yellow Ribbon Program, Secretary Gates, I appreciate you expanding that out. I think that's a great program, and I think it's a program that will serve our fighting men very, very well.

I want to say a little bit about agriculture very quickly. Secretary Clinton, you talked about it a little bit, and I would just say this. I don't know that culture. You guys know that culture far better than I do. But I can tell you this. As a farmer, to go in and douse the crops with a herbicide or pesticide and kill them, that's a far bigger loss than money can pay for. And so I hope that we're looking at the synergy between the farmer and the ground and all of that. I agree they're raising a crop that they need to replace it with something that's a consumable that'll help their country, but if you want to make somebody really, really mad for a long, long time, especially a farmer, just go in and take out their livelihood.

A couple of things. This kind of dovetails onto—one of the things that makes people anxious, I think, about Afghanistan is we're still in Iraq, and we saw we had people supposedly that were helping us, our allies, and pretty soon, it was a one-man band. So the points that Senator Voinovich makes, I think, are solid, how we keep our allies involved in a part of this equation. Because, quite honestly, the war on terror doesn't just apply to the United States. It applies to everybody in the world.

What about non-military costs? Are our allies stepping up to the plate in that realm? And either one of you can answer the question.

Secretary CLINTON. With respect to Iraq?

Senator TESTER. With respect to Afghanistan's rebuilding.

Secretary CLINTON. Afghanistan? Yes. In fact, what Secretary Gates just recited, in terms of the support that we are getting from our allies in Afghanistan, it's not just in military. In fact, I think every country that has troops on the ground also has civilian help on the ground, and some countries that don't have troops on the ground have come forth with civilian help. So we are seeing that.

Senator TESTER. Have those countries stepped up with monetary help also?

Secretary CLINTON. Yes, they have. And, you know, as Secretary Gates said, not as much as we would want, but in some ways, more than we expected.

Senator TESTER. Is it about in the same proportion as the troops? You said 68,000 to 32,000. Is it about in that same proportion, as far as our effort compared to our allies' efforts?

Secretary CLINTON. You know, I don't know the answer to that, Senator. We'll find the answer and give that to you.

Senator TESTER. I appreciate that.

[The information follows:]

The United States has pledged approximately \$35.5 billion to Afghanistan since 2001, according to the Afghan Ministry of Finance (57 percent of total international contributions). After the United States, the United Kingdom, World Bank, Asian Development Bank, and Japan are the next largest donors, pledging a combined total of roughly \$10 billion. In total, the international community has pledged \$26.5 billion to Afghanistan since 2001 (43 percent of total).

The last Afghanistan donors' conference was held in Paris in June 2008, which resulted in over \$20 billion in pledges. Responding to our intensified civilian effort, many international partners have approached us to discuss expanding and targeting current and new assistance. Consequently, we are exploring holding another donors' conference, focused primarily on donor coordination.

Senator TESTER. We've got funding, \$800,000 for Pakistani—\$800 million, I'm sorry. \$800 million for U.N. peacekeeping, \$200 million for Georgia, several of them. Just curious why these aren't in the 2010 appropriations request, and why are they here and not in that?

Secretary CLINTON. Well, I think on a number of those, these are commitments that were made that need to be fulfilled before we would finish the deliberations on the 2010 budget. What we've tried to do is be very, very careful about what we put in the supplemental. Because, as the chairman said at the very beginning, this is our last supplemental. We do not want to fund our Government in these important projects by supplemental. But there is a pipeline problem that we're trying to cure by getting the money where it needs to be.

Senator TESTER. So it's time sensitive, and it wouldn't be there in time if it was in the 2010 budget?

Secretary CLINTON. Yes, sir.

Senator TESTER. Okay. Thank you. Thank you very much. Thank you, Mr. Chairman. Thank you both.

Chairman INOUE. Thank you. Senator Brownback.

Senator BROWNBACK. Thank you, Mr. Chairman. Secretaries, welcome here. I'm glad to hear your speech at K-State got sent around the world, Secretary Gates. If you ever want to get a message out to the far corners of the world, just come to Kansas State University. It'll get out and get expressed.

#### RELOCATING DETAINEES

I wanted to let you know, on the Guantanamo Bay detainees, this is a hot topic in my State with Fort Leavenworth there, and it's a hot topic with your commander at that base, whose primary mission is educational.

And we've got 90 countries represented there, and we've had several Muslim countries already tell us if the detainees are moved to Fort Leavenworth, we're not sending Army officers to be educated at Fort Leavenworth, because they don't think they should be detained, period, let alone being at the same spot that they're going to put their future command officers.

So please, not at Leavenworth. I think you should look overall, and I'm glad you're looking at Europe with that. But it's a big topic in my State, and I think it really hurts the Command General Staff College at Leavenworth. And I would hope you would ask a number of Islamic countries, if you are even considering Leavenworth, the impact, because I really think it would have a negative one there.

Secretary GATES. I look forward to telling Secretary Sebelius that I, in fact, got her letter.

Senator BROWNBACK. Good. Second, on food aid, Secretary Clinton, I know you've been interested in this a long time. I have been, and I'm very frustrated about AID and food aid generally.

Let me just—an idea that we've been kicking around for some time that we're just not getting the bang for our buck on this, is looking at what the military does on a quadrennial review of food aid, and just requiring this every 4 years, so that you get some structure that more reflects the global situation.

We put a fair amount of money into this, and I just don't think we get where we need to on it, and I would love to work with you on something like that.

Secretary CLINTON. Senator, I would really welcome that, and we will send someone to brief your staff and yourself, if you would be willing to do so, about the approach that we're taking.

You know, I believe strongly in the old adage, better to teach someone to fish than to give them a fish, and I think what we're trying to do is to shift our focus back to where it was in the 1960s and the 1980s, when the United States led a green revolution. It's complicated. It has to be approached in a very thoughtful manner. But I think we've got some good ideas, and we'd love to have you involved.

Senator BROWNBACK. I think we probably need to institutionalize some of that. I also applaud your efforts on H1N1 and working with particularly like Mexico to head it off and help them with vaccines. The child that died in Houston was from Mexico, my guess is trying to get some assistance and help.

Finally, on North Korea, I am just beside myself on what has happened. I mean, they've launched a multistage missile. In the paper today, they're talking about detonating another nuclear weapon. And then in this supplemental, please, you're asking the Congress to put in nearly \$100 million of economic support for North Korea.

And I look at this and I think, "This is exactly the wrong message we should be sending." President Obama, when he was candidate Obama, said that North Korea doesn't perform, we should—and he said—I'm quoting this directly from a June 26 last year speech—"We should move quickly to reimpose sanctions that have been waived and consider new restrictions going forward."

My goodness, if they haven't done enough now to merit this situation, double state of missile, leaving the Six-Party Talks, kidnaping two U.S. citizens, restarting a nuclear facility, if they haven't done enough to merit putting the old sanctions back on and looking for that alone, trying to give them aid in this supplemental, I really think that's the wrong message for us to send.

Secretary CLINTON. Well, Senator, let me assure you that that money is in there in the event which, at this point, seems implausible, if not impossible, the North Koreans return to the Six-Party Talks and begin to disable their nuclear capacity again. We have absolutely no interest and no willingness on the part of this administration to give them any economic aid at all unless they—

Senator BROWNBACK. Including fuel oil?

Secretary CLINTON. Absolutely. That is my very strongly held belief. I mean, they are digging themselves into a deeper and deeper hold with the international community.

I think they were shocked we were able to get the Chinese and Russians onto such a strong statement in the United Nations, specifically saying that their missile launch contravened the Security Council Resolution 1718. And then they were further shocked when we got the Chinese and the Russians to agree on tough sanctions on some of their financial institutions.

So we are very serious about trying to make it clear to the North Koreans that their recent behavior is absolutely unacceptable.

Senator BROWNBACK. Thank you.

Chairman INOUE. Senator Lautenberg.

Senator LAUTENBERG. Thank you, Mr. Chairman. And I thank each of you for the work that you're doing and, Secretary Gates, the fact that you're carrying over and we're not discussing parties and things of that nature, I commend you for that.

And, Hillary Clinton, we miss you here, but we are so pleased that you're going on with the task that you are. You are firm without being a bully. You're intelligent without causing our allies, or the ones we need to develop friendships with, feeling like we're dismissing their needs. And we're proud of each of you.

And let me ask a question here. Last year, I wrote a law to establish an inspector general position for Afghanistan reconstruction. The nomenclature was CGAR. Congress has appropriated \$16 million for that post, and I'm pleased the President has added additional funds in the supplemental so this office can hire more staff and get to work.

What are the lessons that we've learned in Iraq that can help us prevent the abuses that were so obvious and abundant in Afghanistan?

Secretary CLINTON. If I could just—

Senator LAUTENBERG. In Iraq. I'm sorry.

Secretary CLINTON. Thank you, sir. Thank you for those kind comments, Senator. I really appreciate them. What we're trying to do with our own internal measurement performances with more accountability, and I have personally told the Afghanistan inspector general's office that we don't want them to wait and just give us a report that something's going wrong. We want them to be an early warning signal. I mean, if they are doing investigations and they see something that is not appropriate, let us know. Don't let it go on.

We're going to try to have a very clear set, both of measurements and of early warning signals, so that we can get ahead of some of these problems that you've rightly pointed out.

Senator LAUTENBERG. We have to do that, because it's very hard to close that barn door once the horse is gone and expect any kind

of a result. I ask this question about Iran. And either one of you expressing an opinion would be of value.

The President stated any engagement of Iran would be limited, and if there's no progress, the United States will pursue serious sanctions. And while I hope those talks will be fruitful, I hope that we would be serious about imposing strong sanctions, including a loophole that has allowed subsidiaries of American companies to do business with Iran, establishing sham locations in the Caribbean, and then extending them so that we can do first-hand business.

Should we make sure that that door for American companies to be profiteering, as happened in Iraq while assaulting our people, shouldn't we close that door once and for all? Madam Secretary, what do you think?

Secretary CLINTON. Well, Senator, we are operating on two tracks. We do have an intensive consultation effort going on with friends and like-minded nations, not only in the region, but elsewhere in the world, concerning the threats that Iran poses, not only with its nuclear ambitions, but its interference with the internal affairs of many countries, its funding of terrorism, and so much else that is deeply troubling. And we believe that our outreach and our consultation lays the groundwork for tougher international sanctions.

But I agree with you that we ought to look to make sure that we have our own house in order as to any of the sanctions that we should be implementing going forward.

#### OPTIONS FOR DEALING WITH IRAN

Senator LAUTENBERG. And Secretary Gates—and I promise you, Mr. Chairman, this is it. Are we limited to two options to control what might be going on with Iran and the nuclear development? Is it sanctions or military engagement? What else is left to us, other than that?

Secretary GATES. I think that the one thing that's clear is that the Iranians hate being isolated. All of the information we get indicates that however imperfect the U.N. resolutions against Iran are, the Iranians hate it when one of those resolutions passes, because it makes clear how isolated they are in the world.

My view is that the only way to eliminate an Iranian determination to have nuclear weapons, in my opinion, is for that government to make that decision. Even a military attack will only buy us time and send the program deeper and more covert. How do we get them to decide that it's not in their interest to pursue nuclear weapons?

It seems to me partly it's economic pressures, partly it's diplomatic isolation, partly it's seeing their neighbors beginning to band together to collaborate on air and missile defense that is aimed only at Iran. It's one of the reasons I think there is value in pursuing a partnership with the Russians on missile defense in Europe and in Russia itself.

And I think all of these things, combined with a diplomatic door that they can walk through if they choose to do so, so that they don't feel like they've been backed into a corner and have no choice but to go forward, plus trying to persuade them that their security interests are actually badly served by trying to have nuclear weap-



ons, that they will spark a nuclear arms race in the Middle East, and they will be less secure at the end than they are now.

So I think there are alternatives to the military. The military option, as I say, is at the end of the day still only a temporary option. And so I think it's the panoply of these things put together in a coordinated policy and with the help of our allies and partners and, frankly, important countries like Russia and China, that I think offer the best chance. And I would tell you we've got a better chance of making it work on \$40 oil than we do on \$140 oil.

Senator LAUTENBERG. Well, Madam Secretary, you have an enormous job, as we've just heard from the Secretary. Thank you very much, Mr. Chairman.

#### ADDITIONAL COMMITTEE QUESTIONS

Chairman INOUE. Thank you. Secretary Clinton, Secretary Gates, on behalf of the committee, I thank you for your attendance and your testimony today. As you know, colleagues have submitted questions to you, and I hope that you can respond to them and return your answers by next Wednesday, to prepare ourselves for the markup.

[The following questions were not asked at the hearing, but were submitted to the Departments for response subsequent to the hearing:]

#### QUESTIONS SUBMITTED TO HILLARY RODHAM CLINTON

##### QUESTIONS SUBMITTED BY SENATOR ROBERT C. BYRD

*Question.* Secretary Gates and Clinton, should we expect to see any more war-related supplemental requests?

*Answer.* The President has stated that while emergency supplementals maybe required in the future, they should focus on truly unanticipated events and not be used to fund regular programs. However, as we implement the President's strategy in Afghanistan and Pakistan, it may become necessary to review the resources available for programs in these countries.

*Question.* Secretary Gates and Clinton, will your fiscal year 2010 budget requests, which we expect to receive next week, contain detailed war funding justifications?

*Answer.* The fiscal year 2010 budget request reflects, in great detail, the Administration's commitment to strengthen diplomatic and assistance tools to address current and future challenges that impact the security of the United States.

The budget increases non-military aid to Afghanistan and Pakistan to revitalize economic development and confront the resurgence of the Taliban, and realigns U.S. assistance to Iraq to help responsibly end the war and enable Iraqis to assume more control of their country.

It puts the United States on a path to double U.S. foreign assistance. This funding will help the world's weakest states reduce poverty, combat global health threats, develop markets, govern peacefully, and expand democracy worldwide.

The 2010 request supports the worldwide operations of the Department of State and U.S. Agency for International Development, provides new resources to hire additional Foreign Service officers, and builds civilian capacity to meet the challenges of today's world.

It also provides additional funding for key programs that advance U.S. foreign policy goals, including significantly increasing funding for energy initiatives, programs addressing global climate change, and agriculture investments.

*Question.* Secretary Gates and Clinton, how long should the United States expect to be in Afghanistan?

*Answer.* We cannot remain in Afghanistan for an indefinite period. Therefore, it is of utmost importance that we rapidly build the size and capability of the Afghan Government, including the Afghan National Army and National Police, to levels such that it is able to provide basic governance and security for the Afghan people. The United States and the international community will need to subsidize the Af-

ghan security forces for the foreseeable future, while the Afghans build an economy and government capable of sustaining their own forces.

*Question.* Secretary Gates and Clinton, what is the United States doing to ensure greater NATO and United Nations participation in addressing the war in Afghanistan?

*Answer.* At the NATO Summit in Strasbourg, Allies endorsed our Afghanistan-Pakistan strategy's focus on defeating Al Qaeda. Our Allies reiterated their commitment to working with the Afghan people to defeat this common enemy and to improve the Afghan government's capacity to provide governance and security for the Afghan people. To support those goals, Allies committed to provide the forces necessary to help secure the elections, agreed to expand efforts to train and mentor Afghan National Security Forces, and agreed to broadening NATO's relationship with Pakistan.

We are working to ensure that NATO Allies fulfill commitments on necessary resources, both military and civilian. We have also initiated further consultations with NATO Allies, ISAF partners, and other possible contributors to match their capabilities with specific requirements needed to implement the new strategy.

The March 31 International Conference on Afghanistan in The Hague recommitted the international community to supporting Afghanistan and underscored the central role of the United Nations in international assistance efforts. Our strategy for Afghanistan makes clear our strong support of the U.N.'s coordinating role in Afghanistan. We particularly appreciate the U.N.'s assistance to the Government of Afghanistan in organizing the August 20 Presidential and Provincial Councils elections.

We also fully support the Special Representative of the U.N. Secretary General to Afghanistan, Kai Eide, and his Deputy, Peter Galbraith, in fulfilling their mission to help the Government of Afghanistan and coordinate international civilian assistance.

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QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

*Question.* The supplemental request includes \$400 million for Pakistan to "help address Pakistan's economic crisis and balance of payment deficit" and to "supplement the Government of Pakistan's \$7.6 billion Standby Agreement with the IMF." You say these funds are to help "finance expanded social safety net programs, allow for higher spending on development programs, and finance foreign reserves through budget support."

What does that actually mean—who will get the money, and what will they do with it? Will any go directly into the Pakistani treasury as budget support?

*Answer.* The IMF estimates that Pakistan needs \$4 billion over 2 years from donors to help finance social safety net programs, allow for continued spending on development programs, and reinforce foreign reserves. These supplemental funds will support filling these IMF-identified gaps and help the Government of Pakistan meet IMF benchmarks, while also encouraging other donors to assist.

With the \$400 million we are planning to provide a mix of direct budget support and project support. Measures are being developed to ensure accountability and oversight. A portion of the budget support will be directed to an income support program for the poor, the Benazir Income Support Program. This puts funds directly into the hands of the most marginalized. Other direct support would cover the cost of electricity for schools and hospitals and teacher training. Projectized support will target internally displaced persons, rural infrastructure, and roads and agricultural schemes to generate local employment that contributes to development.

We share Congressional concerns on the imperative of positive outcomes and results from this assistance. As we finalize the specific allocation of funds, including measures of effectiveness for providing the funds, we will continue to keep you informed.

*Question.* Last year the Congress provided the previous Administration almost \$500 million for economic assistance for Pakistan, of which very little has yet been spent. I'm not faulting you for not spending it faster because we do not want to throw away good money after bad, but why do we need this additional \$400 million now?

