

**OPERATION ODYSSEY DAWN AND THE SITUATION
IN LIBYA**

HEARING
BEFORE THE
COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE
ONE HUNDRED TWELFTH CONGRESS
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OPERATION ODYSSEY DAWN AND THE SITUATION IN LIBYA

THURSDAY, MARCH 31, 2011

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 2:14 p.m. in room SD-G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Lieberman, Reed, Akaka, Webb, McCaskill, Udall, Hagan, Begich, Manchin, Shaheen, Gillibrand, Blumenthal, McCain, Inhofe, Sessions, Wicker, Brown, Portman, Ayotte, Collins, Graham, and Cornyn.

Committee staff members present: Richard D. DeBobes, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Michael J. Kuiken, professional staff member; William G.P. Monahan, counsel; and Michael J. Noblet, professional staff member.

Minority staff members present: David M. Morriss, minority staff director; Christian D. Brose, professional staff member; and Michael J. Sistik, research assistant.

Staff assistants present: Jennifer R. Knowles, Kathleen A. Kulenkampff, and Hannah I. Lloyd.

Committee members' assistants present: Vance Serchuk, assistant to Senator Lieberman; Carolyn Chuhta, assistant to Senator Reed; Nick Ikeda, assistant to Senator Akaka; Ann Premer, assistant to Senator Nelson; Gordon Peterson, assistant to Senator Webb; Tressa Guenov, assistant to Senator McCaskill; Casey Howard, assistant to Senator Udall; Roger Pena, assistant to Senator Hagan; Patrick Hayes, assistant to Senator Manchin; Chad Kreikemeier, assistant to Senator Shaheen; Elana Broitman, assistant to Senator Gillibrand; Anthony Lazarski, assistant to Senator Inhofe; Lenwood Landrum, assistant to Senator Sessions; Joseph Lai, assistant to Senator Wicker; Brad Bowman, assistant to Senator Ayotte; Taylor Andreae, assistant to Senator Graham; and Joshua Hodges, assistant to Senator Vitter.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good afternoon, everybody.

This afternoon, the committee welcomes Secretary of Defense Robert Gates and Chairman of the Joint Chiefs of Staff Admiral Mike Mullen to our hearing on the situation in Libya.

We give you both a warm welcome and our great thanks for the skills that you are bringing and always have brought to your jobs.

Over the past few weeks, President Obama has carefully helped assemble a broad military coalition supported by a U.N. Resolution. The coalition has established a no-fly zone and an arms embargo, stopped Moammar Qadhafi's advancing army, and has seamlessly passed the command of the military effort from a U.S.-led joint task force to the North Atlantic Treaty Organization (NATO).

The fast pace at which the administration has moved and at which the Department of Defense (DOD) has deployed forces is to be commended. It is a testament to the leadership of the Department and to the skill and flexibility of the men and women of our Armed Forces.

It is a remarkable moment in history when the international community unites and acts to stop a tyrant bent on massacring his people. Today, Qadhafi and his supporters are more isolated. His military capabilities have been degraded by coalition airstrikes that will continue until Qadhafi ends his military attacks on his own people.

As President Obama has said, while the military mission is focused on saving lives, we must also pursue the broader goal of a future for Libya that belongs not to a tyrant, but to the Libyan people. They are the ones who should decide Qadhafi's fate, just as the Egyptian people decided former Egyptian President Mubarak's fate.

The multilateral nature of our involvement has been, and will remain, vitally important. As Admiral Stavridis told us this week, it has made our military task less difficult; provided vital resources, important advice and ideas; and helped overcome "the tyranny of distance in geography." He also said that the United Nations resolutions provided "military clarity to the mission."

Thanks to the focus of our military effort being the protection of the population, and due to the careful consultation with our NATO allies and other nations, our actions have earned international support and, of great significance, the support of people and leaders in the Arab world, a region that has not often looked fondly upon U.S. actions, motives, and intentions in the past.

The President has understood and respected our military leaders' concerns about mission creep. But, the President has also reiterated that, while regime change is not part of the military mission, the departure of Qadhafi is the political goal. To help achieve that goal, the United States has applied significant tools of national power to increase pressure on Qadhafi and his close associates, including economic sanctions, a travel ban, freeze on more than \$33 billion in Libyan assets. It is critical that we use those tools of so-called "soft power" with the same determination that we have applied to military action.

Under consideration is the question of whether the coalition, or a coalition member or members, should supply the opposition forces with lethal and nonlethal aid to enhance their ability to confront pro-Qadhafi forces. President Obama has said that he's not ruling that out or in. It is important that any such decision be made with the agreement of, or at least the understanding and acquiescence of, our coalition partners because of the military and political importance of maintaining broad international support for the mission.

Also, we must weigh whether supplying arms would advance, and be consistent with the mission and the U.N. mandate being enforced. President Obama has been cautious in weighing the considerations and conditions for the use of military force. I am confident he will continue to do so in considering the many questions surrounding the supply of weapons to opposition forces.

Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman. I thank our distinguished witnesses appearing before us again. I know they've had a very heavy and difficult schedule in the previous month or so. So, I thank them for appearing before us today.

I remain a strong supporter of the President's decision to take military action in Libya. It averted what was an imminent slaughter in Benghazi, and has given us a chance to achieve the goal of U.S. policy, as stated by the President, to force Qadhafi to leave power. That goal is right and necessary, and I agree with the President that we should not deploy ground troops to accomplish it.

It is because I'm a supporter of our mission that I am concerned with what is being described about the next phase of it. As the Secretary's prepared statement makes clear, following the transfer of authority to NATO, the United States will only be playing a supporting role—namely intelligence, aerial refueling, search and rescue, and other enabling functions—but not precision strike or other offensive operations. That means U.S. military will no longer be flying strike sorties against Qadhafi's armored columns and ground forces. I believe this would be a profound mistake with potentially disastrous consequences.