*Answer.* The additional \$400 million requested in this Supplemental will be used very quickly in keeping with our larger strategy to help stabilize Pakistan's economy and meet social safety net needs, including addressing the crisis of displaced persons in the Northwest Frontier Province.

With the \$400 million we are planning to provide a mix of direct budget support and project support. Measures are being developed to ensure accountability and

oversight. A portion of budget support will be directed to an income support program for the poor, the Benazir Income Support Program. This puts funds directly into the hands of the most marginalized. Other direct support will cover the cost of electricity for schools and hospitals and some facility construction. Projectized support will target internally displaced persons, rural infrastructure, and roads and agricultural schemes to generate local employment that contributes to development. We share Congressional concerns on the imperative of positive outcomes and results from this assistance. As we finalize the specific allocation of funds, including measures of effectiveness for providing the funds, we will continue to keep you informed.

*Question.* You are requesting \$66 million for three Blackhawk helicopters for Mexico. This is more for the Merida Initiative, which was hastily put together with no prior consultation with the U.S. Congress or the Mexican Congress, in the waning days of the Bush Administration. Does the Administration have a new counterdrug strategy for Mexico and Central America, or is the Merida Initiative it?

*Answer.* Since assuming office, the Obama Administration has undertaken a review of our security and counterdrug cooperation efforts with Mexico and Central America. President Obama's mid-April trip to Mexico, as well as that of Secretary Clinton and Secretary of Homeland Security Napolitano and Attorney General Holder, have all informed that review and our future direction of cooperation with Mexico. The Merida Initiative, developed in consultation with our Mexican and Central American counterparts, provides a foreign assistance framework to effectively address the threat to regional stability posed by illicit drug cartels and criminal activity. As we move forward, the Administration will evaluate the program's performance and look for ways to improve and build upon it.

The recently announced National Southwest Border Counternarcotics Strategy, for example, is putting additional resources and personnel from DHS, DEA, and other agencies, to work with local law enforcement in the critical southwest border area.

We see strong political will in the region to address the challenge of providing greater citizen security on an increasingly regional and cooperative basis. The assistance we provide through the Merida Initiative builds on this trend and enables the U.S. government to work collaboratively with the governments of Mexico and other Central American countries to strengthen their law enforcement and judicial capabilities and to promote greater cooperation between our respective law enforcement agencies.

We are making a major investment to strengthen the rule of law and build institutional capacity in Mexico, areas that are critical to Mexico's long-term democratic development and stability. We are assisting the Mexicans as they make improvements across the spectrum of civilian law enforcement activities from gathering information, building cases, making arrests, improving their legal system, training prosecutors, and making prisons more secure.

To successfully take on the violent, well financed and sophisticated drug trafficking organizations, Mexican forces must have the capability to deploy rapid reaction forces and interdiction teams to complement their other improving skills. To address this need, the Merida Initiative includes helicopter support to both the Secretariat of Public Security (SSP) and the Mexican Air Force.

After visiting Mexico and assessing SSP requirements and recommended solutions, a technical interagency team determined that Blackhawk helicopters were the appropriate aircraft to meet SSP needs because: (a) they met mission requirements (load, capacity, and speed—18 passenger transportation to anywhere in Mexico within 90 minutes); and (b) SSP has purchased seven Blackhawks, and the three provided by the United States will enable the SSP to form a fully functioning squadron.

After we understood what the Government of Mexico's anti-crime strategy was, and identified how best the United States could support it with training, equipment and new cooperative mechanisms, then we began consulting and continue to consult with respective legislative bodies. We greatly appreciate the spirit of consultation and cooperation we have had over the past year with Congress, and their appropriation of funds for the Merida Initiative thus far. We look forward to continuing consultations with Congress as our programs move forward.

*Question.* I strongly support helping Mexico which is facing real threats from heavily armed drug cartels, and is now dealing with the H1N1 virus. But why is the Merida Initiative different from past failed counterdrug strategies, and what can we reasonably expect it to accomplish, at what cost, over what period of time?

*Answer.* The Merida Initiative is a comprehensive approach fundamentally structured to strengthen the institutional capabilities of Mexican law enforcement and judicial agencies. It was jointly designed and agreed to in close consultation with the Mexican government.

This consultative process is designed to improve the effectiveness of our assistance and to develop greater buy-in from the receiving agencies in Mexico. Through this process we are encouraging greater law enforcement cooperation among Mexican law enforcement and judicial entities at the federal level. We are also promoting links between U.S. judicial and law enforcement agencies and their Mexican counterparts.

Through the Merida Initiative, we are making a major investment in strengthening Mexico's capability to enhance and enforce the rule of law. We are assisting the Mexicans as they make improvements across the spectrum of civilian law enforcement activities from gathering information, building cases, making arrests, improving their legal system, training prosecutors, and making prisons more secure.

These strategic goals will take time to accomplish. Originally, the Merida Initiative was envisioned to be a \$1.4 billion commitment for Mexico, over 3 years.

In fiscal year 2008, we requested \$500 million for Mexico and in fiscal year 2009 we requested \$450 million for Mexico, for a total of \$950 million. Congress appropriated a combined \$700 million for Mexico in fiscal year 2008 and fiscal year 2009 under the Merida Initiative.

To accomplish the goals set out in the Merida Initiative, which are in our own national interest, we need full funding support from Congress.

*Question.* I want to commend you including in the supplemental the money we owe for United Nations peacekeeping. For many years we have been in arrears, even though the Administration votes for these missions and other countries—not the United States—provide the troops. It is an important investment, there are real costs, and we need to pay our share in a timely manner. Am I right that if we provide these supplemental funds we will be current in our payments?

*Answer.* The fiscal year 2009 supplemental request of \$836.9 million for Contributions for International Peacekeeping Activities (CIPA), together with the fiscal year 2009 CIPA appropriation will sustain our contributions to U.N. peacekeeping activities through fiscal year 2009. These funds also will address arrears from calendar years 2005 through 2008 caused by the statutory cap on U.S. assessed contributions to U.N. peacekeeping operations. The Department may pay these arrears because its fiscal year 2009 appropriations act increased the cap from 25 percent to 27.1 percent for assessments made during calendar years 2005 through 2008. The request represents the Administration's commitment to pay U.S. assessments in full and on time to support U.N. peacekeeping missions that help maintain and restore international peace and security.

*Question.* For years we have heard complaints that U.S. Embassy and USAID personnel are trapped inside the fortified walls of their offices because of security concerns, and there are too few of them to manage programs so they rely on large contractors

When State and USAID staff do get out to the field they are frequently escorted by convoys of military personnel or armed security contractors, which frightens local people. How can we do a better job of balancing the need for program oversight in the field with keeping our diplomats and development personnel safe?

*Answer.* As of March 2009 (most recent data available), USAID/Afghanistan has noted 337 injuries, 23 kidnappings and 343 deaths.

To further illustrate this point, some of our colleagues in Afghanistan have begun to receive Night Letters and many staff in Afghanistan do not tell their families that they work for the U.S. Government.

Leaving compounds and/or private residences in high threat environments requires a great deal of coordination with the local security contingent as well as approval from the office of the Regional Security Officer (RSO), who sets embassy security policy and practice.

Under Public Law 99-399 (Omnibus Diplomatic Security and Antiterrorism Act of 1986), Chiefs of Mission (COMs) and embassy Regional Security Officers (RSOs) can be held personally accountable when there is serious injury or loss of life.

The law does not promote risk management decision-making in high threat environments, even where there is a high national interest priority in implementation, evaluating and monitoring of a program.

Some level of risk is inherent and accepted by all USG personnel who work in Afghanistan. Predicting the level and type of risk to allow for adequate planning is the objective; however, the nature of security planning is that it is dependent on perpetrators and predicting what they might do is not an exact science.

USAID is currently in the process of increasing our presence in Afghanistan and we hope to have an additional 170 field personnel (150 personnel requested through Spring 2009 supplemental funding and 20 personnel from pre-existing staffing plans) on the ground by the end of the calendar year. This increase in personnel will add to our capacity to provide direct oversight to our projects.

Due to the non-permissive nature of the security situation, USAID currently relies extensively on dedicated Quality Assessment/Quality Control (QA/QC) contractors, along with the military and implementing partners to help monitor programs.

Furthermore, we are utilizing telecommunication/removed video transmission when possible. This allows us to increase our monitoring capabilities at lower risk levels.

*Question.* We often hear that the quick rotation of Foreign Service Officers in and out of Afghanistan makes it very difficult to develop continuity and effectiveness of programs. After 1 year on the job, officers have just begun to understand how things work before they are transferred to somewhere else. Do you see this changing in the future?

*Answer.* Our Foreign Service employees face extremely difficult working conditions in Afghanistan—long working hours, extended family separation, as well as dangerous security conditions. While we recognize the benefits of longer tours, the current conditions there are not yet conducive to mandatory 2-year assignments.

We do, however, continue to review the length of our assignments to not only Afghanistan, but to our other unaccompanied posts. In establishing tour lengths, we must carefully balance the effects on employees of extended assignments in high-stress posts with the advantages that come from reduced personnel turnover.

*Question.* *Maersk-Alabama* Captain Richard Phillips, who was recently held hostage by pirates off the coast of Somalia, is a Vermont constituent of mine. You have requested \$40 million under the Peacekeeping Operations account for Somalia. Are there other types of programs that might provide Somali youth with employment opportunities instead of piracy?

*Answer.* Through implementing partner the Education Development Center, USAID is supporting the Somali Youth and Livelihoods Program which is designed to match approximately 1,200 jobseekers with employers in Somaliland through a database that is accessible via cell phone and internet. USAID is planning to expand this program from Somaliland into Mogadishu and other urban areas in order to reach an additional 4,000 people. In addition, via the International Labor Organization, USAID will be providing communities in strategic areas with assistance to address key community priorities such as infrastructure and rehabilitation and provision of economic and social service centers. This program aims to reduce insecurity related to high-risk youth joining extremist organizations by jump-starting employment and income generation.

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QUESTION SUBMITTED BY SENATOR BARBARA A. MIKULSKI

*Question.* What funding is being requested in the fiscal year 2009 supplemental (please specify dollar amount and accounts) for Afghanistan to help improve the situation for women of all ages in Afghanistan in the following areas:

- Access to primary and secondary education;
- Access to medical care—especially prenatal and post delivery care to help improve child and maternal health;
- Access to technical and vocational training and economic literacy training to encourage economic self-sufficiency;
- Access to family planning;
- Access to adult literacy programs; and
- Access to emergency shelters to provide refuge from sexual and physical abuse, violence in the home, exploitation, and potential abduction.

*Answer.* Funding for programs for women of all ages, including the fiscal year 2009 Supplemental, is described below. The effects of USAID programming in support of Afghan women and girls will be described in more detail in a report scheduled for later in this fiscal year.

*Fiscal Year 2009 Supplemental*

In the proposed fiscal year 2009 Spring Supplemental, USAID has identified notionally the following:

- \$3 million to increase access to legal aid through Ministry of Justice and select NGO legal services centers and capacity building for the MoJ.
- Up to \$20 million will be used to support gender-focused activities, including
  - (1) establishing a Women's Leadership Development Institute<sup>1</sup>, where women

<sup>1</sup>The Women's Leadership Development Institute will facilitate the growth of active, competent and politically astute women leaders and entrepreneurs in selected sectors. It will train

are trained to exercise leadership in key sectors, and (2) upgrading Women's Resource Centers in select provinces.

- Programming for women will be integrated throughout the \$129 million funding for stabilization activities and include small community grants identified by the Afghan local governments.
- Women will also be key beneficiaries of the \$135 million for Cash-for-Work activities which will be aimed at assisting women through short-term jobs for urban and rural families.

As part of a larger, more comprehensive leadership and capacity building strategy for women, the Institute could assume responsibility for leading that strategy development process, organizing career planning, customizing capacity building programs for key sectors and building partnerships among women and men, and solidarity through professional and mentorship networks and inter-agency initiatives.

#### *Fiscal Year 2009 Base*

In the fiscal year 2009 base, USAID expects to spend at least \$85 million for USAID's ongoing activities across all sectors to support women and girls in Afghanistan.

Programs across the sectors will address urgent humanitarian and "catch up" needs in health, nutrition, literacy and education, and they will sharpen the skills of women's civil society organizations so they can more effectively deliver essential services and play an effective advocacy role for peace, justice and good governance.

Additionally, USAID plans to spend \$15 million to support Women and Girls' NGOs, through a new umbrella grant program that is under consideration.

#### *Fiscal Year 2010 Request*

In fiscal year 2010, we expect to spend at least \$85 million for activities supporting women and girls and to support Women and Girls' NGOs, we expect to spend \$12 million or more, depending on the absorptive capacity of the Afghan NGO community.

#### *Fiscal Year 2008*

USAID provided at least \$79 million in fiscal year 2008 in activities that specifically support girls and women. Generally this assistance fell into the following categories:

- Providing basic services benefitting women and girls as components of large programs: maternal and child health; education (basic, secondary, tertiary, vocational), literacy and productive skills; economic opportunities including business development services (training, planning, marketing) and finance; agribusiness economic opportunities—tree nurseries, poultry and egg production, processing; access to justice; and elections—registration and voting.
- Strengthening gender policy and advocacy capacity: Ministry of Women's Affairs—National; Ministry of Women's Affairs—provincial, district, municipal and community levels; Parliamentary Commissions; National Action Plan for the Women of Afghanistan; Gender within the ANDS; and Afghan Human Rights Commission.
- Strengthening gender focused civil society: Capacity building and small grants program for Women and Girls—focused NGO's providing services of all types—e.g. education, health, training, prevention and mitigation of family violence, etc.; and women-focused and women's components of national business organizations.

The above activities are illustrative only; there are many aspects of the USAID program that benefit all Afghans with effects that are difficult to attribute to girls and women. For example, rural roads, national economic reforms, electricity programs for Kabul and major cities in the south; water and sanitation projects; broad rule of law activities; local governance strengthening; and, courthouses and district administration buildings.

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#### QUESTIONS SUBMITTED BY SENATOR HERB KOHL

*Question.* The 2008 Farm Bill requires a specified amount of Public Law 480 funds to be used for non-emergency programs. Has that provision reduced the amount that otherwise would have been available for emergency operations? If so, by how much?

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women to exercise transformative leadership in key sectors and provide advisory support to women who are already in decision-making positions.

Answer. It is correct that the 2008 Farm Bill requires a specified amount of Public Law 480 Title II funds to be used for non-emergency programs. This is resulting in \$25 million to \$100 million less for emergency food aid each year from 2009–2012. In fiscal year 2008, we programmed \$354.3 million in non-emergency food aid. The levels specified for non-emergency food aid in the Farm Bill are: fiscal year 2009—\$375 million; fiscal year 2010—\$400 million; fiscal year 2011—\$425 million; and fiscal year 2012—\$450 million.

In fiscal year 2009, we must shift \$25 million from emergency programs to meet the requirement for \$375 million in non-emergency food aid, and in fiscal year 2010 we must shift \$50 million from the fiscal year 2008 base to meet the requirement for \$400 million in non-emergency programs. This non-emergency requirement increases by another \$25 million in fiscal year 2011 and 2012, requiring shifting more funds. While non-emergency food aid programs have an important long-term impact, we remain concerned that they are being increased at the expense of funds for emergency feeding.

*Question.* Is it your understanding that donations from other countries are keeping pace with the overall rise in demand?

Answer. The United States provided \$2 billion of the \$5 billion in resources collected by the World Food Program (WFP) in CY 2008—some 40 percent of total donations that year. The U.S. share of total donations was in line with previous years, and we continued to be the world's single largest food aid donor.

WFP reports in its April 2009 Operations and Resourcing Update that the amount of contributions received so far this year is comparable to the funding level at the same time last year. However, it further reports that the need for humanitarian assistance has increased significantly, and relatively more funds are needed. WFP is projecting its needs for CY 2009 to be at approximately \$6.371 billion (of which \$5.7 billion is for emergency and protracted relief and recovery operations). It currently has \$3.451 billion available in resources (of which \$1.1 billion is in new contributions), leaving a gap of \$2.92 billion. We understand that due to currency fluctuations, WFP expects that contributions from other countries will be at a lower U.S. dollar value than last year.

*Question.* Can you describe any differences in how the World Food Program (WFP) defines a food “emergency” from what your definition might be?

Answer. All activities included in WFP's Emergency Operations (EMOPs) and Protracted Relief and Recovery Operations (PRROs) appeals are considered by WFP to be “emergency” food assistance needs. An EMOP or PRRO may both contain some activities that the U.S. Government clearly defines as emergency activities, such as direct distribution of food to victims of natural disasters, internally displaced people (IDPs) or refugees, and some activities that the U.S. Government does not consider an appropriate use of emergency resources. The provision of U.S. Government emergency resources is generally for a more limited set of activities than WFP proposes. WFP may include within the scope of its emergency programs recovery activities that we would consider developmental, such as certain food for work or training programs that exceed immediate livelihood needs. The total budgetary and program of work needs for EMOPs and PRROs for which WFP is appealing to donors in CY 2009 is \$5.7 billion.

*Question.* Do you think that some of the food-security items in your supplemental request, beyond the Public Law 480 item, could involve USDA participation?

Would you work with us to identify what some of those may be?

Answer. An interagency team (Interagency Policy Committee, or IPC) has been established to ensure coordination in all USG food security interventions—including those supported with the current supplemental funding request. State Department co-chairs this Committee with the National Security Council, and USAID and USDA are key participants. The committee has met twice over the past several weeks to begin to identify areas where closer collaboration will increase the efficiency and impact of USG resources provided for agriculture and food security. Over the next weeks and months we expect USDA, together with USAID, State, USTR, Treasury, and other USG agencies to develop an integrated plan of action to reduce global hunger and improve global food security, beginning with increased coordination between USG agencies, and extending to better partnership with other donors, national governments, private sector, and civil society. One expected outcome of this process will be an increased role for USDA in capacity building.

We will be pleased to work with the Congress at an early stage of development of the integrated plan of action.

*Question.* Would the Department of State benefit from collaborating with Defense in using these tools to assist you in managing international crises? What funding would you need and how would such funds be used?

Answer. Thank you for your interest in strengthening the tools at the Department's disposal to address the influenza outbreak and other near-term disasters. We are currently exploring the full range of our capabilities and, where any gaps exist, the extent to which the Department of Defense can support our efforts. We will provide you with more detailed information as soon as it becomes available.

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QUESTION SUBMITTED BY SENATOR RICHARD J. DURBIN

*Question.* Senators Bond, Murray, Dodd, Whitehouse, Cardin and others have joined me on a bill (S. 355) the Increasing America's Global Development Capacity Act that would triple the number of USAID Foreign Service Officers over the next 3 years. Are there other ways in which Congress can help in rebuilding capacity at USAID?

Answer. The President and I have made rebuilding our civilian capacity to undertake development and diplomacy a high priority. I would like to thank you for your support in that regard.

USAID is a resilient organization and has become creative in finding ways to continue to meet an expanding development mandate, while its operational resources have diminished over the past 15 years. The Agency's staffing levels and core business systems have not kept pace with increased program funding levels and the complex development environments in which the Agency operates.

USAID needs sustained Congressional support for requested levels of Operating Expense (OE) and Capital Investment Fund (CIF) accounts over the next few years. Further, increased flexibility in funding availability for the OE account would be beneficial to the Agency's revitalization efforts.

With Congressional support including adequate levels of OE and CIF funding, USAID will rebuild capacity while developing new systems and ways of doing business including:

- Building a high-performing and diverse workforce that is strategically aligned with USG priorities including establishing cutting edge training for existing staff as well as new hires.
- Re-establishing strategic planning, policy formulation, evaluation, and resource management at global, regional, and country levels;
- Greater tailoring of aid delivery modes such as host country contracting, smaller grants, and multilateral funding pools;
- Increasing flexibility for meeting demanding new staffing needs and establishing new working space overseas;
- Enhancing development impact and efficiency by placing development technical and support services in the most efficient locations, including regional centers; and
- Modernizing and globally deploying a suite of systems to meet Agency business needs and increase transparency.

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QUESTIONS SUBMITTED BY SENATOR TIM JOHNSON

*Question.* Do U.S. military clinics and hospitals overseas have sufficient staff, capacity, and medical supplies to treat military personnel and their families in the event of a major outbreak, or will U.S. military families have to seek treatment at host nation medical facilities?

The Department of State defers to the Department of Defense which has jurisdiction over this matter.

*Question.* Secretary Clinton, I would ask you the same question in relation to U.S. embassy personnel and their families overseas, especially those in places like Baghdad or Kabul where they may face special challenges in dealing with an outbreak of swine flu.

Answer. We are closely following the 2009 H1N1 flu developments around the world. In preparation for such events, the Department had prepared a Pandemic Influenza Plan and has recently convened the Influenza Outbreak Taskforce.

For our overseas missions, all posts have pandemic plans and stockpiles of antiviral medication and personal protective equipment to help ensure continuity of operations while minimizing exposure of staff and their families to disease. Our Office of Medical Services maintains health units at over 180 missions, which provide primary medical care and coordinates access to specialty care when needed.

The Department also provides additional assistance to our overseas missions, including providing departure options when determined to be necessary and where feasible. We are, however, aware a pandemic may eliminate normal departure options, requiring overseas employees and local American citizens to remain in coun-



try. While our Embassies cannot provide medical advice or provide medical services to the public, they do provide information regarding local health care providers and hospitals to those U.S. citizens.

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QUESTIONS SUBMITTED BY SENATOR FRANK R. LAUTENBERG

*Question.* In 2005, former Chairman of Yukos Oil Company Mikhail Khodorkovsky and his partner Platon Lebedev were convicted for fraud tax evasion and embezzlement. Those charges have been the subject of significant international scrutiny and the object of intense criticism by human rights organizations that have raised concerns about alleged due process violations. Additional charges have been brought against these defendants and a second trial commenced last month. Has the Administration raised this new case with Russian authorities? If so, what was the response?

*Answer.* The Administration has been closely following the current case against Mikhail Khodorkovsky and Platon Lebedev. U.S. Embassy and State Department officials have met with the defendants' legal teams and are closely observing the trial. The State Department has repeatedly and publicly urged Russian officials to respect the rule of law and the importance of due process in this, and in other cases and will continue to do so.

*Question.* Has the State Department made any new diplomatic efforts in the case of Sean Goldman, who has been kept in Brazil for years without the consent of his father, David Goldman, in violation of requirements under the Hague Convention on the Civil Aspects of International Child Abduction?

*Answer.* The State Department continues to monitor constantly and to work diligently on the Sean Goldman case. We are using every diplomatic tool to resolve this and the 51 other pending abduction cases in Brazil. The Office of Children's Issues (CI) and Embassy Brasilia are in frequent contact with the Brazilian Central Authority to discuss specific patterns in the Brazilian judicial system that are not in compliance with the 1980 Hague Convention on International Child Abduction. U.S. officials at Embassy Brasilia, including the U.S. Ambassador, continue to voice concern about Brazil's speed and efficacy in upholding the Hague Convention, and meet regularly with interested parties urging them to take action to improve Brazil's compliance. We are raising this issue at the highest levels of government. As you may know, I spoke to Foreign Minister Amorim regarding this matter.

In March 2009, CI staff met with Brazilian Consul General Barbuda to discuss six abduction cases which were more than 18 months old as of the end of fiscal year 2008, including Mr. Goldman's case, and to give an overview of good practice in upholding the Hague Convention. CI provided, at Consul General Barbuda's request, a list of the other currently pending cases, with summaries of status on each case.

In late March, Embassy Brasilia also reiterated, via diplomatic note, the State Department's interest in the expedited processing of Mr. Goldman's Hague Application. We requested assurance from the Brazilian Central Authority that the legal question before the Brazilian federal court is that of the return of Sean Goldman to the United States under the provisions of the 1980 Hague Convention.

In April, U.S. Embassy Brasilia requested clarification from Special Secretary for Human Rights Vannuchi after local press articles characterized his remarks to the Chamber of Deputies as indicating that he wanted Sean to stay in Brazil. The Minister's office reassured Embassy Brasilia that Secretary Vannuchi has no intention of changing his office's support for Sean Goldman's return to the United States in accordance with the terms of the Hague Convention. The Embassy has continued to urge Secretary Vannuchi to publicly correct the public impression of his remarks.

Our Consul General in Brasilia and the Western Hemisphere Affairs (WHA) Abductions Division Chief are scheduled to meet with Brazilian Central Authority officials, judges, and attorneys in mid-May to discuss good practices and steps necessary to uphold the Hague Convention on the Civil Aspects of International Child Abduction.

We will continue to press the Brazilian government at all levels to ensure Brazil's timely and expeditious compliance with The Hague Convention on Civil Aspects of International Child Abduction.

*Question.* The current Migration and Refugee Assistance recommendation in the supplemental for \$294 million is for overseas assistance and does not address the crisis facing refugees who are resettled to the United States who are finding it increasingly difficult to find jobs and stay in their homes, especially given the current economic crisis. What is the State Department doing to specifically address this need?

Answer. The Department of State recognizes that the economic downturn has made it difficult for many newly resettled refugees to find jobs, and that some are finding it difficult to meet basic needs. For that reason, the Departments of State and Health and Human Services are working to find solutions. The Department of State recently announced that \$5 million will be made available to refugee resettlement agencies to help refugees with emergency housing needs. We anticipate that this move will bring an element of relief. Programs for the longer term needs of resettled refugees are housed within HHS' Office of Refugee Resettlement. We are working with HHS to find solutions.

*Question.* Piracy threatens the delivery of vital humanitarian assistance to the Horn of Africa, much of which arrives by sea. In Somalia, an estimated 3.2 million people, approximately 43 percent of the population, required food aid in the latter half of 2008. U.S. humanitarian assistance to Somalia totaled \$270 million in 2008 and over \$157 million to date in fiscal year 2009. The administration has requested \$200 million in fiscal year 2009 supplemental International Disaster Assistance funding and \$300 million in fiscal year 2009 supplemental Public Law 480, Title II humanitarian assistance, in part to address food and water shortages in Somalia, Ethiopia, and Sudan. Officials from the World Food Program (WFP), which ships tens of thousands of metric tons of food monthly to the Horn of Africa region, report it has become more expensive to ship assistance to Mogadishu, and that their ability to deliver relief is significantly hampered. Both the M/V *Maersk Alabama* and the M/V *Liberty Sun*, two vessels that pirates have targeted recently, are U.S.-flagged and crewed cargo vessels contracted by the WFP to deliver USAID food assistance off the southeast coast of Somalia. What is the U.S. Government doing to protect these vessels carrying humanitarian assistance to the Horn of Africa region from pirates?

The United States is deeply concerned by the unprecedented level of piracy in waters off the coast of Somalia; its impact on commercial shipping, the safety of mariners, and the delivery of critical humanitarian assistance to Somalia and other countries in Africa; and its deleterious effect on trade and development in the region. In response, the USG has taken both diplomatic and military action:

As part of its diplomatic effort:

- The United States continues to address the problems on land in Somalia, including assisting the Transitional Federal Government and other moderates in Somalia to create political and economic stability and address extremism. Without a long-term solution to these problems, the blight of piracy off the coast of Somalia will continue.
- The United States, dating back to June of last year, has led efforts in the U.N. Security Council to support measures to suppress piracy off the coast of Somalia leading to the adoption of four resolutions.
- The United States co-sponsored Resolution 1851 (passed unanimously on December 16, 2008) which urges countries to establish an international cooperation mechanism as a common point of contact for counter-piracy activities near Somalia. This resolution also grants authority for states, for which advanced notification has been delivered from the Transitional Federal Government to the Secretary General, to take all necessary measures to repress piracy in Somalia and urges states to enhance the capacity of regional states to combat piracy.
- Pursuant to Resolution 1851, the USG convened the first meeting of the Contact Group on Piracy off the Coast of Somalia (CGPCS) on January 14, 2009, to coordinate an international approach to the problem of piracy. During this first meeting, the 24 participating countries and five participating international organizations established working groups to address military and operational coordination and information sharing; address judicial aspects of piracy; strengthen shipping self-awareness and other capabilities; and improve diplomatic and public information sharing.
- Since the initial Contact Group plenary, the four working groups have met to address issues within their purview, a second plenary meeting has taken place in Cairo (March 18), and four additional countries have become Contact Group participants. A third plenary meeting is scheduled for May 29th in New York.
- With regard to prosecution of suspected pirates, the United States deeply appreciates the role that Kenya has played in bringing suspected pirates to justice in accordance with an MOU signed between the United States and Kenya in January, but also urges states affected by piracy to fulfill their responsibilities to deliver judicial consequences to suspected pirates. The United States is actively encouraging states that are victims of piracy to prosecute suspected pirates within their domestic legal systems. The United States will prosecute pirates that attack U.S. ships and citizens.

—We have also worked with industry and the International Maritime Organization to develop and implement best practices to help ships avoid piracy incidents, and disseminate those practices to a wide audience.

As part of its military effort:

- U.S. Central Command's naval component has established Combined Task Force 151 to conduct counter-piracy operations in and around the Gulf of Aden, the Arabian Sea, the Indian Ocean and the Red Sea.
- Ships from CTF 151 took part in preventing the hijacking of the *M/V Polaris* and the *M/V Prem Divya* on February 11 and 12 respectively and took part in the successful outcome of the *Maersk Alabama* incident.
- We would refer you to the Department of Defense for further information on military actions to suppress piracy.

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QUESTIONS SUBMITTED BY SENATOR ROBERT F. BENNETT

*Question.* The fiscal year 2009 budget supplemental request included \$815 million in proposed appropriations in U.S. assistance to the Palestinians to address both post-conflict humanitarian needs in Gaza and reform, security and development priorities in the West Bank. The request also proposed a provision which would seemingly shift the requirement to accept Israel's right to exist, renounce violence and abide by previous Israel-Palestinian agreements from Hamas to the Palestinian government.

Under current law, Hamas is designated by the U.S. government as a terrorist organization and under law may not receive federal aid. But the administration has asked for changes that would permit aid to continue flowing to Palestinians in the event that Hamas-backed officials become part of a power-sharing Palestinian government.

If the proposed provision were to be enacted, what assurances can the administration offer that U.S. taxpayers would not, even indirectly, be supporting Palestinian terrorist groups?

*Answer.* In regards to the \$715 million requested bilaterally for the West Bank and Gaza, we have made it clear that no U.S. aid will flow to Hamas or any entity controlled by Hamas. The United States only will work with a Palestinian Authority government that unambiguously and explicitly accepts the Quartet's principles: a commitment to non-violence, recognition of Israel, and acceptance of previous agreements and obligations, including the Roadmap. In the remote possibility that Hamas should participate in a future PA government, the government and all of its ministers or the equivalent must adhere to these principles, and the government must speak with authority for all of its agencies and instrumentalities.

*Question.* Madame Secretary, it is my understanding that the Russian government is required to pay for the operating and maintenance cost of the all the nuclear materials controls and security equipment the NNSA has installed in Russian weapons facilities.

The Administration's request includes \$44 million to support the deployment of additional cameras, portal monitors and security upgrades in Russia. This is on top of the billions of dollars spent by NNSA, the Department of State and Department of Defense to secure Russian weapons and special nuclear material.

What confidence do you have that the Russian government is prepared to provide the necessary resources to support the investment we have made in that country to secure weapons-grade material?

*Answer.* We believe NNSA's work is in the U.S. national security interest. The funds requested will be used to support nuclear security improvements to areas where NNSA has recently been granted access and to tackle some of the tougher security challenges, such as tracking and controlling nuclear materials at large facilities with very "active" inventories. It is critical that we continue to work with Russia on these issues as long as the need exists.

At the same time, we are urging Russia to take over financial responsibility. For the past several years, NNSA has been working with our Russian partners, primarily the State Corporation for Atomic Energy, Rosatom, to ensure they are prepared to sustain our sizeable investment in the long term. NNSA and Rosatom have agreed to a Joint Transition Plan which identifies fundamental requirements for sustainable nuclear security programs and joint projects that will be undertaken over the next few years to ensure that these fundamental requirements are in place. Sustainability planning is also underway with the Russian Ministry of Defense.

The success of these efforts ultimately depends on Russia's willingness and ability to devote the necessary resources. We have encouraged the Russian government to increase its nuclear security budget and ensure that these funds are efficiently dis-

tributed to the hundreds of nuclear facilities across the vast Russian territory. The Russian nuclear security budget is classified; we have not yet seen much evidence of increases in funding at sites where we are working. Overall economic conditions in Russia have improved significantly from when we first began our investments at its nuclear sites, but we know that the recent economic crisis has hit Russia hard and that 2010 budgets are being reduced as a consequence. It remains to be seen how the current global economic crisis is impacting Rosatom's budget and specifically its allocations to sustaining nuclear security upgrades. We are approaching Rosatom's transition into a state corporation carefully to ensure that security gaps do not emerge in the process.

*Question.* Can you provide this committee with the appropriate data to demonstrate that Russia has identified or committed resources in their budgets to sustain these threat reduction measures?

*Answer.* The Russian nuclear security budget is classified; we have not yet seen much evidence of increases in funding at sites where we are working. We have some knowledge of federal program budgets for combined environmental, safety, and security programs, but specific security budgets are unavailable to us. This applies to Rosatom, the Ministry of Defense, and the Ministry of the Interior. We have stressed to Russia that these budgets should be more transparent in the future. The NNSA security budget is published each year and includes allocations for specific sub programs.

There is some evidence that Russian counterparts have taken on some financial responsibility for nuclear security in recent years. For example, the Russian Ministry of Defense has agreed to independently sustain U.S.-funded upgrades at permanent warhead storage sites. NNSA and the Russian Federal Customs Service (FCS) also are working as equal partners to equip all (approx. 350–370) Russian border crossings with radiation detection equipment.

*Question.* The Administration's supplemental request includes \$35 million for the National Nuclear Security Administration to be used to support its mission in North Korea. Considering the fact that the all international inspectors and U.S. personnel have been kicked out of the country, does the Administration still need this funding before the end of this fiscal year?

*Answer.* The Administration must maintain a state of technical readiness to re-deploy to the DPRK at any time in the future to resume the important work of disablement of North Korea's plutonium production program to pave the way for the verifiable elimination of the North Korean nuclear program. It is prudent that we continue to develop strategies and plans, and tools and technologies for the verifiable elimination of North Korea's nuclear program, should the opportunity for a resumption of denuclearization activities arise. Despite the recent setback in the Six-Party Talks, DOE/NNSA still needs funding to continue its preparatory work for eventual denuclearization activities in North Korea. The long lead time for development and construction of the necessary equipment and resources to undertake denuclearization activities requires a continued and sustained level of effort. Finally, we note this funding would be contingent on the President approving the Glenn Amendment waiver.

*Question.* The Millennium Challenge Corporation has proven to be an effective tool for American development assistance by reducing poverty through sustainable economic growth and by creating incentives for policy reform. Does the Administration plan to strengthen MCC's incentive effect and potential for poverty reduction in a sustainable way?

*Answer.* Under my leadership, the State Department will continue to support MCC and its mission of sustainable poverty reduction through long-term development as an important asset in America's foreign assistance toolbox and as an important complement to other economic and political tools that support prosperity and security with some of our key partners in the developing world. MCC's focus on country ownership and accountability has helped build local capacity, encourage broad civil society consultation, and advance policy reform. MCC focuses on working in countries where the policy climate is most fertile for using assistance to generate sustainable results. This focus is yielding meaningful poverty reduction and strengthening good governance, economic freedom, and investments in people. As I review our development assistance framework and goals, I will consider how best to build on MCC's success within the Administration's overall development assistance strategy.