Just to be clear, I'm very grateful that we have capable friends, especially our Arab partners and NATO allies, who are making critical contributions to this mission. It's always good to have friends at our side. But, for the United States to be withdrawing our unique offensive capabilities at this time sends the exact wrong signal, both to our coalition partners, as well as to the Qadhafi regime, especially to those Libyan officials whom we are trying to compel to break with Qadhafi.

I need not remind our witnesses that the purpose of using military force is to achieve policy goals. But, in this case, not only are our military means out of alignment with our desired end, of Qadhafi leaving power, we are now effectively stopping our strike missions altogether, without having accomplished our goal.

Perhaps the Qadhafi regime will crack tomorrow. I was encouraged to see that his foreign minister has defected. So, maybe this will be over soon. I hope so. But, hope is not a strategy. It certainly doesn't degrade armored units.

Bad weather yesterday hampered our ability to fly strike sorties, and Qadhafi's forces made considerable gains on the ground. They are adapting to our tactics. So, why would we be doing anything now that makes it harder and riskier to achieve U.S. policy?

Let's be honest with the American people and with ourselves. We're not neutral in this fight. We have intervened in Libya. We want Qadhafi to leave power, and we want the Libyan opposition to succeed. At this time, we should be taking every necessary and

appropriate action, short of committing ground troops, to achieve our goal as quickly as possible. We certainly should not be withdrawing assets that make it more difficult to accomplish our objective.

We cannot afford to assume that time is on our side against Qadhafi, that sooner or later, maybe weeks, maybe months, or maybe even years, sanctions plus a no-fly zone will inevitably force Qadhafi from power. That is a dangerous assumption. We made a similar assumption after the first Gulf War, and 12 years later, we still had sanctions, still had a no-fly zone, but Saddam Hussein was still in power, threatening the world, and still brutalizing the Iraqi people. A long and bloody stalemate was the terrible outcome in Iraq before, and it is neither acceptable nor sustainable in Libya now.

If Qadhafi remains in power, wounded and angry, he will only be more of a threat to the world and to the Libyan people. We can't say that we averted a mass atrocity in Benghazi only to accept one in Misrata or some other city. That's not success, and the longer this drags on, the more likely it is—the greater the risk—that balance of power on the ground may shift toward Qadhafi, or that some tragic event could fracture our coalition, which may be hard enough as it is to hold together over a prolonged period of time.

I know the U.S. military has a heavy load on its back right now, and our men and women in uniform are doing everything that we ask of them, with their unique honor and effectiveness. But, we must not fail in Libya. I say this as someone who is familiar with the consequences of a lost conflict.

We did not seek this military operation in Libya, but we were right to intervene. We have to deal with the world as it is. If the demands of our great power are truly taxing our supply of it, then we need to have a debate about increasing the size and capabilities of our force, not taking decisions that increase the risk of failing in our mission in a country that is now at the center of the most consequential geopolitical opening since the fall of the Berlin Wall: the democratic awakening of the broader Middle East and North Africa. That is why Libya matters. That is why now, together with our allies, we must be doing what is necessary, not as little as possible, to ensure that we accomplish our objective.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.
Secretary Gates.

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

Secretary GATES. Mr. Chairman, Senator McCain, members of the committee, thanks for the opportunity to speak to the ongoing international military operations over Libya.

I'd like to start by providing some context for how we got to this point, at least from my perspective. In the space of about 2 months, the world has watched an extraordinary story unfold in the Middle East. The turbulence being experienced by virtually every country in the region presents both perils and promise for the United States, as stability and progress in this part of the world are of vital national interest.

This administration's approach has been guided by a core set of principles that President Obama articulated in February: opposing violence, standing for universal values, and speaking out on the need for political change and reform. At the same time, we have recognized that each country in the region faces a unique set of circumstances, and that many of the countries affected are critical security partners in the face of common challenges like al Qaeda and Iran.

In the case of Libya, our government, our allies, and our partners in the region watched with alarm as the regime of Muammar Qadhafi responded to legitimate protests with brutal suppression in a military campaign against his own people. With Colonel Qadhafi's forces on the verge of taking Benghazi, we faced the very real prospect of significant civilian casualties and hundreds of thousands of refugees fleeing to Egypt, potentially destabilizing that important country even as it undergoes its own difficult transition.

Once the Arab League and Gulf Cooperation Council called on Qadhafi to cease his attacks and our European allies expressed a willingness to commit real military resources, it became apparent that the time and conditions were right for international military action.

The goal of Operation Odyssey Dawn, launched on March 19, was limited in scope and scale. The coalition quickly achieved its first military objective by effectively grounding Qadhafi's air force and neutralizing his air defenses. During this first phase, the U.S. military provided the preponderance of military assets and firepower, as well as logistical support and overall command and control.

Responsibility for leading and conducting this mission, now called Operation Unified Protector, has shifted to an integrated NATO command. Going forward, the U.S. military will provide the capabilities that others cannot provide, either in kind or in scale, such as electronic warfare, aerial refueling, lift, search and rescue, and intelligence, surveillance, and reconnaissance support. Accordingly, we will, in coming days, significantly ramp down our commitment of other military capabilities and resources.

The NATO-led mission, like its predecessor, is a limited one. It will maintain pressure on Qadhafi's remaining forces to prevent attacks on civilians, enforce the no-fly zone and arms embargo, and provide humanitarian relief. There will be no American boots on the ground in Libya.

Deposing the Qadhafi regime, as welcome as that eventuality would be, is not part of the military mission. In my view, the removal of Colonel Qadhafi will likely be achieved over time through political and economic measures and by his own people. However, this NATO-led operation can degrade Qadhafi's military capacity to the point where he and those around him will be forced into a very different set of choices and behaviors in the future.

In closing, as I've said many times before, the security and prosperity of the United States is linked to the security and prosperity of the broader Middle East. I believe it was in America's national interest, as part of a multilateral coalition with broad international support, to prevent a humanitarian crisis in eastern Libya that could have destabilized the entire region at a delicate time. It con-

tinues to be in our national interest to prevent Qadhafi from visiting further depredations on his own people, destabilizing his neighbors, and setting back the progress the people of the Middle East have made in recent weeks.