*Question.* The Millennium Challenge Corporation has been called "smart aid" because it requires good governance, economic freedom and investments in people before it engages with countries. However, the MCC approach requires committing long-term funding upfront, in contrast to other aid programs that spend their appropriated funds each year. This approach has unfortunately made MCC vulnerable to

being used as an offset for amendments proposed by Members for other purposes, as it appears that MCC has a large balance that is in fact already committed. What do you plan to do to protect MCC from being used to offset other short-term interests during the markup of the supplemental and during the fiscal year 2010 appropriations cycle?

*Answer.* Unlike more traditional aid programs, MCC makes full, upfront funding commitments when a Compact is signed and partner countries manage the procurement and implementation processes through an accountable entity. Initially, these factors, along with a generally low level of government capacity and resources in many partner countries, can slow down project development, implementation, and fund disbursement rates. However, MCC believes—and I agree—that a focus on country ownership and accountability, though more time consuming, is critical to achieving accountable governance and sustainable results. As Chair of the MCC Board, I will work with MCC to ensure that the importance of this different approach is understood and valued.

*Question.* As you know, I am a strong supporter of microenterprise programs that are operated by the State Department. These programs provide a very impressive return on investment and have helped tens of thousands of the world's poorest break the cycles of poverty. Will you briefly talk about the State Department's plans for microenterprise this year?

A couple of weeks ago, the President announced \$100 million for the creation of a new partnership of the Multilateral Investment Fund (MIF) at the Inter-American Development Bank (IDB), the U.S. Overseas Private Investment Corporation (OPIC), and the Inter-American Investment Corporation (IIC) for the purpose of launching a new Microfinance Growth Fund for the Western Hemisphere. The fund will provide stable medium and longer-term sources of finance to microfinance institutions and microfinance investment vehicles to help rebuild their capacity to lend during this difficult period and to increase the supply of finance for micro and small businesses as recovery takes hold.

The 2004 Microenterprise Results and Accountability Act requires that 50 percent of all U.S. funding for microenterprise and microfinance benefit the very poor—those living on less than \$1.25 a day. President Obama announced recently \$100 million for the creation of a new Microfinance Growth Fund for the Western Hemisphere. What steps are being taken to ensure that this funding adheres to legislative requirements and benefit those living on less than \$1.25 a day?

*Answer.* USAID's Microenterprise Development funding for fiscal year 2008 is estimated at \$233,216,437. USAID expects to continue funding at historical levels in fiscal year 2009, supporting programs in microfinance, enterprise development, and enabling environment development.

Over the next year, USAID's microenterprise development efforts will focus on improving access to microfinance; driving innovation in savings and insurance products from industry to better meet the needs of the poor; increasing productivity and competitiveness; reducing regulatory barriers affecting micro and small enterprises; securing access to rural and urban land; making progress toward more equal legal and property rights for women; linking remittances and diasporas' other resources to development; improving microenterprise development programming in post-conflict and rebuilding states; assessing and disseminating effective approaches for transitioning second-tier microfinance institutions to private capital; building the capacity of new partners; and ensuring that the knowledge and innovation developed is shared widely.

USAID will be utilizing microenterprise development and value chain approaches to increase the participation of the "ultra poor" in rural growth as part of the Agency's Global Food Security Answer. USAID is also addressing the impact of the financial crisis on microfinance institutions and their clients, through Development Credit Authority (DCA) guarantees for microfinance institutions as well as ongoing institutional capacity-building efforts and programs that improve microentrepreneurs' access to markets.

With regard to the Microfinance Growth Fund, fund partners—the Multilateral Investment Fund, Inter-American Investment Corporation, and U.S. Overseas Private Investment Corporation (OPIC)—are still in the process of seeking Board approval for their contributions and establishing the specifics on the Fund's structure/lending mechanism. We will work to make sure that each institution abides by its legal requirements. At this point, OPIC is the only USG agency participating. The 2004 Microenterprise Results and Accountability Act applies only to USAID-funded microenterprise programs, and so does not apply directly to any of the programs proposed under the Microfinance Growth Fund.

*Question.* The U.N. Human Rights Council, since its inception in 2006, has called for restrictions on free speech and ignored blatant human rights abuses in a host

of countries. With a seemingly “singular focus” it has passed five separate resolutions condemning Israel, including issuing resolutions over the Jewish state’s recent incursions in Gaza and Lebanon that exclude any mention of the terror groups Hamas and Hezbollah. And it refuses to cite blatant rights abuses in places like Iran, Zimbabwe, Burma, Sudan and North Korea.

Under this administration, the United States is now seeking to be a part of this council at the U.N. General Assembly in 2 weeks as part of its “new era of engagement.” Will you please outline the steps this administration will take to ameliorate the U.N. human rights system without legitimizing the trajectory the council has already taken?

Answer. This Administration is deeply concerned by the trajectory of the Human Rights Council to date. The United States is running for a seat on the Council because of our commitment to protecting and promoting human rights globally. We believe that as a fully engaged member of the Council, working from within rather than sitting on the outside, we can more effectively and credibly work to advance human rights and to improve a body that the President has identified as one of the most troubled parts of the U.N. system.

This change will take time, and progress will undoubtedly be uneven. As a member of the Human Rights Council, the United States will be in a far better position to defend against, and if necessary register its formal objections to, unbalanced attacks on Israel and to call all Council members to account for attempts to do so. As a member, the United States will be able to table resolutions and call for votes, something that we could not do as an observer and that will allow us to ensure that biased or unhelpful resolutions are not adopted by consensus. Membership on the Council also gives the United States a privileged speaking position on all matters before the body. This is particularly important in defending our cherished principle of unfettered freedom of speech.

We are under no illusions that this work will be easy, that U.S. membership will ensure the Council does not take objectionable actions, or that success will come quickly. This is a work in progress, and if the United States does not work to advance the protection of human rights in the U.N. system, we know that there will be other countries who do not share our commitment to human rights that will fill that vacuum. With the help of our partners, we will advance the vision of the U.N. Declaration on Human Rights and help ensure that the U.N. contributes meaningfully to the ability of people the world over to enjoy their human rights and fundamental freedoms, to live freely, and to participate fully in their societies.

#### QUESTIONS SUBMITTED BY SENATOR SAM BROWNBACK

*Question.* President Obama, as a candidate, said last year: “Sanctions are a critical part of our leverage to pressure North Korea to act. They should only be lifted based on North Korean performance. If the North Koreans do not meet their obligations, we should move quickly to re-impose sanctions that have been waived, and consider new restrictions going forward.”

In the time since this statement was made, the North Korean regime has launched a multi-stage ballistic missile over mainland Japan towards the western United States, kidnapped and imprisoned two of our citizens, pulled out of the Six-Party Talks, kicked out international nuclear inspectors and American monitors, restarted its nuclear facilities, fell under investigation for shipping enriched uranium to Iran, and just a few days ago, threatened to detonate another nuclear weapon.

Rather than asking Congress to waive sanctions and give this administration \$100 million in economic support funds for this regime, wouldn’t the more appropriate and logical approach be to do what the President himself said—to re-sanction North Korea?

Answer. North Korea continues to face wide-ranging sanctions under international and domestic legal authorities, including those stemming from its 2006 nuclear detonation, its proliferation activities, its human rights violations, and its status as a communist state.

The United States remains committed to full implementation of United Nations Security Council Resolution 1718, under which the DPRK is required to suspend all activities related to its ballistic missile program and to abandon its ballistic missile program in a complete, verifiable and irreversible manner. In addition, under UNSCR 1718, the DPRK is required to abandon all nuclear weapons and existing nuclear programs, as well as all other existing weapons of mass destruction programs.

In response to the DPRK’s April 5 launch of a Taepo-Dong 2 missile, the United States worked with members of the U.N. Security Council to issue a clear and

strong response to the launch. These efforts resulted in a unanimous Presidential Statement that condemned the launch, made plain that the launch was in contravention of UNSCR 1718, demanded that North Korea refrain from further launches, and called upon the DPRK as well as all member states to fully implement their obligations under UNSCR 1718.

As agreed to in the Presidential Statement, the UNSCR 1718 Sanctions Committee on April 24 updated the list of missile-related items that are subject to the restrictions in UNSCR 1718 on transfer to and from the DPRK. The Sanctions Committee also designated three entities as subject to the asset freeze provisions of UNSCR 1718. These entities are Korean Mining Development Trading Company (KOMID), Korea Ryonbong General Corporation, and Tanchon Commercial Bank.

These designations represent an important strengthening of the existing UNSCR 1718 sanctions regime by the 1718 Sanctions Committee. In particular, with the active support of the United States, the Sanctions Committee agreed to subject entities to the asset freeze for the first time since the adoption of the resolution in 2006. The United States has urged countries to fully implement UNSCR 1718 and continues to take appropriate measures to prevent North Korea from gaining access to nuclear, other WMD, and ballistic-missile related technology and equipment.

The United States continues to impose new sanctions as warranted on North Korea and related entities and individuals in response to North Korea's proliferation activities and pursuant to U.S. and international law. North Korean entities were most recently sanctioned by the United States in February 2009 for missile-related proliferation activities.

*Question.* If, as Secretary Clinton stated in her testimony, that it is "implausible, if not impossible" that North Korea will return to the Six-Party Talks this year, and that there is "no interest and no willingness" to give any economic aid, including fuel oil, then why should Congress appropriate \$100 million for this purpose?

Is the Administration concerned about the signal this would send to other states like Iran, Venezuela, Syria, and Sudan, if we reward a regime that is engaging in the most basic form of diplomatic blackmail: taking our citizens hostage and threatening illegal nuclear detonation unless we pay them off to return to the negotiating table?

*Answer.* The United States continues to pursue the verifiable denuclearization of the Korean Peninsula in a peaceful manner. We have called on North Korea to cease its provocative actions and return to negotiations. North Korea's recent actions only underscore the urgency and importance of North Korean denuclearization.

The Administration's fiscal year 2009 Supplemental request for funding for North Korean denuclearization activities is necessary to advance our denuclearization goals. Regardless of recent North Korean behavior, it is necessary to request these funds now so we can be prepared to act immediately if North Korea returns to the table and takes the necessary steps to meet its commitments as agreed in the Six-Party Talks. This funding is a prudent measure to ensure that the United States is prepared to take timely and effective action to implement the dismantlement of North Korea's nuclear facilities. It will also ensure the United States is in a position to provide North Korea with continued, timely energy assistance in conjunction with North Korea taking the needed steps to fully denuclearize. The United States would only provide energy assistance to North Korea if it resumed action on denuclearization.

*Question.* Was there any specific reason why the Administration requested \$95 million in ESF designated for North Korea, but did not request any designated funds for addressing North Korean human rights? It should be noted that significant amount of money was requested for Palestinian humanitarian needs in Gaza and the West Bank.

*Answer.* The United States looks forward to a day when individuals live in a free North Korea and have their rights fully respected. In fiscal year 2009, Congress appropriated and the Department of State has allocated \$2.5 million to support important programs to document human rights abuses, increase the flow of information into North Korea, and build the capacity of the defector community. Because of the availability of fiscal year 2009 funding, it was not necessary to request additional funding in the fiscal year 2009 spring supplemental request. We intend to continue such programming in the future.

*Question.* What portion of this \$125 million will go directly to UNRWA? What other international organizations will receive these funds?

*Answer.* Of the \$125 million, \$119 million would be provided to UNRWA for emergency activities in the West Bank and Gaza, including food assistance and the rehabilitation of UNRWA schools and health clinics, as well as refugee shelter. Other international organizations, including the International Committee of the Red Cross

and World Food Program would receive \$6 million to provide humanitarian assistance in Gaza.

*Question.* How can we ensure that the funding we contribute to UNRWA will provide goods and services for humanitarian needs and not benefit terrorist elements in Gaza? Are you confident that UNRWA is in full compliance with Section 301(c) of the Foreign Assistance Act that prohibits U.S. funding to UNRWA from going to terrorists? What specific mechanisms does UNRWA have in place to ensure compliance?

*Answer.* The Department of State continues to be vigilant about complying with U.S. laws designed to prevent any support to terrorists, including section 301(c) of the Foreign Assistance Act of 1961, as amended. We will continue to closely monitor UNRWA to ensure that it meets the condition required for our contributions by section 301(c). UNRWA has written policies and procedures in place, undertakes monitoring and inspection activities, and takes swift action to address any allegations of wrongdoing. Accordingly, the Department believes that UNRWA is in compliance with the section 301(c) condition for funding.

UNRWA implements several measures to ensure the neutrality of its staff. Long-standing staff regulations outline the neutrality, integrity, and impartiality required of both international and locally hired U.N. staff. With USG encouragement and funding, UNRWA has developed a monitoring regime using fifteen international Operations Support Officers (OSOs) in the West Bank and Gaza. These international staff help ensure that UNRWA's facilities are not being misused for political purposes or militant activity. The constant vigilance of the OSOs helps ensure the neutrality and integrity of these installations.

Under procedures in place since 2002, the Commissioner General sends semi-annual reports as standing practice to the Department of State containing all relevant information regarding UNRWA's compliance with the section 301(c) condition for funding, including documenting any abuses, or attempted abuses, of UNRWA facilities. UNRWA provides the names of staff to host governments on an annual basis and, on a semi-annual basis, UNRWA checks the names of all 4.6 million UNRWA-registered refugees, as well as persons and entities to whom or to which the Agency made payments against the U.N. al-Qaida/Taliban sanctions list (also known as the 1267 list). In its February 2009 semi-annual report, UNRWA reported no matches against the 1267 list. UNRWA also responds immediately to any cases of alleged wrongdoing, including militant or other illicit activities and overt political participation or displays. Most recently, UNRWA immediately launched an investigation following allegations of political interference in its March staff union elections in Gaza, the results of which are pending. UNRWA officials have stated that any UNRWA employee with political affiliations would be disciplined or terminated.

*Question.* Shouldn't we be doing more within the United Nations to reform UNRWA and to guarantee serious oversight? What is the rationale, for example, for having Palestinian citizens of other countries still qualify as refugees under UNRWA's rolls? Why should UNRWA still exist in a place like Jordan where most Palestinians are Jordanian citizens?

*Answer.* UNRWA is in the process of implementing important management reform. The Organization Development Plan (ODP), initiated in 2006, is designed to foster more strategic planning and to bridge efficiency gaps, improving overall transparency, effectiveness of management and service delivery. The ODP has also focused on strengthening UNRWA's monitoring and evaluation processes, to provide an integrated, strategic and results-based approach to UNRWA programming. UNRWA's Advisory Commission, a quasi-governing body, of which the United States is an active member, provides oversight of progress made under the ODP and other UNRWA programs and activities. UNRWA's finances are audited by the U.N. Board of Auditors (BOA), an independent body, which reviews the Agency on a biennial basis. In its last two audits of 2004–2005 and 2006–2007, the BOA gave UNRWA an "unqualified" audit, which signifies that the auditors performed an extensive examination of UNRWA's financial records and have no reservations regarding the accuracy and fairness of its presentation.

UNRWA's mandate to provide assistance to UNRWA-registered refugees is defined by the United Nations. Jordan is the only country in UNRWA's five fields of operations that has granted citizenship to most of the 1.9 million Palestinian refugees it hosts. UNRWA's mandate, which is renewed every 3 years by the U.N. General Assembly, continues to cover those Palestinians in Jordan whose homes or livelihoods were lost in 1948. The Government of Jordan strongly supports UNRWA and would be expected to strongly object to any proposition by the international community to cease funding for the Agency's operations there. Doing so would place a great strain on the generosity of the Government of Jordan and could leave the refugees without critical services, such as education and primary healthcare. Fur-



thermore, it would potentially damage the relationship between the international community, including the USG, and Jordan, which remains a key strategic ally in the Middle East.

*Question.* The fiscal year 2009 supplemental request calls for \$98.4 million in FMF for Lebanon to provide additional equipment and training to the Lebanese Armed Forces. A Hezbollah-led majority in parliament would give the terrorist organization control over the decisionmaking process and possibly control over the LAF.

The fiscal year 2009 Omnibus bill included tighter congressional oversight on the use of military assistance funds to Lebanon, making funds available only to professionalize the LAF, strengthen border security, interdict arms shipments, and combat terrorism. Does the Supplemental request include the same oversight guidelines?

*Answer.* All FMF funds requested for Lebanon in the fiscal year 2009 supplemental will serve to professionalize the LAF and enhance its counterterrorism and border security capabilities. Much of the equipment is specifically linked to requirements identified by the LAF in coordination with CENTCOM after the LAF's battle against Fatah al-Islam terrorists in the summer of 2007.

There are numerous institutional checks on Hizballah's influence over and within the LAF, including Lebanon's Christian presidency, Christian command of the LAF, and confessional balance within LAF units. We have no reason to believe that the June 7 elections, whatever their outcome, will significantly affect the LAF's role as a national, multi-confessional institution dedicated to the protection of Lebanese citizens and the implementation of Security Council resolution 1701.

Furthermore, the LAF has an excellent record of control over its U.S.-origin equipment, with not a single incident of loss or misuse since we resumed FMF assistance in 2005. Nonetheless, we continue to maintain strict end-use monitoring of all U.S.-origin equipment provided to the LAF, including enhanced end-use monitoring for sensitive equipment such as night-vision devices. We also vet all LAF candidates for U.S.-sponsored training in accordance with the Department's Leahy Amendment guidance; we have uncovered no derogatory information to date.

*Question.* How is the State Department countering ideological support for terrorism in Iraq?