Mr. Chairman, I know that you and your colleagues have many questions. As always, my thanks to this committee for all the support you have provided to our military over the years.

[The prepared statement of Secretary Gates follows:]

PREPARED STATEMENT BY HON. ROBERT M. GATES

Mr. Chairman, thank you for the opportunity to speak to the ongoing international military operations over Libya.

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This administration's approach has been guided by a core set of principles that President Obama articulated in February—opposing violence, standing for universal values, and speaking out on the need for political change and reform. At the same time, we have recognized that each country in the region faces a unique set of circumstances, and that many of the countries affected are critical security partners in the face of common challenges like al Qaeda and Iran.

In the case of Libya, our Government, our allies, and our partners in the region, watched with alarm as the regime of Moammar Qadhafi responded to legitimate protests with brutal suppression and a military campaign against his own people. With Colonel Qadhafi's forces on the verge of taking Benghazi, we faced the very real prospect of significant civilian casualties and hundreds of thousands of refugees fleeing to Egypt, potentially destabilizing that important country even as it is undergoing its own difficult transition.

With Qadhafi ignoring both the U.N. Security Council's demand and the Arab League and Gulf Cooperation Council's call to cease his attacks, and with our European allies expressing a willingness to commit real military resources to protect civilians in Libya under threat of attack, it became apparent that the time and conditions were right for international military action.

The goal of Operation Odyssey Dawn—launched on March 19—was limited in scope and scale. The coalition quickly achieved its first military objective by effectively grounding Colonel Qadhafi's air force and neutralizing his air defenses. During this first phase, the U.S. military provided the preponderance of military assets and firepower as well as logistical support and overall command and control.

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The NATO-led mission, like its predecessor, is a limited one. It will maintain pressure on Qadhafi's remaining forces to prevent attacks on civilians, enforce the no-fly zone and arms embargo, and provide humanitarian relief. There will be no American boots on the ground in Libya. Deposing the Qhadafi regime, as welcome as that eventuality would be, is not part of the military mission. In my view, the removal of Colonel Qadhafi will likely be achieved over time through political and economic measures and by his own people. However, this NATO-led operation can degrade Qadhafi's military capacity to the point where he—and those around him—will be forced into a very different set of choices and behaviors in the future.

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Mr. Chairman, I know you and your colleagues have many questions, so I will now turn things over to Admiral Mullen. As always, my thanks to this committee for all the support you have provided to our military over the years.

Chairman LEVIN. Admiral Mullen.

**STATEMENT OF ADM MICHAEL G. MULLEN, USN, CHAIRMAN,
JOINT CHIEFS OF STAFF**

Admiral MULLEN. Thank you, Mr. Chairman, Senator McCain, and distinguished members of this committee.

I share the Secretary's gratitude for the opportunity to talk to you about coalition operations in support of the Libyan people.

Let me start with a brief assessment of where we are today, and then leave you with some impressions.

As of early this morning, NATO assumed command of the entire military mission over Libya. There are more than 20 nations contributing to this operation, in all manner of ways; some public, some not so public. Contributions range across the board, from active participation in strike operations to financial aid and assistance for humanitarian efforts.

We are joined in this endeavor by several Arab countries, who have, despite domestic challenges of their own, chosen to come to the aid of the Libyan people. I hope they do so knowing that the United States and the international community remain grateful for their experience and their leadership, but also knowing that no one military, no one nation, can or should take on a mission of this nature alone.

This coalition we have forged—in record time, mind you—is not only a coalition of the willing, it is a coalition of the able, with each nation bringing to the effort what they can, in terms of knowledge and skill, to tackle a very fast-moving, complex humanitarian crisis.

Twenty-five warships patrol off the coast of Libya today, including two allied aircraft carriers—France's Charles de Gaulle and Italy's Garibaldi—each with combat aircraft embarked. There are also, in those waters, destroyers and frigates, patrol boats, oilers, and submarines. There's even a United States amphibious ready group centered around USS *Kearsarge*.

On these ships and at European bases ashore, the NATO commander from Canada, Lieutenant General Charles Bouchard, has at his disposal more than 220 aircraft of just about every size and stripe imaginable. With these pilots and with these planes, he may operate freely throughout the Libyan airspace around the clock, studying and gaining intelligence of regime ground force movement and intentions, striking targets of opportunity on little or no notice, and preventing Qadhafi from using his own air force to attack his own people.

I would note that among these coalition aircraft are more than a dozen from Qatar and the United Arab Emirates. Fighter pilots from Qatar have already flown more than 30 sorties in support of the no-fly-zone mission.

Indeed, in just the last 24 hours, the United States, NATO, and coalition aircraft flew some 204 sorties, 110 of which were strike-related, hitting fixed and mobile targets in the vicinity of Tripoli, Misrata, and Ajdabiya. We have such freedom of movement be-

cause we move quickly in the early hours of the operation to render ineffective regime air defenses and command and control. The first cruise missiles and strategic bombers struck late Saturday night, March 19, Tripoli-time. By mid-afternoon the next day, the no-fly zone was essentially in place.

We have continued to strike Qadhafi's military capabilities where and when needed. It's my expectation that, under NATO leadership, that level of effort and focus will not diminish. What will diminish, as the Secretary said, is the level of U.S. participation in offensive operations as we turn our attention to providing our unique enabling capabilities.

Mr. Chairman, I've been involved with allied and coalition operations of one kind or another for much of the past decade, from the Balkans to Iraq and Afghanistan, and I cannot remember a time when so many nations mobilized so many forces so fast. The enemy wasn't just Qadhafi's military, it was also the clock as he marched on Benghazi, intent on brutalizing the people there. But, we were ready. Before the ink was even dry on that U.N. Resolution, there were planes and ships, pilots and sailors moving into position, ready to act. They were able to do that because we—and I mean the collective “we,” not just the United States—have invested in close relationships with one another, facilitated by nearby air and naval basing, and improved over time through annual exercises, personnel exchanges, actual combat experience, and mutual dialogue.

Nobody is underestimating the scope of the challenge before us. Qadhafi still possesses superior military capability to those of the forces arrayed against him. He still shows every desire of retaking lost ground. In fact, he did so yesterday. He still wants Benghazi back and Ajdabiya. He still denies his own people food, water, electricity, and shelter. He threatens them on the streets of Misrata and Zintan. He has made no secret of the fact that he will kill as many of them as he must to crush the rebellion.

I will leave to our political leaders the task of debating the character of the mission we have been assigned. But, I can assure you that your men and women in uniform will execute that mission now in support of NATO with the same professionalism with which they have led that mission until today.

Thank you for your continued support of our men and women and their families.

Chairman LEVIN. Thank you both.

As I mentioned this morning, Secretary Gates' schedule allows only 2 hours for him to be with us this afternoon. If we're all going to have an opportunity to ask questions, I would appreciate Senators limiting questions to 5 minutes. If votes occur in the Senate this afternoon, as was the plan this morning, we'll have to work around those votes, because we can't recess during this period of time.

My first question is for you, Admiral. Can we have your personal view as to whether you support the military mission in Libya, as authorized by U.N. Security Council Resolution 1973?

Admiral MULLEN. I do.

Chairman LEVIN. Can we also have your personal view as to whether or not you would support broadening the military mission to include regime change?

Admiral MULLEN. I don't.

Chairman LEVIN. Can you tell us why?

Admiral MULLEN. I very much believe that the mission, as it's currently stated, which was to prevent a humanitarian crisis, is the right mission at the right time, and, in fact, in its execution, prevented that as Qadhafi's forces marched on Benghazi. I think that at least my own experience has been that with regime change, is that it can be long and very, very indeterminate in its outcome.

Clearly, the policy of the President is one to see Qadhafi out, to see regime change in that regard. I think that can be accomplished through the limited military mission that we have and then the additional tools, if you will, that we have to pressure him over time.

Chairman LEVIN. Admiral, from a military perspective, do you agree that having a broad international coalition and support in place makes a difference?

Admiral MULLEN. I think it has. Yes, sir. Clearly.

Chairman LEVIN. Now, on the question of providing arms to the opposition: Admiral, I believe you've said that you're looking at all options, from doing it to not doing it.

Both of you, I believe, have pointed out that other countries have the capability to provide arms to the opposition. Admiral Mullen, I think, again, said, this morning, no decision has been made on this question. So, I'm going to ask a slightly different question to you, Secretary Gates.

What do you see are the pros and cons, both politically and militarily, of providing arms to the opposition forces? If they are going to be provided, would it be better for Arab nations to provide them?

Secretary GATES. I think that one of the concerns that we have to have is that we don't know very much about the opposition. We know a handful of the leaders, who we have some biographic information on and some history. But, other than that, we really don't know much about what I think is a very disparate, disaggregated opposition to Qadhafi. We have very little insight into those who led the uprisings in the cities in the west, and who they are. Below the level of the top leaders, we don't have much information in— with respect to the east, as well.

Another factor, I think, is that there appear to be a substantial number of small weapons available to the opposition. They've broken into magazines and arsenals, and taken a good bit of small arms, particularly. What they really need is training, command and control, and some coherent organization. I believe that that requires advisors on the ground, as would more sophisticated weapons, in terms of training them on how to use those weapons.

So, I think that those are some of the considerations that need to be taken into account. Obviously, the upside is providing them with more sophisticated weapons might enable them to be more successful. But, I think that, frankly, is not the primary need right now.

Chairman LEVIN. Secretary, do we support a real cease-fire coming into existence—assuming, again, it's real. I know there would be a lot of doubt about that, particularly relative to Qadhafi, since

he's already announced five or six false cease-fires. But, do we support a real cease-fire coming into existence?

Secretary GATES. I think the President has laid out the requirements for at least stopping the attacks on the ground forces. That is that Qadhafi had to withdraw his forces from cities like Misrata and one or two in the west and—where the fight was still going on—as well as pulling well to the west of Ajdabiya. When those things were announced, Qadhafi was racing pell-mell (petal to the metal) to the east, and clearly had no interest in abating what he was doing. Frankly, I would be very skeptical of any cease-fire that he would agree to. I think he has demonstrated, in the past few weeks, that he would take advantage of such a cease-fire, simply to round up more civilians.

Chairman LEVIN. Thank you.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Mr. Secretary, we are hearing published reports that the rebels are in, literally, full retreat right now. Is that correct?

Secretary GATES. They had retreated to Ajdabiya. Whether they have withdrawn beyond that, I don't know.

Senator MCCAIN. The situation in Misrata, as reported by CNN—and I just looked again—is of severe hardship and suffering, because of the long period of siege that the city has been under. You agree with that, I am sure. So, when the rebels are being beaten rather badly, Misrata is under credible duress, we choose that opportunity to remove our assistance, as far as air support is concerned. Will our AC-130s and A-10s continue to conduct operations?

Secretary GATES. Let me ask the Admiral to—

Admiral MULLEN. Well, as we continue to transition, certainly over the next few days, Senator McCain, they are available to the NATO commander.

Senator MCCAIN. They're not flying now, though.

Admiral MULLEN. I couldn't tell you if they're flying today. No, sir.

Senator MCCAIN. So, are there any other assets that our allies have that have similar capabilities as AC-130s and A-10s?

Admiral MULLEN. No, sir.

Senator MCCAIN. Secretary Gates, is a stalemate in Libya an acceptable outcome? One might draw that conclusion when you said, "The removal of Qadhafi will be achieved over time through political and economic measures and by his own people," something they didn't succeed in for 42 years.

Secretary GATES. I think one of the things that is different from all the rest of his regime history is the fact that we will be continuing attacks on his military, on his military stores, on his logistics. This, in fact, I think, is one difference between the no-fly zone in Libya and the no-fly zone in Iraq during the 1990s. That is our ability, in the current circumstance, to continue attacking his ground forces and continuing to attack and degrade his capabilities, with no opportunity for resupply. So, his military, at a certain point, is going to have to face the question of whether they are prepared, over time, to be destroyed by these air attacks, or whether they decide it's time for him to go.