*Answer.* Winning hearts and minds by addressing the underlying causes of extremism is a key component in our counterterrorism effort. In coordination with the Department of Defense and other organizations, the Department of State is striving to counter ideological support for terrorism in Iraq through Provincial Reconstruction Teams (PRTs), strategic communication efforts, economic and political development, education, and judiciary reform programs. Examples of these efforts are as follows:

—*Najaf Legal Services Project.*—The Najaf PRT is working with the Najaf Bar Association to fund legal defense services to as many as 1,000 detained criminal defendants who have not yet appeared before a judge.

—*Basrah Business Center.*—The Anbar PRT has effectively utilized the International Visitors Program (IVP) to organize delegations of leaders from within and without the province. In 2007, they brought together tribal leaders seeking economic assistance with the provincial governor and provincial officials in order to plug the disenfranchised into business opportunities.

—*Simulating the Mechanics of Election Day.*—Shining Hope Organization taught rural, illiterate, handicapped and other voters from traditionally marginalized groups about the mechanics of voting in the upcoming elections in order to ensure that they understand how votes are cast and counted and to encourage them to participate in the 2009 provincial elections.

*Question.* Does the State Department have a strategic communications or public diplomacy strategy that it is following in Afghanistan and Iraq and if so, does that strategy envision and involve interagency participation and coordination?

*Answer.* Special Representative Holbrooke's office is coordinating a major new integrated civilian-military program on strategic communications in Afghanistan and the tribal areas of Pakistan. It will include three simultaneous projects that are essential: (1) redefining our message; (2) connecting to the people on the ground through cell phones, radio, and other means; and (3) identifying key communicators and countering the militants fear-mongering and information domination through local narrative. Additional personnel and structures in Kabul and Islamabad/Peshawar are essential and we are working to resource those requirements. We cannot win the information war if the debate is between the United States and the militants. The objective of this new effort is to shift the paradigm so the debate is between the tribal people and the violent extremists who threaten and exploit them.

*Question.* Is the State Department currently coordinating its public diplomacy efforts in Afghanistan and Iraq with the activities of USAID, the Department of Defense and the Intelligence Community? How?

Answer. In April, the Special Representative for Afghanistan and Pakistan co-hosted with the Department of Defense (DOD) an interagency meeting attended by over 50 representatives from State, DOD, the Agency for International Development, and the Intelligence Community, to discuss current strategic communication activities within Afghanistan and the tribal area of Pakistan, and the urgent need for a new comprehensive and coordinated plan for the region. Building on this work, Richard Holbrooke is now establishing a new strategic communications cell in his office, with staff from multiple agencies.

*Question.* How did the administration arrive at its request of \$300 million for Public Law 480 Title II grants? Globally, how does food security in 2009 compare to food security in 2008?

Answer. We focused on the most significant and severe emergencies with the greatest food aid needs to determine our supplemental request. These included programs in countries such as Zimbabwe, Ethiopia, Kenya, and Somalia. The request is an estimate of what is needed to provide for the most urgent needs in these and other emergencies. It is difficult to compare emergency food needs between years, especially only part way through 2009. We believe, however, that overall needs for the major emergencies—while still significant—are slightly less than last year. This is coupled with somewhat lower commodity and transportation costs as compared with last year.

*Question.* Will the requested level allow the United States to maintain, at a minimum, the current level of support of food aid operations in places like Afghanistan or Haiti for example? If support for existing operations will be decreased from 2008 levels, please specify which countries will receive lower levels of assistance and the amount of the decrease, in dollars, beneficiaries, and tonnage.

With so many dire situations throughout the world how does USAID prioritize where to direct relief?

Answer. We are continuously assessing emergency food aid needs throughout the world, including through information provided by the Famine Early Warning Systems Network (FEWS NET), U.S. government experts on the ground, the United Nations World Food Program, and private voluntary organizations. It is difficult to compare support provided to specific programs from one year to the next, given the variability in terms of needs. Last year, Afghanistan had a poor harvest and Haiti was struck by severe storms, so emergency food aid reached unusually high levels in those countries. This year, by contrast, Afghanistan's harvest has improved and hurricane season in the Caribbean has not yet begun, so emergency food aid needs have thus far returned to more normal levels. The \$300 million request, however, would allow us to provide more assistance to those countries and others if events change.

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#### QUESTIONS SUBMITTED BY SENATOR GEORGE VOINOVICH

*Question.* I am pleased to see President Obama's commitment to make this the last planned war supplemental. But my question is why during a year of unprecedented deficits, why are you coming back to Congress to request yet another emergency funding request? Shouldn't your funding compete in the regular order?

Answer. The fiscal year 2009 budget request that was submitted to the Congress in February 2008 did not include full funding for all programs, in particular programs in Afghanistan, Pakistan and Iraq and humanitarian assistance. It was always anticipated that additional funding would be needed for these programs. In addition, other unanticipated and urgent requirements have arisen since the submission of the budget and the bridge supplemental.

The 2010 budget is intended to reduce reliance on emergency supplemental appropriations by increasing key accounts and programs for which funding is predictable and recurring. While emergency supplementals may be required in the future, we expect that they will be focused on truly unanticipated events as opposed to funding regular programs. However, as we implement the President's strategy in Afghanistan and Pakistan, it may become necessary to review the resources available for programs in these countries.

The current emergency supplemental request addresses pressing challenges that impact the security of the United States. The unstable situations in Afghanistan and Pakistan demand urgent attention. Emergency funding will be used to advance political and economic stability in post-conflict areas, and to build capacity for effective governance. Funds will enable military commanders to respond to humanitarian relief and reconstruction needs in their areas of responsibility. They will also meet the extraordinary security costs associated with vital U.S. diplomatic activity in Iraq, Afghanistan and Pakistan.

*Question.* International arms sales help to sustain U.S. jobs, reduce the cost of weapons procurement by the Department of Defense, help to grow small businesses, and support the national security and foreign policy objectives of the U.S. government. The Obama Administration must continue to support U.S. arms sales as an important foreign policy tool.

I understand that some of our foreign military assistance funds have been used by the Iraqis and Afghans for the procurement of Russian aircraft and helicopters ill-equipped to interoperate with U.S. personnel and hardware in the field. Can both of you elaborate on the technical and policy rationale for such use of U.S. military assistance?

*Answer.* By law, and with certain exceptions, State Department-managed foreign military assistance can be used only to procure defense articles and defense services from U.S. sources. We also are actively working with the Government of Iraq for it to buy U.S. military equipment through the Foreign Military Sales process. The Defense Security Cooperation Agency, which is the implementing agency for State's foreign military assistance, has confirmed that no State-managed foreign military assistance has gone towards the procurement of Russian aircraft or helicopters. The State Department defers to the Department of Defense to respond to questions about ISFF and ASFF-funded acquisitions.

*Question.* Madam Secretary, thank you for your April 20, 2009, letter outlining the State Department's future steps and efforts to help resolve an ongoing child custody case involving the Republic of Korea. I appreciate you raising this case personally at the highest levels during the recent G-20 Summit in London. I am also grateful for the efforts of your team at the U.S. Embassy in Seoul as well as in Washington on this important case.

As such, can you assure me that the Department of State will continue to provide robust attention and resources to this case until a fruitful resolution is reached in the Korean civil court process?

*Answer.* The Department has been fully engaged with Mr. Melanson regarding the tragic abduction of his son, Eddie, since the earliest moments after Eddie's mother abducted him to South Korea. Ambassador Stephens and I have made Eddie's case a priority with the Korean government and will continue to do so. On more than fifteen occasions now, we have reached out to the Korean government to reiterate our concern. We have worked hard on resolving Eddie's heart-wrenching plight, and we will not diminish our efforts before there is a resolution. We will continue to assist Mr. Melanson until there is a resolution of the case or he no longer desires our assistance.

#### SPECIAL ENVOY TO COMBAT ANTI-SEMITISM

*Question.* In 2004, I was fortunate to have you join me as a cosponsor of the Global Anti-Semitism Review Act of 2004 (Public Law 108-332). As you know, this legislation created the Office of the Special Envoy to Monitor and Combat Anti-Semitism at the State Department. This office, housed in the Bureau of Democracy, Human Rights, and Labor (DRL) is tasked with the development and implementation of policies and projects to support efforts to combat anti-Semitism.

Jewish communities throughout the world cannot afford a gap in coverage. Can you provide the Committee an update on the status of the search process for the new Special Envoy and assure members of the Committee that this position will be expeditiously filled by a competent and capable individual?

*Answer.* Filling the position of Special Envoy to Combat Anti-Semitism is a priority for the Department of State. The Department is committed to identifying an exceptionally qualified candidate that can be announced to the public in the future.

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#### QUESTIONS SUBMITTED TO HON. ROBERT M. GATES

##### QUESTIONS SUBMITTED BY SENATOR ROBERT C. BYRD

*Question.* Secretary Gates and Clinton, should we expect to see any more war-related supplemental requests?

*Answer.* We fully support the Administration's goal of not submitting any more war-related supplementals.

We believe the funding in the fiscal year 2009 supplemental request will be adequate to support the current situation in Iraq and Afghanistan.

We have, however, made it clear to the Administration that if the security situation in theater changes significantly from the assumptions that we used in putting together the overseas contingency requests for either fiscal year 2009 or fiscal year 2010, then we will be submitting a supplemental request.

*Question.* Secretary Gates and Clinton, will your fiscal year 2010 budget requests, which we expect to receive next week, contain detailed war funding justifications?

*Answer.* Yes, the fiscal year 2010 President's budget request will include justification for war requirements.

*Question.* Secretary Gates and Clinton, how long should the United States expect to be in Afghanistan?

*Answer.* Our goals in Afghanistan are not time-limited, and neither is our commitment. Eliminating the threats to our vital national security interests will require long-term efforts to defeat al Qaeda and build Afghanistan's capacity to ensure extremists never again find safe haven in that country. To that end, the Administration is developing measures of effectiveness that will help us assess progress as we move forward in developing Afghanistan's capacity in security, governance, and economic development.

*Question.* Secretary Gates and Clinton, what is the United States doing to ensure greater NATO and U.N. participation in addressing the war in Afghanistan?

*Answer.* We work in full partnership with both NATO and the United Nations as well as regional stakeholders in both organizations. The USG is working with Allies to translate the additional pledges of military and civilian support made at the Strasbourg-Kehl NATO Summit into action. The United States increased its own contributions to NATO's mission in Afghanistan and will provide an additional 21,700 forces to fulfill Commander ISAF's/U.S. Forces Afghanistan requirements.

In regard to the United Nations, the USG is working with its partners and allies to strengthen the U.N. Assistance Mission in Afghanistan (UNAMA) and its critical role in coordinating the wide range of civilian activities on the ground. Specifically, we are working to help the U.N. Special Representative in Afghanistan, Kai Eide, secure the resources and authorities he needs to ensure mission success.

As part of the recently released Afghanistan-Pakistan Strategic Review, we strive to enhance civilian-military coordination and implement an "Integrated Approach" in cooperation with the Afghan government. NATO-U.N. cooperation is a critical component of that strategy. The upcoming August elections are the most immediate and consequential task for both NATO and the United Nations. UNAMA and Afghanistan's Independent Human Rights Commission will jointly observe the election mission, while our Allies and partners in NATO have offered around 3,000 additional forces for election security.

*Question.* Secretary Gates, should the United States be concerned over the security of the Pakistani nuclear arsenal?

*Answer.* Just as the United States is concerned about the security of all nuclear arsenals, the United States should be concerned about the security of Pakistan's nuclear arsenal. The Pakistani Army is responsible for the security of those nuclear weapons and takes that responsibility very seriously, with strong measures in place to ensure that security. Of much greater concern is the fragility of the civilian government and its seeming lack of capacity to deliver on basic services: schools, healthcare, rule of law, and a strong judicial system, particularly in the western areas where insurgents have had recent successes. Helping Pakistan help Pakistanis in these areas is how the United States can eliminate the conditions that give rise to unrest.

*Question.* Secretary Gates, over the last few months, I have worked with your staff to improve emergency medical evacuation and forward surgical capabilities to treat our wounded servicemen and women in Afghanistan. I appreciate your personal attention to this issue and believe that the planned deployments should greatly improve the ability to provide critical care. Only time will tell if this proves to be the case. However, it has been brought to my attention that our ground medical evacuation armored vehicle capabilities in both Iraq and Afghanistan may also be wanting. In their draft supplemental budget documentation, it is indicated that the Army requested 323 armored medical evacuation vehicles. These vehicles were not, however, included in the supplemental budget request. What are the plans and timing for upgrading current armored medical evacuation vehicles with a suitable next generation vehicle?

*Answer.* The Department is evaluating medical evacuation operations requirements based on lessons learned in both Iraq and Afghanistan, with particular emphasis on Afghan terrain and distances. Currently, both theaters use a mix of both armored vehicles and medivac helicopters to retrieve wounded personnel to medical facilities. An Army proposal to use the Stryker vehicles for medical evacuations would complement existing vehicles, notably the Fox combat vehicle. However, due to the road conditions, and greater distances, the time to evacuate personnel by land may be too long. The Department is evaluating various options, thus is not fully committed to armored medical evacuation vehicles as a suitable solution.

## QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

## ARMORED VEHICLES

*Question.* The one area of concern—which I know we all have for every service-member in Afghanistan—is protection when traveling in vehicles. We have seen a higher incidence of roadside bomb attacks in Afghanistan, and the MRAP, which is a very heavy vehicle that is the best protection against that threat but needs to operate on paved roads, does not work well in Afghanistan.

I understand this supplemental request includes spending for the so-called MRAP-All-Terrain Vehicle. The MRAP-ATV can go off-road and still provide strong armor from attack. Can you confirm that this is a priority and that the Department will rush it to the field, of course ensuring that it is fully tested? Is any additional funding needed to accelerate this development?

*Answer.* The Department is in the process of assessing the requirement, both in quantities and system characteristics for the Mine Resistant Ambush Protected (MRAP) All Terrain Vehicles (M-ATV) for Afghanistan. Because of the significant differences in road conditions, we believe that the MRAP vehicle that has worked so well in Iraq, would not provide the off-road mobility that is desired in Afghanistan. For this reason, we are in the process of evaluating several designs to better address the Afghan environment. Funding is included in the budget request for an additional 1,000 vehicles, which represents the current estimate, which is subject to change as our theater commanders gain a better perspective of the situation and requirements. For now, we are in the process of evaluating candidate systems, and preparing for a comprehensive testing program. For this reason, we do not believe that accelerating the program would be beneficial.

## USE OF NATIONAL GUARD TO COUNTER DRUGS FROM MEXICO

*Question.* The National Guard will likely be soon tasked to help in the effort to counter the traffic in drugs from Mexico. As one of the co-chairs, along with Senator Bond, of the National Guard Caucus, we have seen how the Guard has a unique set of capabilities and experience that make it well-suited to these tasks.

That said, we do not want to make this another Operation Jump Start, which was difficult to manage and created needless challenges in the Guard's abilities to carry out its other missions. It would be far preferable for the Guard's efforts to be done through the existing, highly successful National Guard Counterdrug program. How would you feel if the Committee routed the \$350 million request for the Guard's counterdrug effort through the National Guard Counterdrug program?

*Answer.* The fiscal year 2009 supplemental request to provide \$350 million for the administration to conduct counternarcotics and other activities along the United States-Mexico border is requested as a DOD transfer fund to provide the President with flexibility if he decides that U.S. troops are needed. The President has not made a decision on the use of additional U.S. troops at the border. Additionally, of the \$350 million, the Secretary of Defense may transfer up to \$100 million to other Federal agencies for border-related efforts to include humanitarian activities. Appropriating the funds to the National Guard would not enable such a transfer and would, therefore, not provide the flexibility sought by the administration.

We agree the National Guard's efforts in the DOD Counterdrug program have been highly successful but it would be premature to limit the funding flexibility available to the President before he makes a decision. The current wording in the fiscal year 2009 supplemental request provides the President with flexibility to provide a wide range of capabilities should he decide to deploy troops to the United States-Mexico border.

## QUESTION SUBMITTED BY SENATOR HERB KOHL

*Question.* I understand that the Department has undertaken ongoing efforts directed towards medical situational awareness targeted at international operations. It appears to me that medical situational awareness initiative has application to our response to the current outbreak of swine flu, as well as our response to potential bio-terrorism threats.

Do you believe that any part of the Medical Situational Awareness initiative can be deployed to help determine risk and allocate resources for managing an influenza outbreak or other near-term disaster, especially in the context of NORTHCOM's role in assisting with a medical response? If so, do you contemplate using a portion of the Administration's Supplemental request for \$1.5 billion in additional funds to fight pandemic flu for speeding up or bringing on-line the Department's medical sit-

ational awareness initiative? What funding would you need to complete the medical situational awareness initiative and how would such funds be used?

Answer. Department of Defense efforts to maintain medical situational awareness is led by the Division of Global Emerging Infections Surveillance and Response of the Armed Forces Health Surveillance Center, which maintains a global program of infectious disease surveillance with 39 partners touching 111 countries. The global influenza program has surveillance in 72 countries, including 20 U.S. ships, all Service recruit training facilities, and six clinics along the Mexican border (four in California, two in Mexico). Overseas laboratories in Thailand (Army), Kenya (Army), Peru (Navy), Indonesia/Cambodia (Navy), and Egypt (Navy) are the foundation of our international network.

While it is possible that a portion of the supplemental request will go to pandemic influenza response, we have not made such a decision.

The current surveillance system could be improved by accelerating the Global Surveillance Network of the Medical Situational Awareness in Theater program for early detection and timely response to disease outbreaks in the United States and abroad. This program would: Establish and maintain a network of English-speaking information contributors in approximately 1,000 locations in the United States and abroad; develop a reporting methodology and train the contributors on reporting symptoms; deploy a system to gather and report on syndromes throughout the world highlighting increases in syndromes in diverse areas; and be deployed with more than 14,000 providers within 3 years.