Senator MCCAIN. So, in your words, a stalemate in Libya is not an acceptable outcome?

Secretary GATES. No. I think from a longer-term standpoint, no, it's not.

Senator MCCAIN. Does the withdrawal of U.S. strike and close air support capabilities at this time make a stalemate in Libya more or less likely?

Secretary GATES. I'm not sure that it will have an effect, either way, Senator. I think that part of it will depend on the number of sorties that the coalition can continue to generate. I will tell you that we have made provision to have our strike aircraft available, within a relatively short period of time, should it become apparent that the NATO capabilities are inadequate and another humanitarian disaster, such as a race to Benghazi, might occur. So, we are sort of on a standby. But, we believe—and I invite the Admiral to comment—we believe that our allies actually have the capabilities to continue to degrade his military capabilities.

Admiral MULLEN. Senator McCain, our allies—Denmark, Belgium, France, the U.K., Canada—along with us, have actually been very, very impressive, over the course of the last week. We—as I know you know, we've been very badly impeded, in the last few days, by weather. It's a question that I've asked constantly of the commander out there as he's watched various countries perform. At least it was his assessment that he had a high level of confidence that they would be able to continue to execute this mission.

Senator MCCAIN. Without the most capable aircraft at close air support, which are the A-10s and the AC-130s. F-16s are not designed for that nor are they the most capable. But, the fact is that your timing is exquisite. At a time when the Qadhafi forces have literally, tragically, routed the anti-Qadhafi forces, that's when we announce that the United States is abdicating its leadership role and removing some of the most valuable assets that could be used to great effect against those rebels. I'm glad to know that small arms will be effective for them.

Well, it's very disappointing, what you have told us here today. It's very disappointing that we have a policy that we are not prepared to use means necessary in order to gain that policy end. I hope, as I said earlier, that Qadhafi will be deposed from within.

I worry about what's going to happen in Misrata while we wait to see if our allies need to call in additional help. It's, I guess—one of the lessons of warfare that I learned a long time ago is, if you go into a conflict, Secretary Gates, I'm fond of quoting General MacArthur—he once said, "There is no substitute for victory." Seems to me, we are not doing everything necessary in order to achieve our policy goals, and including relieving what is happening to the anti-Qadhafi forces and in places like Misrata. I hope we don't learn a bitter lesson from it.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman.

Thanks to you, Mr. Secretary and Admiral Mullen.

I feel very strongly that the U.S. and NATO and our Arab allies have done the right thing in going into Libya to the extent that we

have, with the no-fly zone and the protection of the civilian population, for humanitarian reasons, because this is our way to say that we are supportive of the democratic uprising within the Arab world.

So, in that sense, I agree with President Obama—I also agree with President Obama that this—it's unacceptable for our involvement to end with Qadhafi still in power. In that sense, I agree with you, Mr. Secretary, that a stalemate is not an acceptable resolution of all of this.

Our application of air power has been having a significant effect. We saved the people of Benghazi from a humanitarian disaster, and we opened the way for the opposition to Qadhafi to begin to move forward militarily. But, the last few days have been unsettling.

Let me ask you, first, as a matter of fact, following up on what Senator McCain said, do you feel confident, Mr. Secretary, that NATO's assumption of the responsibility for enforcement of the no-fly zone and protection of the civilian population does not represent a diminution of the air capabilities that the United States brought to bear when we were solely with our coalition partners in charge?

Secretary GATES. Let me take a crack at that and then invite the chairman, because he's more knowledgeable about that than I am.

I think it remains to be seen. The question is whether they can continue to generate the number of sorties that we've been flying, and so on.

Senator LIEBERMAN. Right.

Secretary GATES. But, let me one thing clear. This transition was part of the package and part of the plan with our allies, from day one. Everybody understood that the United States would come in heavy and hard at the beginning.

Senator LIEBERMAN. Right.

Secretary GATES. We would destroy, with our unique capabilities, the air defense capability and his ability to fly his airplanes, and make possible the sustainment of the humanitarian mission and the no-fly zone with potentially fewer aircraft and fewer sorties. But, the idea all along was—and it was the agreement that was made with our allies—that we would commit these very significant resources at the beginning, but there would be a transition and we would recede to a support role as soon as we had reached the point where those air defenses had been suppressed.

So this is not a surprise. The timing with their—with Qadhafi's success, which, as the Admiral says, is coincident with bad weather that's prevented us—

Senator LIEBERMAN. Right.

Secretary GATES.—from flying, is unfortunate. But, the fact is, this has been the strategy and the plan all along, and the allies knew it.

Senator LIEBERMAN. I want to pick up on something you said, that obviously it remains to be seen that whether NATO brings as much to the enforcement of the no-fly zone civilian protection as we did, and whether they are capable of flying as many sorties. Is it fair to conclude that if for some reason they don't, we will reconsider the extent of our involvement with NATO in those actions?

Secretary GATES. I think we would have to say that the answer to that is yes.

Senator LIEBERMAN. Okay.

Let me go to the other part of this. I understand the decision that it's not one of our military goals to get Qadhafi out of power. It's, however, our political goal. In my opinion—and we're going to advance that, hopefully, through diplomatic, economic, and political means—but, if the opposition to Qadhafi on the ground is not showing military capability, it seems to me that it removes one of the incentives for Qadhafi to leave power. As I understand what happened in the last few days, when NATO couldn't fly the no-fly zone and the anti-Qadhafi forces were basically left on their own, they were overwhelmed. There wasn't a fair fight by the Qadhafi forces. So, my question is: Isn't it critically important, even as part of realizing our political goal of getting Qadhafi out, that we or our allies provide either more weapons and/or training, discipline, command and control, soon so that they can put up a fair fight, and hopefully such a fair fight that they will advance westward and give Qadhafi one more reason to leave power?

Secretary GATES. I think that providing them the training and help like that is important. One of the concerns, and one of the issues, is, frankly, they haven't asked for it. It's not clear what anybody would have to work with, in terms of getting a number of people together, even, for the training, and who's going to be in charge.

So, part of the challenge that everybody faces in Libya, going back to what I said at the very beginning, is the disaggregated, disparate nature of the opposition and the way it's scattered across the country. There's really no critical mass to work with, perhaps, outside of Benghazi.

Senator LIEBERMAN. My time's up, but I'd just say—and I know you know this—that leaves us with a real dilemma, because we've committed American power, NATO's committed, Arab allies are committed. Our goal, politically, is for Qadhafi to get out of there, and yet, the boots on the ground, which are the Libyan boots, are themselves unable to win this fight. So, we have—it seems to me that we're facing a stalemate, or even a Qadhafi victory, unless we and our allies figure out how to make the opposition forces to Qadhafi at least an equal to Qadhafi's forces.

Secretary GATES. I think there is an alternative outcome, Senator. I go back to the point I made earlier; and that is, we continue, and the alliance will continue, to degrade Qadhafi's military capabilities. It wasn't that long ago that there were uprisings all across Libya, and Qadhafi's forces were on the defensive. They were—they either turned and joined the oppositionists or they retreated out of some of these cities. It was only because his military capabilities remained intact that he was able to put down those uprisings. So, there's clearly a lot of people across Libya that are ready to rise up against this guy. If we can sufficiently degrade his military capability, it seems to me that then gives them the opportunity to do that.

Senator LIEBERMAN. I appreciate that answer. Thank you very much.

Chairman LEVIN. Thank you, Senator Lieberman.
Senator Wicker.

Senator WICKER. Thank you.

I want to agree with Senator Lieberman, when he suggested in his questions that it is unacceptable, in the end, for Qadhafi to remain in power.

It is engaging in nuance to say that our military goal is not the removal of Qadhafi, but that it is our political goal. Words are important and precision is important, and sometimes nuance is important, but that doesn't take away from the fact that our overriding concern, in my view, should be the removal of this international terrorist, this dictator and savage butcher, who is reviled in his neighborhood, like no leader on the face of the globe. To think that we would be passing up an opportunity to remove him as a threat to United States interests and as a threat to the region is an unacceptable thought.

Both witnesses have said that their view is that, over time—I think both of them use the term “over time”—Colonel Qadhafi will likely be removed. That leaves quite a bit of leeway.

Gentlemen, I wish you well in somehow participating in an effort that continues to be heavy and hard til we have won this thing on the side of the people who we have weighed in with. There's no question that we have weighed in.

Senator Lieberman said what many of us know: the last few days have been unsettling. The last 2 days, there have been reversals for the rebels.

Admiral, to what extent have those reversals at all resulted from the removal of United States close air support in the form of AC-130s and A-10s?

Admiral MULLEN. Virtually none. What's happened in the last 3 days has been weather for everything that's flying. They can't get on the targets; they can't see the targets, specifically.

In the success that the rebels enjoyed, the 3 or 4 days before that, to push Qadhafi's forces to the west, they stretched themselves too far. Qadhafi's forces, as they've come back in the last few days, I've watched them stretch themselves to a point where they're concerned about medical, food, fuel, support—logistics support. We've hit their logistics support pretty significantly since this started.

Literally, right now, as of just before this hearing, the situation was that Qadhafi's forces are consolidating south of Ajdabiya. What we think is that they will move towards both Ajdabiya and Benghazi when they get consolidated.

Each time the forces have interacted, if you will, the only success the rebels have enjoyed is when they've had that air power, when they've had that support. That's really allowed them to move. Without that, they've had brief contact, but basically they've been in retreat over the last couple of days. They, too, have outstretched their supplies in some cases, as it has evolved over the last week.

Senator WICKER. Admiral, to what extent will you be involved in decisionmaking that might involve a return to action of our AC-130s and A-10s.

Admiral MULLEN. Well, first of all, the AC-130s and the A-10s are still available, and they will be for the next few days. They're available to the commander of the—

Senator WICKER. So, it's a mistake to say they've been taken out of the action, except for the weather.

Admiral MULLEN. Correct.

Senator WICKER. Well, that's comforting to know.

Admiral MULLEN. As I said to Senator McCain, I honestly don't know if they're flying today, or not. But they are still available, if you will, to the commander for the next few days, until the transition on—the complete transition on the civilian protection mission has been completed.

Senator WICKER. After that transition, are you suggesting that our NATO allies are unlikely to use this best kind of aircraft for close air support?

Admiral MULLEN. As the Secretary indicated, we have made provisions to put in standby United States capability that could be called upon. That would actually come back up through the U.S. chain to make it available to NATO, if the situation were dire enough to do that.

Senator WICKER. Secretary Gates, did the State Department spokesman, P.J. Crowley, misspeak when he said, "It's very simple. The U.S. Security Council Resolution passed on Libya. In that Resolution, there is an arms embargo that affects Libya, which means it's a violation for any country to provide arms to anyone in Libya"?

Secretary GATES. That was true of Resolution 1970, but it is not true of Resolution 1973. The embargo in Resolution 1973 applies only to Qadhafi and the government.

Senator WICKER. So, it would be perfectly legitimate and acceptable, under the Resolution in effect today, for the United States and our allies to supply arms assistance to the Libyan opposition.

Secretary GATES. Yes, sir. That is permitted by the Resolution.

Senator WICKER. Thank you, sir.

Gentlemen, thank you for your service. I know you're tired and I know you're focused on this, and I appreciate it.

Chairman LEVIN. Thank you, Senator Wicker.

Senator Webb.

Senator WEBB. Thank you, Mr. Chairman.

Gentlemen, I have a great respect for both of you, and for the way you have handled this military situation in this dilemma for the past several weeks. I appreciate all that you've had to do today, too, and your earlier testimony.