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QUESTIONS SUBMITTED BY SENATOR TIM JOHNSON

H1N1 FLU

*Question.* Secretary Gates, I am concerned about the global spread of the H1N1 flu virus, particularly its potential impact on U.S. military forces. U.S. troops forward deployed in Iraq and Afghanistan live in very austere conditions in close quarters with many communal facilities. I suspect that most of them do not routinely carry Purell in their pockets, and clean water is often a scarce commodity in combat zones.

What are DOD's contingency plans to prevent or to deal with an outbreak of swine flu among U.S. troops in Iraq and Afghanistan?

Answer. The DOD has been preparing for an influenza pandemic for the last 5 years. These preparations included developing and exercising response plans, educating DOD military forces and other beneficiaries on how to best prevent the spread of influenza, and building up global stockpiles of medical supplies, equipment, antibiotics, and antiviral medications. DOD developed policies on the distribution, release, and use of antivirals, including Tamiflu® and Relenza®, the two drugs currently recommended by the Centers for Disease Control and Prevention (CDC) in the treatment of the H1N1 influenza that is the source of current global concern. We also developed clinical practice guidelines for our fixed facilities that reflect the current guidance provided by CDC and we modified these guidelines to meet the needs of our medical providers who are practicing in more austere field environments.

Because prevention of an outbreak may be difficult due to the contagious nature of this disease, we have guidance in place to minimize the spread and impact of outbreaks of influenza. Forward-operating personnel who are suspected of having the disease will be isolated when possible, and contacts will be treated prophylactically with antivirals, if necessary. Units can take several measures even in deployed settings to reduce risk of contracting H1N1. DOD has a history of accurate surveillance, prevention, and control of respiratory diseases in our Service member populations. The same measures we use to prevent other respiratory diseases will be effective against H1N1.

*Question.* Does DOD need additional funds to meet this contingency?

Answer. It is possible that the DOD will require additional funds, especially if transmission and disease severity increase. For example, protective masks and antiviral medications are required for adequate personnel protection, but we have no stockpiles of personal protective equipment (PPE) for non-medical uses. Using antiviral medications for protection rather than treatment requires a robust supply of these drugs. Although we have a substantial supply, what we use in response to this influenza will need replacement. The same applies to PPE and antibiotics that we stockpiled at our medical treatment facilities. If the H1N1 virus begins to demonstrate a pattern similar to that seen in the 1918 pandemic, DOD may need to begin an immunization program against one of the more common causes.

As we better understand of the disease dynamics of H1N1, we can better estimate the impact on DOD and develop more precise cost estimates.

*Question.* Does DOD have a sufficient stockpile of anti-viral drugs such as Tamiflu® to treat this disease if it evolves into a pandemic?

*Answer.* Our total stockpile of Tamiflu® represents approximately eight million treatment courses. With this, the DOD has an adequate supply of antiviral drugs to meet our mission requirements, provided the following assumptions hold true:

- Our antiviral supply will be used primarily to maintain mission effectiveness. We continue to rely on the Strategic National Stockpile (SNS) for antivirals for our beneficiary and retiree populations. If substantial amounts of our stockpile were used for dependents and retirees, then less would be available to ensure meeting mission essential tasks. We anticipate that not all of our beneficiaries and retirees will have access to the SNS and have planned accordingly for these groups.
- The H1N1 virus must continue to be sensitive to Tamiflu®. Tamiflu® represents the bulk of the DOD antiviral stockpile. If we need to shift to other antiviral drugs such as Relenza®, then our current supply would be inadequate to meet our needs.
- Protecting Service members before exposure assures us that DOD's national defense and civil support mission requirements can be met. However, a pre-exposure approach uses a great deal of the drugs and is very inefficient, but necessary in some instances. If we are required to place significant numbers of Service members in high risk settings where transmission of the H1N1 virus is likely, then our overall requirements for antiviral drugs could exceed our current capacity. Our current guidance reinforces that this strategy should be used only when necessary and should not be widespread.
- Our supply will be adequate if an effective vaccine is provided to DOD before a second wave of the pandemic. Current projections from our colleagues at the Department of Health and Human Services predict that vaccine may be available in early September, with up to 600 million doses available by January 2010.
- The virus does not mutate. In 1918, most of those who caught the flu and developed severe disease or died were young healthy adults. This demographic is the same as the DOD population. If we see a similar pattern, then antiviral use would increase substantially.
- Although H1N1 is the cause of the current outbreak, H5N1 continues to remain a primary threat. We need to be prepared if a mild pandemic of H1N1 were followed by a severe H5N1 pandemic.

The threat of a pandemic will never go away, even when the current H1N1 threat passes. We will need to replace antiviral stockpiles as they are used to maintain our overall readiness to meet the challenges ahead.

*Question.* Thousands of U.S. military personnel and their families are stationed overseas, in places like Germany, Italy, Japan and Korea. What is DOD doing to prevent and to prepare for the potential spread of swine flu among American military populations overseas?

*Answer.* The DOD has been conducting an educational campaign aimed at Service members, their families, DOD civilians, and contractor personnel. This has been achieved through its website, the Department of Defense Pandemic Influenza Watchboard, <http://fhp.osd.mil/aiWatchboard/>. The website became operational 4 years ago and contains posters and fact sheets (available through the Watchboard as well as the DOD Family Readiness Library). In addition, each of the Services and all DOD medical treatment facilities (MTFs) have conducted their own educational campaigns. Through these campaigns, the DOD community has been educated about the best methods to prevent the spread of the flu virus, mainly through hand-washing, covering one's mouth when sneezing or coughing, social distancing (including appropriate school closures) and staying home when sick (self-quarantining). Because of the logarithmic growth of a pandemic in a susceptible population, once a virus with no known immunity has spread for 2 to 3 weeks, it becomes impossible to totally eliminate it. However, the methods described above will slow down the spread sufficiently to gain some control over the magnitude of the pandemic and its effect on the population at risk.

DOD has made extensive preparations for the contingency of a pandemic, and has included in these plans the building of stockpiles of antivirals, including oseltamavir (Tamiflu®) and zanamivir (Relenza®), and other medications including antibiotics to treat secondary bacterial pneumonia. DOD stockpiled medical supplies and durable medical equipment, and required each military base and MTF to draft and exercise a plan for a pandemic. The antiviral stockpiles are prepositioned around the globe to facilitate rapid distribution worldwide in the event of an influenza pan-

demic. The stockpiling of Tamiflu® and Relenza®, to which the new H1N1 virus is susceptible, would support DOD beneficiaries outside of the United States in this pandemic.

We determined that DOD beneficiaries, including military families, outside the United States might not be able to obtain medications, especially antivirals, through the host nation. DOD planned to maintain a sufficient stockpile within DOD to meet the demand of these beneficiaries. We made similar provisions for medical supplies and durable medical equipment, envisioning a scenario based on the highly virulent H5N1 virus rather than what appears to be a much less virulent H1N1 virus. Plans also include the use of additional facilities on military installations, and training, credentialing, and use of additional hospital personnel to serve as nurse and physician extenders.

*Question.* Do U.S. military clinics and hospitals overseas have sufficient staff, capacity, and medical supplies to treat military personnel and their families in the event of a major outbreak, or will U.S. military families have to seek treatment at host nation medical facilities?

*Answer.* The Department of Defense (DOD) has aggressively prepared for a pandemic of influenza for the past 5 years. DOD has both local and strategic stockpiles of the antiviral, oseltamivir (Tamiflu®) overseas. The strategic stockpiles are prepositioned around the globe to facilitate distribution in preparation for an influenza pandemic. Local stockpiles are held at overseas medical treatment facilities (MTFs) in Europe and the Pacific and in depots for use in the U.S. Central Command and U.S. Southern Command areas of operation. The stockpiling of Tamiflu® and Relenza®, to which the new H1N1 virus is susceptible, would support DOD beneficiaries outside of the United States in this pandemic.

Through TRICARE, those U.S. DOD beneficiaries who do not have access to care in an MTF or require care that is not available at local MTFs, would receive their care at host nation facilities. This care is contracted by TRICARE and the care provided is consistent with TRICARE standards.

We determined that DOD beneficiaries, including military families, outside the United States might not be able to obtain medications, especially antivirals, through the host nation. DOD planned to maintain a sufficient stockpile within DOD to meet the demand of these beneficiaries. We made similar provisions for medical supplies and durable medical equipment, envisioning a scenario based on the highly virulent H5N1 virus rather than what appears to be a less virulent H1N1 virus. Plans also include the use of additional facilities on military installations, and training, credentialing, and use of additional hospital personnel to serve as nurse and physician extenders.

#### MILITARY CONSTRUCTION IN AFGHANISTAN

*Question.* Last week, General Petraeus was asked about enduring military installations in Afghanistan. I believe that Bagram has been designated an enduring location, and it appears that Kandahar, if not already an enduring location, is heading that way.

What is the difference between a permanent base and an enduring base, and what is DOD's plan for establishing permanent or enduring bases in Afghanistan?

*Answer.* DOD defines U.S. military presence through three posture elements: the nature of host-nation relationships (and related legal arrangements); the scale and duration of military activities and missions; and the footprint of personnel and infrastructure.

DOD established a tiered terminology for applying these posture elements and characterizing the desired level of U.S. military presence at various locations overseas: Main Operating Bases (MOBs); Forward Operating Sites (FOSs); and Cooperative Security Locations (CSLs).

In the context of our global defense posture plans, "permanent" and "enduring" are descriptive terms used by the Combatant Commanders in connection with one of more of the elements of posture, depending on the region and locations to which they are applied.

"Permanent" generally describes a long-standing footprint of personnel and infrastructure—e.g., permanently stationed forces accompanied by family members, with extensive command and control structures, and family support and quality of life services and facilities. MOBs, generally, are "permanent" bases (e.g., Ramstein, Germany; Mildenhall, United Kingdom; Kadena, Japan). "Enduring" generally describes the intent for long-standing host nation relationships and U.S. military capabilities/mission needs. This term could be applicable to MOBs with permanently stationed forces, but also to FOSs. For example, at FOSs in Romania, Bulgaria, and Djibouti, our plans involve limited permanent U.S. military support presence, but long-term



host nation relationships and the intent to maintain or establish enduring, scalable operational hubs for rotational training and other force projections missions.

The Department has continuous consultation with the CENTCOM commander regarding required support to operations in Afghanistan, including requirements to support "enduring" posture locations at Bagram and Kandahar. The Department does not anticipate at this time that these will be permanent bases.

*Question.* I have seen estimates that the United States could spend as much as \$4 billion for military construction in Afghanistan. How much additional Milcon funding beyond this supplemental do you anticipate needing for Afghanistan?

*Answer.* Our efforts are focused on supporting the immediate U.S. force structure increases. In support of that effort our current fiscal year 2010 Milcon estimates for Afghanistan are in the order of \$1.5 billion.

*Question.* Would you please provide for the record the following information: an accounting of how much funding has been appropriated to date for military construction in Afghanistan, by location, project, and fiscal year; for each project, how much of the appropriated amount has been obligated to date; and what is the current projected military construction requirement for Afghanistan?

*Answer.* The funding that has been appropriated to date for military construction in Afghanistan, by location, project, and fiscal year along with the associated obligations is at attachment 1. In terms of projected military construction requirement for Afghanistan, our efforts are focused on supporting the immediate U.S. force structure increases. In support of that effort the current fiscal year 2010 Milcon estimate for Afghanistan is in the order of \$1.5 billion.

In addition to the appropriated projects at attachment 1, we have carried out, or are carrying out, construction projects in Afghanistan under Title 10 U.S.C. sections 2803 and 2804 (attachment 2) and under contingency construction authorities (CCA) that permit us to carry out construction using Operation and Maintenance funds (attachment 3).

The following is a summary of all military construction in Afghanistan:

[In millions of dollars]

	Approved Amount	Obligations
Appropriated .....	1,303.7	820.6
10 U.S.C. 2803 .....	10.8	10.8
10 U.S.C. 2808 .....	104.6	93.8
CCA .....	496.0	86.9
<b>Total .....</b>	<b>1,915.1</b>	<b>1,011.8</b>

ATTACHMENT 1.—AFGHANISTAN MILITARY CONSTRUCTION FISCAL YEAR 2003-FISCAL YEAR 2009 PROJECT LISTING

(Dollars in thousands)

Service	Fiscal Year	Project	Base	Country	Appropriated Amount	Obligations 1	Funding Source
Army	Fiscal Year 2009	Bulk Fuel Storage & Supply Ph 8	Bagram	Afghanistan	\$26,000	.....	Fiscal Year 2009 Base
Army	Fiscal Year 2009	Bulk Fuel Storage & Supply Ph 5	Bagram	Afghanistan	22,000	.....	Fiscal Year 2009 Base
Army	Fiscal Year 2009	SOF HQ Complex	Bagram	Afghanistan	19,000	.....	Fiscal Year 2009 Base
Air Force	Fiscal Year 2009	C-130 Maintenance Hangar	Bagram	Afghanistan	27,400	\$18,995	Fiscal Year 2009 Base
Air Force	Fiscal Year 2009	Cargo Handling Area Expansion	Bagram	Afghanistan	8,800	4,375	Fiscal Year 2009 Base
Air Force	Fiscal Year 2009	Refueler Ramp	Bagram	Afghanistan	21,000	15,534	Fiscal Year 2009 Base
Army	Fiscal Year 2008	Administrative Building	Bagram	Afghanistan	13,800	10,037	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Aircraft Maintenance Hangar	Bagram	Afghanistan	5,100	4,847	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Ammunition Supply Point	Bagram	Afghanistan	62,000	.....	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Bulk Fuel Storage and Supply ph 3	Bagram	Afghanistan	23,000	20,205	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Bulk Fuel Storage and Supply ph 4	Bagram	Afghanistan	21,000	19,899	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	New Roads	Bagram	Afghanistan	27,000	.....	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Power Plant	Bagram	Afghanistan	41,000	37,713	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Rotary Wing Parking	Ghazni	Afghanistan	5,000	.....	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Consolidated Compound	Kabul	Afghanistan	36,000	25,272	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Counter IED Road-Route Alaska	Various	Afghanistan	16,500	14,769	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Counter IED Road-Route Conn	Various	Afghanistan	54,000	.....	Fiscal Year 2008 Supp
Air Force	Fiscal Year 2008	East Side Helo Ramp	Bagram	Afghanistan	44,400	28,490	Fiscal Year 2008 Supp
Air Force	Fiscal Year 2008	ISR Ramp	Bagram	Afghanistan	26,300	24,991	Fiscal Year 2008 Supp
Air Force	Fiscal Year 2008	Parallel Taxiway Phase 2	Bagram	Afghanistan	21,400	15,411	Fiscal Year 2008 Supp
Air Force	Fiscal Year 2008	Strategic Ramp	Bagram	Afghanistan	43,000	29,074	Fiscal Year 2008 Supp
Army	Fiscal Year 2008	Administrative Building	Bagram	Afghanistan	13,800	10,037	Fiscal Year 2008 Base
Army	Fiscal Year 2007	Bulk Fuel Storage Phase I	Bagram	Afghanistan	9,500	10,447	Fiscal Year 2007 Supp
Army	Fiscal Year 2007	Bulk Fuel Storage Phase II 2	Bagram	Afghanistan	25,000	30,105	Fiscal Year 2007 Supp
Army	Fiscal Year 2007	CMU Barracks	Bagram	Afghanistan	17,000	15,513	Fiscal Year 2007 Supp
Army	Fiscal Year 2007	Communications System Facility	Bagram	Afghanistan	8,200	7,807	Fiscal Year 2007 Supp
Army	Fiscal Year 2007	Electrical Distribution Utility Chase	Bagram	Afghanistan	17,500	16,579	Fiscal Year 2007 Supp
Army	Fiscal Year 2007	Perimeter Fence & Guard Towers	Bagram	Afghanistan	8,800	9,250	Fiscal Year 2007 Supp
Army	Fiscal Year 2007	RSOI Surge Area	Bagram	Afghanistan	14,000	14,214	Fiscal Year 2007 Supp
Army	Fiscal Year 2007	Storm Water Collection	Bagram	Afghanistan	5,600	6,117	Fiscal Year 2007 Supp
Army	Fiscal Year 2007	Water Treatment & Distribution	Bagram	Afghanistan	22,000	22,766	Fiscal Year 2007 Supp
Army	Fiscal Year 2007	WWTP & Sewer Collection	Bagram	Afghanistan	16,500	16,809	Fiscal Year 2007 Supp
Air Force	Fiscal Year 2007	Hot Cargo Pad & Access Road	Bagram	Afghanistan	7,300	7,321	Fiscal Year 2007 Supp
Air Force	Fiscal Year 2007	Parallel Taxiway	Bagram	Afghanistan	33,000	26,004	Fiscal Year 2007 Supp

Service	Fiscal Year	Project	Base	Country	Approved	Obligations <sup>1</sup>	Funding Authority
Air Force	Fiscal Year 2007	Counter IED Roads	Various	Afghanistan	369,700	201,446	Fiscal Year 2007 Supp
Air Force	Fiscal Year 2006	Kabul Consolidated Compound	Kabul	Afghanistan	30,000	30,993	Fiscal Year 2006 Supp
Air Force	Fiscal Year 2006	Tanker Truck Offroad Facility	Bagram	Afghanistan	19,600	16,834	Fiscal Year 2006 Supp
Air Force	Fiscal Year 2005	CMU Barracks	Bagram	Afghanistan	16,100	16,896	Fiscal Year 2005 Supp
Air Force	Fiscal Year 2005	Joint Operations Center	Bagram	Afghanistan	6,400	5,061	Fiscal Year 2005 Supp
Air Force	Fiscal Year 2005	East Side Ramp/Support Infra	Bagram	Afghanistan	17,600	8,181	Fiscal Year 2005 Supp
Air Force	Fiscal Year 2005	Control Tower	Bagram	Afghanistan	10,200	6,176	Fiscal Year 2005 Supp
Air Force	Fiscal Year 2005	Cargo Handling Area	Bagram	Afghanistan	1,800	1,629	Fiscal Year 2005 Supp
Air Force	Fiscal Year 2005	Coalition Forces Ramp	Bagram	Afghanistan	1,400	1,403	Fiscal Year 2005 Supp
Air Force	Fiscal Year 2005	Ammunition Supply Point	Kandahar	Afghanistan	16,000	16,178	Fiscal Year 2005 Supp
Air Force	Fiscal Year 2004	Airfield Runway Repair	Bagram	Afghanistan	52,900	53,266	Fiscal Year 2004 Supp
<b>Total</b>					<b>1,303,700</b>	<b>820,644</b>	

<sup>1</sup> Through March, 2009  
<sup>2</sup> A reprogramming increased the appropriated amount by \$7,000,000 to \$32,000,000.  
 Fiscal Year 2009 Base is Public Law 110-329; Fiscal Year 2008 Supp is Public Law 110-252; Fiscal Year 2008 Base is Public Law 110-161; Fiscal Year 2007 Supp is Public Law 109-234; Fiscal Year 2008 Supp is Public Law 109-13; Fiscal Year 2004 Supp is Public Law 108-132

**ATTACHMENT 2.—AFGHANISTAN MILITARY CONSTRUCTION FISCAL YEAR 2009 PROJECTS CARRIED OUT UNDER TITLE 10 SECTION 2803**

(Dollars in thousands)

Service	Fiscal Year	Project	Base	Country	Approved	Obligations <sup>1</sup>	Funding Authority
Air Force	Fiscal Year 2004	CAS Ramp Extension	Bagram	Afghanistan	\$764	\$764	Title 10 Section 2803
Air Force	Fiscal Year 2005	CAS Ramp Extension	Bagram	Afghanistan	1,116	1,116	Title 10 Section 2803
Air Force	Fiscal Year 2006	CAS Ramp Extension	Bagram	Afghanistan	4,381	4,381	Title 10 Section 2803
Air Force	Fiscal Year 2007	CAS Ramp Extension	Bagram	Afghanistan	4,539	4,539	Title 10 Section 2803
<b>Total</b>					<b>10,800</b>	<b>10,800</b>	

<sup>1</sup> Through March 2009.