I'd like to follow up on one thing that Senator Wicker just said, as an introductory comment. That is, it seems to me—and I think to everybody else—that we are clearly involved in regime change in this issue, and in the evolution, at the same time, of a very unpredictable political scenario. This isn't a military question—you are implementing a policy decision—but it is definitely a diplomatic reality.

We, at the same time, do not know who the opposition is, or what they will do if and when—and it's probably "when"—Qadhafi leaves. So, the situation that we are facing, and its implications, are much more complex than the way that they're often being characterized over here.

When you have a sustained operation—I think we all have to agree, this is something more than a rebellion; I don't know how we would characterize it—maybe you could help me in a minute.

I'm not sure we could call it a civil war. But, we are arming one side as a result of these decisions. For myself, I think we need to start looking very hard into the immediate future. I don't know whether there's going to be a stalemate.

Secretary Gates, I think you answered this question in a way that I would agree, that at some point there will probably be an implosion, from what we can tell, inside Libya, that will cause a government change. But, we're going to have a period where either we're going to have a stalemate or, at some point, Qadhafi is going to fall.

The question for us is how we prepare for that period, and what we believe the American policy ought to be, because I think we can probably assume that, either way, there are going to be reprisals and there are going to be calls for an international involvement in Libya, in order to sort these things out.

So, my bottom line here, Mr. Chairman, is to support what you said, I believe it was yesterday or the day before, that, whether or not we are going to invoke the War Powers Act, I do believe we need to have a process where we have a discussion about the implications of what's going on right now, looking down the road, so that we can have some sort of debate and understanding here in the Government, writ large, rather simply than having to follow the prerogatives of the administration on this issue.

But, Secretary Gates, how would you characterize this rebellion? How should we look at it? Is it a civil war?

Secretary GATES. I think it represents a fairly broadbased uprising against an oppressive government. I mean, the number of cities and towns in which there were uprisings and people taking it on themselves to confront the security services and the military, I think makes it more of a broad uprising against the government than it does a civil war. "Civil war" would imply that there are—to me at least, would suggest that there are two established governments or two established entities that have some kind of structure and that are in conflict for power.

The best I can tell from most of these uprisings is that the principal agenda was getting rid of the government they have. I think one of the challenges that we're all going to face when Qadhafi falls is, as you suggest, What comes later? I think we shouldn't exaggerate our ability to influence that outcome. The tribes will have a big influence, whether the military splits or if the military turns on Qadhafi. There are a number of different alternative outcomes here, only one of which is some sort of proto-democracy that moves toward a protection of rights and so on. So, I think we have to be realistic about that.

Senator WEBB. I couldn't agree with you more. That's what makes the decisionmaking in this so difficult, is that the only thing that we know, that everybody seems to agree with, including our side, is that we think this one individual needs to go. But, at the same time, it's going to be an enormous challenge to use your terminology and your statement, for not only for this country, but for our vital interests in the region. It's going to be an enormous challenge to see what follows on that, knowing the history of the region and the traditions of reprisals, whether Qadhafi's gone or not, and the way that we may be drawn in, in the aftermath.

So, again, Mr. Chairman, I hope we can have a proper kind of discussion here in Congress on the implications of what we are doing.

At the same time, again, I want to give my utmost respect to both of you for the way that our military and our leadership in DOD has carried out their responsibilities as this decision was made.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Webb.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

Thank you, Secretary Gates and Admiral Mullen.

I'm sure both of you are familiar with the—Secretary Powell's doctrine, as well as Secretary Weinberger's doctrine, in terms of when we should engage in military conflict. I wanted to know whether those questions that are raised in those doctrines were engaged in before we engaged in this conflict.

Secretary GATES. I would tell you, Senator, that I think that not only those questions, but all of the questions that have been raised in Congress and in the media, were discussed and debated at great length and with great intensity as we tried to figure out what to do in this situation.

Senator AYOTTE. Secretary Gates, just following up on that, one of the questions that would be asked is, "do we have a clearly-attainable objective here?" How would you define our clearly-attainable objective?

Secretary GATES. I think that there are two objectives. There is the military mission, which is the no-fly zone and preventing Qadhafi from slaughtering his own people, and there is the political objective of the overthrow of the regime. I guess I'd just have to say that my view, looking back over the years, is, I would be very hesitant—in fact, I would oppose the idea of making regime change a military objective. I think it—if it's to be imposed from the outside, I don't see how it can be done without people on the ground.

Senator AYOTTE. What I'm really struggling with is how we meet the objective you just defined, of protecting and preventing a slaughter from Qadhafi, if we're in a position where the rebel forces can't maintain a military position against Qadhafi's forces and we're not putting our full might in to make sure that civilians are protected. I just can't understand how we're going to be able to meet the objective that you've identified without going forward in a more forceful fashion than we are right now.

Secretary GATES. I would just say that when you say "putting the full might have the United States involved," as far as I'm concerned, that's another full-scale war in the Middle East.

Senator AYOTTE. Well, let me qualify that, Secretary Gates. What I'm saying is that we're in a position right now where you said that our goal is to protect civilians—Libyan civilians. However, the forces that would—with Qadhafi there, I don't see how we can continue to protect civilians, given that he is the threat against his own people that we are seeking to protect them from. So, that's why I'm struggling with the political goal versus the military goal, and not putting the resources that are necessary. Obviously, I don't

support putting ground troops in. With limitations like that, that's what I'm trying to understand.

Secretary GATES. It is the question of how much you can accomplish strictly with air power. I think what we have seen is that, when the weather cooperates with us, we clearly, significantly enabled the rebels, with the same kind of military capabilities they have right now, to move to the outskirts of Sirte. So, as this moves back and forth, and as the Admiral said, their supply lines get stretched and so on, the limitations on both sides are pretty clear.

I think that we just have to face the reality that we, over time, are taking a significant toll on his military capabilities and his ability to use those forces against his people.

Senator AYOTTE. I just wanted to also add my support for the comments that Senator Lieberman made about what I see right now as an inherent contradiction in our policy of being able to obtain the objectives that we've identified in Libya.