**AFGHANISTAN MILITARY CONSTRUCTION FISCAL YEAR 2009 PROJECTS CARRIED OUT UNDER TITLE 10 SECTION 2808**

(Dollars in thousands)

Service	Fiscal Year	Project	Base	Country	Approved	Obligations <sup>1</sup>	Funding Authority
Air Force	Fiscal Year 2007	Bagram Theater Internment Facility	Bagram	Afghanistan	\$62,551	\$62,551	Title 10 Section 2808
Air Force	Fiscal Year 2007	Barracks, Temporary, Phase 1	Bagram	Afghanistan	16,000	11,601	Title 10 Section 2808
Air Force	Fiscal Year 2007	Expand Bagram Roads	Bagram	Afghanistan	16,000	12,906	Title 10 Section 2808

AFGHANISTAN MILITARY CONSTRUCTION FISCAL YEAR 2003-FISCAL YEAR 2009 PROJECTS CARRIED OUT UNDER TITLE 10 SECTION 2808—Continued  
 (Dollars in thousands)

Service	Fiscal Year	Project	Base	Country	Approved	Obligations <sup>1</sup>	Funding Authority
Army	Fiscal Year 2007	Barracks, .....	Bagram .....	Afghanistan .....	5,600	5,846	Title 10 Section 2808
Army	Fiscal Year 2007	Eastside Power Lines .....	Bagram .....	Afghanistan .....	1,200	865	Title 10 Section 2808
		Total .....			104,600	93,769	

<sup>1</sup> Through March 2009.

ATTACHMENT 3.—AFGHANISTAN MILITARY CONSTRUCTION FISCAL YEAR 2003-FISCAL YEAR 2009 PROJECTS CARRIED OUT UNDER FISCAL YEAR 2004 NDAA<sup>1</sup> SECTION 2808, AS AMENDED  
 (Dollars in thousands)

Service	Fiscal Year	Project	Base	Country	Approved	Obligations <sup>2</sup>	Funding Source
Army	Fiscal Year 2004	Hospital Facility .....	Bagram Airfield .....	Afghanistan .....	\$16,380	\$16,380	O&M
Army	Fiscal Year 2004	Ammunition Supply Point .....	Bagram Airfield .....	Afghanistan .....	14,095	14,095	O&M
Army	Fiscal Year 2004	Entry Control Point .....	Bagram Airfield .....	Afghanistan .....	12,874	12,874	O&M
Army	Fiscal Year 2005	Kabul Consolidated Compound .....	Kabul .....	Afghanistan .....	1,400	1,362	O&M
Army	Fiscal Year 2007	Primary Electrical Distribution Grid .....	FOB Sharana .....	Afghanistan .....	3,100	3,100	O&M
Army	Fiscal Year 2007	Camp Phoenix North Expansion .....	Kabul .....	Afghanistan .....	22,928	22,928	O&M
DIA	Fiscal Year 2007	Joint Intelligence Operations Facility .....	Kabul .....	Afghanistan .....	2,700	2,700	O&M
Army	Fiscal Year 2008	Waste Water Treatment Facility .....	Jalalabad Airfield .....	Afghanistan .....	6,024	6,024	O&M
Army	Fiscal Year 2009	Rotary Wing Ramp and Taxiway PH .....	Kandahar AB .....	Afghanistan .....	25,000	.....	O&M
Army	Fiscal Year 2009	Rotary Wing Ramp and Taxiway PH .....	Camp Bastion .....	Afghanistan .....	25,000	.....	O&M
Army	Fiscal Year 2009	RS01 Expansion .....	Kandahar AB .....	Afghanistan .....	16,000	84	O&M
Army	Fiscal Year 2009	ECP and Access Road South Park .....	Kandahar AB .....	Afghanistan .....	9,400	64	O&M
Army	Fiscal Year 2009	South Park Infrastructure PH 1 .....	Kandahar AB .....	Afghanistan .....	30,000	.....	O&M
Army	Fiscal Year 2009	Brigade Housing .....	Kandahar AB .....	Afghanistan .....	25,000	.....	O&M
Army	Fiscal Year 2009	Relocation of Class 1 Yard .....	Kandahar AB .....	Afghanistan .....	11,000	51	O&M
Army	Fiscal Year 2009	Rotary Wing Ramps & Taxiways .....	Shank .....	Afghanistan .....	36,000	.....	O&M
Air Force	Fiscal Year 2009	Strategic Air Lift Apron .....	Camp Bastion .....	Afghanistan .....	47,000	.....	O&M
Air Force	Fiscal Year 2009	Runway .....	Camp Bastion .....	Afghanistan .....	97,000	.....	O&M
Air Force	Fiscal Year 2009	Close Air Support Apron .....	Kandahar AB .....	Afghanistan .....	37,000	.....	O&M
Air Force	Fiscal Year 2009	Upgrade Munitions Storage Area .....	Kandahar AB .....	Afghanistan .....	20,000	.....	O&M
Air Force	Fiscal Year 2009	Runway .....	Shank .....	Afghanistan .....	22,000	.....	O&M

Air Force .....	Fiscal Year 2009 ...	Airlift Apron .....	Shank .....	Afghanistan .....	8,600	O&M
Total .....					488,777	79,662

<sup>1</sup> National Defense Authorization Act  
<sup>2</sup> Obligation data as of March 31, 2009.

**AFGHANISTAN MILITARY CONSTRUCTION FISCAL YEAR 2003-FISCAL YEAR 2009 PROJECTS CARRIED OUT UNDER FISCAL YEAR 2003 EMERGENCY WARTIME  
SUPPLEMENTAL APPROPRIATIONS ACT, SECTION 1901**

[Dollars in thousands]

Service	Fiscal Year	Project	Base	Country	Approved	Obligations <sup>1</sup>	Funding Source
Army .....	Fiscal Year 2003 ...	JTF HQ .....	Begram .....	Afghanistan .....	\$7,200	\$7,200	O&M

<sup>1</sup> Obligation data as of March 31, 2009.

*Question.* What is DOD doing to ensure the maximum contribution from NATO for the construction of military facilities in Afghanistan?

*Answer.* Executive Summary: We are using the pre-notification process to NATO for the NSIP Program (described below) for all fiscal year 2009 and fiscal year 2010 Milcon and CCA Projects in Afghanistan. By doing so, we are posturing U.S. funded projects to be reimbursed by NATO once they meet the criteria for NATO Common Funding. For example, NATO's Infrastructure Committee is strongly considering common funding for a recent U.S. nomination of a \$30 million runway ramp extension project in Southern Afghanistan.

*Description:* The U.S. NATO budget consists of the NATO Military Budget (O&M) and the NATO Security Investment Program (NSIP). The NATO Resource Support Branch (part of HQ USAREUR) in Mons, Belgium manages appropriations for both programs.

—The NATO Military Budget funds the U.S. share of the day to day operational costs associated with NATO. HQ Department of the Army maintains oversight of the NATO Military Budget Program.

—The NATO Security Investment Program (NSIP) funds the acquisition of common use systems and equipment; construction, upgrade and restoration of operational facilities; and other related programs and projects in support of NATO Strategic Concepts and Military Strategy. The Office of DUSD(I&E), Installations Requirements and Management Directorate, maintains oversight of the program.

The United States, along with other allies, annually contributes an agreed level of funding to the NSIP, provided through the Military Construction Appropriations Act. The U.S. share, typically about a quarter of the total budget, is a key factor in our leadership of NATO, and for exerting our influence throughout the European region. The United States derives significant operational benefits from NSIP projects that support U.S. forces and personnel throughout Europe, especially in NATO's Southern Region.

NSIP project requirements are stated in terms of Capability Packages and are prioritized and approved by the NATO Military Authorities. Nationally funded projects may be eligible for NSIP reimbursement if they meet criteria for NATO Common Funding after the fact due to use or mission changes. To be eligible for this Nations must "pre-notify" the NSIP of intent to build.

*Question.* The supplemental request does not include any military construction funding for Iraq. Do you anticipate requiring any further Milcon funding for Iraq in fiscal year 2010 or in future budget requests?

*Answer.* While we do not anticipate any additional requirements, the drawdown coupled with the situation on the ground will drive any future requests.

#### GUANTANAMO

*Question.* Secretary Gates, the supplemental request includes \$50 million in the Iraq Freedom Fund to support the closure of the Guantanamo detention center. The request specifically seeks authorization for the expenditure of military construction funds for projects not otherwise authorized by law.

What is the purpose of the military construction proviso? Is it intended to give the department the flexibility to construct a new prison, or renovate or expand an existing military facility, or is there some other type of facility that could be required?

*Answer.* The purpose of the proviso is to give the Department of Defense the ability to execute the pending decisions of the interagency Special Task Force, which is working to identify options for the disposition of detainees now at Guantanamo. The Task Force is co-chaired by the Attorney General and Secretary of Defense. Any plan to bring detainees to the United States will require legislation and the support of Congress. I fully support the closure of detention facilities at Guantanamo.

*Question.* What options are on the table for dealing with the current detention facilities at Guantanamo once the detention center is closed? Are you considering demolishing the existing facilities, or is the Department considering other options, such as converting them to migrant operation facilities?

*Answer.* The detention facilities at Guantanamo Bay will be closed on or before January 22, 2010, in accordance with the President's Executive Orders dated January 22, 2009. The Department, in coordination with our interagency partners, is working diligently to ensure that the government is prepared to implement that order.

After the Operation Enduring Freedom detainee mission undertaken by Joint Task Force Guantanamo is completed, the Department has no plans to transition the facilities into a different mission profile. The facilities at Guantanamo were de-

signed and constructed to serve the mission of detaining al-Qaeda, Taliban, and associated forces. The exact disposition of the facilities has not been determined.

It is also possible that the Guantanamo facilities will be deemed by the Department of Justice to be covered by the federal court's preservation order that requires DOD to preserve and maintain all documents and information that relates to Guantanamo detainees. If so, the facilities could not be dismantled until that preservation order is no longer in effect.

#### AFRICOM

*Question.* Secretary Gates, the Associated Press reported Wednesday that small numbers of Muslim extremists were leaving the border region of Afghanistan and Pakistan and heading to East Africa, specifically Somalia. That area of the continent has presented many challenges for the United States in the past.

Will the fact that AFRICOM has very limited presence on the continent diminish our capability to respond quickly to counter these types of threats?

*Answer.* USAFRICOM's capacity is not diminished by its limited presence on the continent. The Global Force Management (GFM) process allows USAFRICOM, like all the other Geographic Combatant Commands, to request forces and assets as necessary to accomplish missions tasked by the Secretary of Defense. These requests are reviewed and approved by the Secretary of Defense, allowing a dynamic balancing of military force application between emerging requirements and ongoing sustained operations.

*Question.* How large of an infrastructure footprint do you envision for AFRICOM on the continent of Africa? Does the Department have plans to construct any military facilities on the continent beyond Camp Lemonier in Djibouti?

*Answer.* No, the Department does not have existing plans to construct any military facilities on the continent beyond Camp Lemonier. The Department has deferred a permanent location final decision until fiscal year 2012. In the interim, the Department is limiting expenditures on temporary USAFRICOM infrastructure until decisions are made about the long-term on-continent locations for the command.

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#### QUESTION SUBMITTED BY SENATOR JACK REED

##### DEPARTMENT OF DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH

*Question.* In the fiscal year 2008 National Defense Authorization Act (Public Law 110-181), this Committee requested a Federally Funded Research and Development Center assessment of DEPSCoR. The resulting assessment demonstrated that DEPSCoR has successfully built research capacity in participating states, including a finding that the DEPSCoR states' share of non-DEPSCoR DOD science and engineering funding steadily increased from inception of the program through fiscal year 2005 (the last year the assessment considered), despite wide variations in DEPSCoR program funding level.

As this Administration considers how best to invest the Department's limited 6.1 basic research dollars, can you provide to this Committee an assurance that the DEPSCoR programmatic objective of investing in historically underfunded states will remain a priority?

*Answer.* Senator Reed, the DEPSCoR program, coupled with the larger EPSCoR programs run by six other agencies—the National Science Foundation, Department of Energy, National Institutes of Health, Department of Agriculture, National Aeronautics and Space Administration, and Environmental Protection Agency—has indeed built research capacity in participating states. However, it is not entirely clear whether the increased capacity can be linked specifically to DEPSCoR compared to the larger EPSCoR funding from the other agencies.

In general, the Department seeks to competitively build research capacity across the entire nation. When the Department developed its fiscal year 2009 budget, Secretary Gates personally made basic research a priority, increasing our overall basic research accounts by nearly \$300 million. These funds are embedded in both Service University Research Initiative and Defense Research Science programs. With this 16 percent real growth in basic research came the charge to invest the funds in competitively awarded and peer reviewed research. Our belief is the total amount awarded competitively from this \$300 million increase to the aggregated EPSCoR states should actually exceed the amount of money requested in the traditional DEPSCoR program. If this is the case, the intent of DEPSCoR program to build capacity in under represented states would be met. As we finish the basic research

awards in fiscal year 2009, we will monitor the total amount allocated to DEPSCoR states, and adjust policy accordingly.

QUESTIONS SUBMITTED BY SENATOR FRANK R. LAUTENBERG

*Question.* In September 2005, the Base Realignment and Closure (BRAC) Commission recommended closing Fort Monmouth and transferring functions to Aberdeen Proving Ground. Since that time, news and government reports have surfaced raising significant concerns about the rising costs of closing the base and the possibility that such a closure could be disruptive in our military missions abroad. Does the administration have plans to review the 2005 round of Base Realignment and Closures? If so, is the decision to close Fort Monmouth under review?

*Answer.* The Department has no legal authority to reconsider BRAC recommendations and has never in its history sought such legal authority. Additionally, the benefits of this recommendation (and all other BRAC actions) are important to achieve and there would be significant negative consequences of legislative reversal of any BRAC recommendation. The Department is not aware of any effort in the Administration to review the 2005 round of Base Realignment and Closure broadly or the Fort Monmouth recommendation specifically.

Fort Monmouth is an acquisition and logistics installation with little capacity for other purposes. The Army ranked it 50th of 97 installations in military value. Aberdeen was ranked 18th. Implementation will save over \$154 million annually beginning in fiscal year 2012, reducing infrastructure overhead, even with the cost growth. The Army's move of the Communications Electronics Command (CECOM) to Aberdeen Proving Ground (a property of higher military value) greatly enhances operational support to the GWOT and other contingency operations by creating a combined Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (C<sup>4</sup>ISR) technical and research facility with direct and valuable links to the Aberdeen Proving Ground test communities and ranges.

*Question.* Piracy threatens the delivery of vital humanitarian assistance to the Horn of Africa, much of which arrives by sea. In Somalia, an estimated 3.2 million people, approximately 43 percent of the population, required food aid in the latter half of 2008. U.S. humanitarian assistance to Somalia totaled \$270 million in 2008 and over \$157 million to date in fiscal year 2009. The administration has requested \$200 million in fiscal year 2009 supplemental International Disaster Assistance funding and \$300 million in fiscal year 2009 supplemental Public Law 480, Title II humanitarian assistance, in part to address food and water shortages in Somalia, Ethiopia, and Sudan. Officials from the World Food Program (WFP), which ships tens of thousands of metric tons of food monthly to the Horn of Africa region, report it has become more expensive to ship assistance to Mogadishu, and that their ability to deliver relief is significantly hampered. Both the M/V *Maersk Alabama* and the M/V *Liberty Sun*, two vessels that pirates have targeted recently, are U.S.-flagged and crewed cargo vessels contracted by the WFP to deliver USAID food assistance off the southeast coast of Somalia. What is the U.S. Government doing to protect these vessels carrying humanitarian assistance to the Horn of Africa region from pirates?

*Answer.* Protection of WFP vessels transiting into and out of Somalia has been of paramount concern since piracy off the Horn of Africa began its upsurge in late August 2008, and is specifically mentioned in U.N. Security Council Resolutions 1838, 1846 and 1851. In August 2008, NAVCENT established the Maritime Security Patrol Area to provide a relative safe haven for ships passing through the region. In December 2008, the European Union formed its counter-piracy task force, dubbed Operation Atalanta, drawing forces from Standing NATO Maritime Group 2 (SNMG 2), with the specific mission of providing protective escort for WFP vessels. Moreover, NATO has had SNMG 1 operating in the region since March 2009 and extended its operations in the region until June 2009, rather than deploying to its previously-scheduled operations in Singapore and Australia. To focus more explicitly on the piracy vice counterterrorism threat, NAVCENT established a separate task force in early January 2009, CTF 51. At present CTF-151 includes vessels from six nations. Overall, some 28 nations are conducting CP operations in this region, including escort of WFP food aid.

Military operations are part of the solution, but cannot alone address this problem. The United States advocates a multifaceted international response including self-protection measures by commercial shippers, and is considering the utility of working with regional authorities inside Somalia to address the land-based origins of the problem. This approach is reflected in an interagency Counter-Piracy Action Plan (CPAP), and will continue to be monitored and executed through an NSC-di-



rected working group, the Counter-Piracy Steering group (CPSG), co-chaired by the Department of State and Defense. Additionally, the Department of State has moved forward in developing an international contact group—the Contact Group on Countering Piracy Off the Coast of Somalia (CGCPCS)—to coordinate efforts more effectively with the other countries now contributing to this mission.

QUESTIONS SUBMITTED BY SENATOR ROBERT F. BENNETT

F-22

*Question.* Secretary Gates, both at your press conference on April 6th as well as on two occasions after that you stated that there was no military requirement for more than 187 F-22's and that the Air Force agreed. However, both before your announcement as well as afterwards, and specifically on April 13th, the Chief of Staff of the Air Force, General Schwartz, said publicly that the military requirement for F-22's was 243, not 187. Could you clarify where each of those numbers originated and which number you feel best describes the strategic requirements of the Air Force in the future?

*Answer.* Air Force analysis suggested that 243 F-22s would deliver warfighting capability and sustainment at moderate levels of risk, mitigating uncertainties of threats, scenarios, and F-35 Joint Strike Fighter unknowns. In essence, it was suggested that 243 F-22s would provide less risk than 187. After further consideration, however, the Air Force and the Department agreed that 187 F-22s presented an acceptable level of risk, and as a result, it was finally decided that 187 was the right quantity of F-22s. The Department along with the Air Force assessed the military requirement for F-22s from many angles, taking into account competing strategic priorities and complementary programs and alternatives, all balanced within the context of available resources. Based on warfighting experience over the past several years and judgments about future threats, the Department revisited the scenarios on which the Air Force based its assessment. Concurrently, during this F-22 requirement review, the Department assessed the broader road map for tactical air forces, and specifically the relationship between the F-22 Raptor and the multi-role F-35 Joint Strike Fighter. As a result, it was decided that 187 was the right quantity of F-22s.

PAKISTAN

*Question.* Secretaries Gates and Clinton, the supplemental request includes \$3 billion in economic assistance and \$400 million for counterinsurgency operations efforts for Pakistan. If the continued march to radicalization and Islamization in Pakistan cannot be halted or diverted, how will these funds be used to secure U.S. interests in the region? What future do you see in the region with the Taliban gaining maneuverability and power in Pakistan? How would the realistic possibility of a nuclear-armed state led by radical Islamist groups affect our strategic posture, especially concerning nuclear deterrence and missile defense?

*Answer.* The \$3 billion for economic assistance and \$400 million for the Pakistan Counterinsurgency Capabilities Fund are designed to build Pakistani capacities in counterinsurgency, economic development, rule of law, and education; thereby eliminating the destabilizing conditions that give rise to concerns like those posited. The United States, and increasingly Pakistan itself, recognize the extremist insurgency poses a threat to Pakistan's government and the people of Pakistan. By increasing the capabilities and capacity of the Pakistani Frontier Corps and Pakistani Army in counterinsurgency operations, the United States will help them secure their sovereign territory, deny terrorist safe havens, and create favorable conditions for economic development. At the same time, Pakistan's nuclear arsenal remains under the control of the Pakistani military, which has strong measures in place to ensure security of those weapons.

GUANTANAMO BAY

*Question.* Secretary Gates, the request before us includes up to \$50 million to support the closing of the Guantanamo Bay detention facility that currently houses 240 of the United States' worst enemies in our struggle against political and religious extremism and international terrorism. I have serious concerns about the consequences of closing the facility and even stronger concerns about the allocation of these funds to transfer the prisoners according to an arbitrary deadline that was promulgated during a political campaign. News reports have indicated the Administration may be planning to release some detainees directly into the United States and you Secretary Gates, have specifically mentioned this possibility.

We have received very little information about the Administration's specific plans for dealing with this issue, other than a request for funds. I ask you now, what are your specific plans for closing the facility, transferring the detainees and ensuring that they do not cause greater harm to U.S. security both at home and abroad? Have you planned for any contingencies that would include extending the political deadline set during the campaign? What are the specific plans concerning detainees that are not accepted in their home countries or proxy countries?

Answer. The President's Executive Orders, which were signed on January 22, 2009, stipulate that the Attorney General was to assess the 241 detainees at Guantanamo Bay and make disposition determinations. That process is currently ongoing and is expected to be completed in October 2009. Until the Attorney General makes a determination, the Department is unable to comment on plans to transfer, prosecute, or make some other lawful disposition.

The Department of Defense will take all appropriate security measures to ensure that, if detainees are held under DOD control in the United States, they are unable to pose a threat to the United States. In addition, the Department of Justice is tasked with all law enforcement activities within the United States. As such, the Department of Justice will be best able to comment on any security measures to ensure that detainees do not cause greater harm to U.S. security. In cases where a detainee is to be transferred to another country, the Department of Defense will work in coordination with the Department of State to get security and humane treatment assurances from countries that are willing to resettle GTMO detainees.

#### NATIONAL NUCLEAR SECURITY ADMINISTRATION

*Question.* Secretary Gates, the Administration's request for \$89.5 million for the National Nuclear Security Administration includes funding for a live fire shooting range and railcar to support training exercises for the Russian Ministry of Defense. I am told the Department of Defense is also investing in this Russian Counter Training Center.

Considering that Russia is reinvesting in its military, do you believe it is in the best interest of taxpayers to invest \$6 million in a live fire and training facility for the Russian military?

Answer. The figures quoted related to Department of Energy (DOE) budget requests. DOD and DOE have conducted an integrated program to improve Russian nuclear warhead security based on commitments by President Bush at the 2005 U.S.-Russia Summit on Nuclear Security ("Bratislava Summit"). DOD completed its Bratislava Commitments in December 2008, and DOE completed its commitments in early 2009. As part of the Bratislava commitments, and previous nuclear security commitments undertaken prior to 2005, DOD and DOE provided a range of training, equipment, and services to improve Russian guard forces' capabilities to protect warhead storage bunkers. DOD and DOE also provided special railcars used to transport warheads from operational bases to dismantlement or enhanced-security storage facilities. One element of DOD's early assistance under this program was provision of 12 self-contained small-arms practice ranges. DOD completed this work in the 2004 timeframe. The final aspect of the Bratislava commitments is improving Russia's ability to sustain the warhead security systems installed by DOD and DOE. We are working with Russia and DOE to ensure that this is accomplished; Russia will assume full responsibility for sustainment by the end of 2012.

#### MISSILE DEFENSE

*Question.* Secretary Gates, based on your recent speeches it seems as though the near-term focus of the Administration concerning missile defense is on theater systems and completing the deployment of the Ground-Based Missile Defense that can provide limited protection against traditional threats. With an uncertain future that includes the possibility of more nuclear-armed states with ICBM capabilities, what measures are you considering to develop and strengthen systems that add additional layers of protection to our missile defense system?

Answer. The ascent phase concept leverages existing sensors and weapons and therefore offers a potential lower risk/lower cost solution that could be fielded much more quickly than traditional boot-phase concepts.

*Question.* While working to provide the best balance of systems to protect against attack, what are your thoughts on investing in flexible, adaptable, mobile weapon systems like Kinetic Energy Interceptors (KEI) to counter emerging threats instead of continuing the fielding of older, stationary systems? Would you agree that would more accurately reflect a priority on programs that allow us to stay ahead of evolving threats? Shouldn't we ensure that we are providing adequate resources for flexi-

ble, next-generation weapon systems like KEI, and sensors and command-and-control technologies?

Answer. [Deleted].

*Question.* Mid-course discrimination seems a tough problem and continues to become harder as our enemies deploy more advanced future threats. It has been widely discussed and agreed upon that it is more effective to engage early, before a threat missile has had a chance to deploy countermeasures or multiple warheads. If this is the case, why would you target boost-phase systems for termination in the future budget? If the currently designed systems were not proving adequate, what plans do you have for other systems that would attack a missile threat in the boost phase?

Answer. [Deleted].

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QUESTIONS SUBMITTED BY SENATOR SAM BROWNBACK

DETAINEES

*Question.* Has the Department of Defense had any discussions with U.S. state and local officials about the possibility of transferring detainees from Guantanamo to locations in the United States? If not, does it intend to do so?

Answer. As Secretary Gates has indicated in the past, the Department has been working on contingency plans to close the detention facility at Guantanamo for some time. Prior to the end of the Bush Administration, the Department visited DOD facilities in various states.

As previously stated, no decisions have yet been made to bring detainees into the United States for continued detention. However, when the facility at Guantanamo Bay closes, there will likely be some number of detainees who are awaiting trial, are awaiting transfer or release, or who cannot be tried, but who are too dangerous to release. For those detainees, it is likely that we will need a facility or facilities in the United States in which to house them. Pending the final decision on the disposition of those detainees, the Department has not contacted state and local officials about the possibility of transferring detainees to their locations.

*Question.* Would you be willing to receive and consider formal assessments of an installation's suitability for a detainee mission from the commanders of installations where detainees might be sent?

Answer. The Department of Defense is willing to receive and consider formal assessments of an installation's suitability for a detainee mission from the commanders of installations where detainees may be sent. As part of the planning process, the Joint Staff conducted site visits to assess possible locations for a post-GTMO detention facility in the event that a decision was made to transfer detainees to the United States. Each of those visits included receipt of information from the appropriate installation commander. The Department of Justice is also conducting assessments of possible post-GTMO sites should the decision be made to transfer some detainees to the United States.

AID TO LEBANON

*Question.* The fiscal year 2009 supplemental request calls for \$98.4 million in FMF for Lebanon to provide additional equipment and training to the Lebanese Armed Forces. A Hezbollah-led majority in parliament would give the terrorist organization control over the decisionmaking process and possibly control over the LAF.

Why are we providing UAV's to the LAF? What assurances do we have that those planes—or the information they provide—will not be transferred to Hezbollah? Will restrictions be placed on where they can fly?

Answer. The USG has provided four Raven unmanned aerial vehicle systems, funded by fiscal year 2007 FMF supplemental funds, to the Lebanese Armed Forces (LAF) to improve the LAF's border security and counterterrorism capabilities, important aspects of our broader effort to enhance the ability of Lebanese state institutions to exert sovereign authority throughout the national territory. The requirement for a tactical UAV capability was validated by two USCENTCOM assessments and is an integral element of the LAF's 5 year plan to enhance its ability to control Lebanon's borders and counter terrorist threats in Lebanon. The LAF continues to have an impeccable end use monitoring record for U.S. equipment. The Office of Defense Cooperation in Beirut will implement enhanced end use monitoring requirements on the Raven UAVs, including serial number verification twice a year. The USG is working with the LAF to ensure that the Ravens will be operated no closer than two miles from the Blue Line, the border between Lebanon and Israel.

## QUESTIONS SUBMITTED BY SENATOR GEORGE V. VOINOVICH

## BUDGET PROCESS AND SUPPLEMENTAL SPENDING

*Question.* This increase in supplemental spending is outrageous when you consider our long-term fiscal outlook. And we must have entitlement reform to address our long-term fiscal problems, because without meaningful reform we will spend all of the governments funds on Medicare, social security, and interest.

I am pleased to see President Obama's commitment to make this the last planned war supplemental. But my question is why during a year of unprecedented deficits, why are you coming back to Congress to request yet another emergency funding request? Shouldn't your funding compete in the regular order?

*Answer.* After passing the fiscal year 2009 bridge funding in June 2008, Congress acknowledged: that the amount passed would only be enough to cover about half the fiscal year, and that the new President would need to submit a supplemental for the remainder. This Congressional action necessitated use of a supplemental to cover war costs for the rest of fiscal year 2009.

In the fiscal year 2010 budget request, the Department has included \$130 billion for overseas contingency operations (OCO). It is the intent of the Administration that the Congress considers this \$130 billion request along with \$533.8 billion needed for the Department's base budget.

## FOREIGN MILITARY FINANCING AND DEFENSE TRADE COOPERATION

*Question.* International arms sales help to sustain U.S. jobs, reduce the cost of weapons procurement by the Department of Defense, help to grow small businesses, and support the national security and foreign policy objectives of the U.S. government. The Obama Administration must continue to support U.S. arms sales as an important foreign policy tool.

I understand that some of our foreign military assistance funds have been used by the Iraqis and Afghans for the procurement of Russian aircraft and helicopters ill-equipped to interoperate with U.S. personnel and hardware in the field. Can both of you elaborate on the technical and policy rationale for such use of U.S. military assistance?

*Answer.* Iraq Security Forces Fund (DOD funds) funded approximately 40 percent and the Government of Iraq (GoI) funded approximately 60 percent of the Mi-17 aircraft procurement. The procurement is being done by U.S. Army through the Foreign Military Sales (FMS) system. The GoI requested that the United States buy the Mi-17 aircraft on its behalf since the GoI had already purchased Mi-17s in 2005. The GoI wanted standardization of its rotary wing fleet. Military commanders assessed that, of the aircraft available, the Mi-17 was the ideal medium-lift helicopter airframe for the relevant environment and pilot skill level. The Department funded 40 percent of the aircraft procurement in order to provide an incentive for the GoI to utilize the FMS system to accelerate the development of the Iraqi Security Forces, and to ensure that major acquisitions are transparent and free of corruption. Congress received formal notification of the intent to procure the Mi-17s through the FMS system in late 2006.

The United States has used Afghan Security Forces Funding (DOD funds) to purchase Mi-17 aircraft and parts for the Afghan National Army Air Corps (ANAAC) so that they can make an immediate contribution to ongoing combat operations. The Mi-17's ability to operate in a high-altitude, high temperature, rugged environment make it uniquely suited for Afghanistan. Additionally, the Mi-17 is easy to operate and maintain by personnel with limited technical skills. The Afghans had been flying the Mi-17 since the early 1980s and are familiar with operating and maintaining this platform. The ANAAC Mi-17s are refurbished to ensure interoperability with U.S. and Coalition forces. Additionally, many NATO and regional partners operate the Mi-17 and are providing training and support to the ANAAC.

## DOD FUNDING FOR COUNTERNARCOTICS/SOUTHWEST BORDER ACTIVITIES

*Question.* Can you provide the Committee in writing your plan for the use of the \$350 million included in the supplemental request for the Department of Defense for counternarcotics and other activities on the U.S. border with Mexico?

*Answer.* According to the request, the \$350 million is "for counternarcotics and other activities including assistance to other Federal agencies, on the United States' border with Mexico." The Secretary of Defense may transfer the \$350 million to "appropriations for military personnel, operation and maintenance, and procurement to be available for the same purposes as the appropriation or fund to which transferred." Of this \$350 million, \$100 million may be transferred "to any other Federal

appropriations accounts, with the concurrence of the head of the relevant Federal department or agency for border-related activities.”

This \$350 million provides the President flexibility should he decide to deploy military personnel to the Southwest border in support of Department of Homeland Security activities. The President has made clear that the current situation does not require the militarization of the border. The President also has made clear that he will continue to monitor the situation at the border carefully and will take additional steps if necessary to ensure the border remains secure. Should the President determine that a military deployment is necessary, military personnel would not operate in Mexico under this provision. Instead, consistent with the Posse Comitatus Act and DOD policy limitations, military personnel would provide non-law enforcement support to Border Patrol agents. This \$350 million in contingent DOD funding is a prudent measure to ensure that adequate resources are available, on short notice, if circumstances require increasing efforts to augment civilian law enforcement activities along the Southwest border.

*Question.* Specifically, if you have any indication from the White House or the Office of Management and Budget as to when decisions will be made as to the use of these funds, what activities the Department of Defense will perform, and which agencies will be supported?

*Answer.* The President continues to monitor the situation at the border carefully and will take additional steps if necessary to ensure the border remains secure.

DOD has been supporting Department of Homeland Security (DHS) efforts to conduct a mission analysis regarding how to secure the Southwest border. DOD has not finalized its planning for the type of support to be provided to DHS, but I would note that the support provided in the past by Joint Task Force North and support that was provided during Operation Jump Start from 2006–2008 highlight represent relevant examples of the kinds of support that DOD could provide: aviation support, intelligence analysis, civil engineering, radar coverage, and reconnaissance support.

#### COMMITTEE RECESS

Chairman INOUE. With that, I thank you very much. The session is recessed.

[Whereupon, at 12:20 p.m., Thursday, April 30, the hearing was concluded, and the committee was recessed to reconvene subject to the call of the Chair.]