Thank you very much for answering my questions today.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Udall.

Senator UDALL. Thank you, Mr. Chairman.

Good afternoon, gentlemen.

We've heard that the regime's air defenses have been essentially neutralized. I'd like to use you all to look at the broader picture in that context. Can you give a battlefield damage assessment associated with the U.S. and NATO's operations? To what extent have Qadhafi's ground forces, armored and unarmored, been degraded?

Admiral MULLEN. His air defenses have been essentially completely taken out. He does have some portable air defense systems that are still out there, although few in number, and—but still with potential. His command-and-control nodes have been significantly degraded. The ratio right now, roughly, on the ground is about 10 to 1, with respect to his ground forces, his ground capability. He has a lot more tanks, a lot more armored personnel carriers, and a lot more artillery, those kinds of systems, than the much more lightly armed resistance or opposition forces.

So, that's the most significant part of what he has left, and that is of great concern.

Senator UDALL. Recently, Admiral Stavridis was in front of us, as well, gentlemen. I asked him how the NATO forces would interpret the rules of engagement (ROE). Now I understand NATO has warned rebel forces against attacking civilian targets. I'd like to ask you directly. Given that the NATO mission is to protect civilians from harm, if rebel forces were to fire on civilian targets or military targets that place civilians in harm's way, what steps would we take to protect innocent people? Would we fire on the rebels?

Admiral MULLEN. I have seen nothing so far, over the course of these engagements to date, that the rebels are going to do that. We're very focused on the civilian protection piece of this, going in both directions. The main focus is obviously on his regime forces. It's much clearer outside the towns, if you will. Senator McCain and others have talked about Misrata. When you're downtown and Qadhafi's regime forces are hiding in buildings and the like, those

shots are not being taken because of the potential for civilian casualties.

So, it is, at least from my perspective, the countries who are engaged in this aspect of the mission, both before NATO took over and afterwards, I haven't seen, while there's been a discussion about it, I haven't seen the NATO ROE be restrictive in that regard, assuming we execute the mission the same way.

Senator UDALL. These are delicate questions, I think you would acknowledge.

Admiral MULLEN. They are.

Senator UDALL. Yes.

I share your concerns about worst-case scenarios, and I'm remaining optimistic. But, I'd like to ask you about options, should the mission last longer than we might expect. Are we working to add coalition partners to the mission, who could share the load?

Admiral MULLEN. We've been doing that, literally, since this first came on the scope. It continues to work in that direction. So, when Secretary Clinton was in London on Tuesday, the Swedes came forward with eight aircraft to contribute to the mission. So, that work continues to go on.

It's not just about military capability, because there's a whole lot of work going on, in terms of financial support, humanitarian assistance, and other aspects of this mission, as well.

Senator UDALL. Admiral and Secretary Gates, I think, in Secretary Gates' well-crafted and right-to-the-point statement, you said that, "Going forward, the U.S. military will provide the capabilities that others cannot provide, either in kind or in scale, such as electronic warfare, aerial refueling lift, search and rescue, and intelligence, surveillance, and reconnaissance support. Then we're going to ramp down—significantly ramp down our commitment of other military capabilities and resources." Does that mean the sorties and the ordnance that's being directed at Qadhafi's forces will be provided by our partners in NATO?

Secretary GATES. Yes.

Senator UDALL. We believe that they have the capabilities and the capacity to do that, obviously.

Secretary GATES. Yes. As we've indicated previously in the hearing, we will have capabilities on standby, should, in extremis, they be needed.

Senator UDALL. Is it fair to say that, in effect, the military operation is designed to create space for political options to unfold, including, as we all want, Qadhafi to leave the scene?

Secretary GATES. I think this is one of the aspects of this that is always complicated when you're dealing with a coalition and operating under a U.N. Security Council Resolution.

The Security Council Resolution provides only for the no-fly zone and the humanitarian mission, along with the arms embargo and so on. So, it doesn't talk about degrading his military or regime change or anything like that. So, you have individual members of the coalition that are leaning very far forward, in terms of the political objective of getting rid of Qadhafi, but you also have others in the coalition that say they don't want any part of that.

The military mission is being flown and being operated, as the Admiral has suggested, to fulfill those missions. Degrading his

military capabilities is seen as the way to try and help protect the civilian population.

Senator UDALL. Let me just end on this note. Secretary Gates, I really think you made an important point, in your statement again, where you said you believe it's "in our national interest, as part of a multilateral coalition with broad international support, to prevent a humanitarian crisis in eastern Libya that could have destabilize the entire region at a delicate time." I think that's at the heart of what we're doing. Thank you for making that clear.

Thank you, gentlemen.

Chairman LEVIN. Thank you, Senator Udall.

Senator Cornyn.

Senator CORNYN. Thank you, Mr. Chairman.

Secretary Gates and Admiral Mullen, let me join my colleagues in expressing our great admiration and respect for both of you. We realize that you didn't make the policy decision; you're just given the responsibility of carrying it out.

I only wish the President had taken the time to come to Congress, before he went to the U.N. Security Council, to explain to us what he planned to do, what he wanted to do, and to secure an authorization for use of military force. I'm not going to get in a legal argument with anybody at this point about whether that was required, but it strikes me that it's incredibly important that the American people understand the reasons the President decided to go forward, the limitations on our ability to effect an outcome, so they can then—we, as their representatives, could express a view on this matter. But, the President has taken that on himself, and now we are being sort of left with the explanation after the fact.

There was a poll just came out today that said that 21 percent of Americans believe that the United States has a clearly defined mission in Libya, 21 percent. I bet if you took a poll of Congress, the numbers would be similar. But, it's—of course, NATO, who is now being handed off the responsibilities in Libya—the role of the United States in NATO is essential to NATO's success, wouldn't you agree with that, Secretary Gates and Admiral?

Secretary GATES. Yes, sir.

Admiral MULLEN. Yes, sir.

Senator CORNYN. I mean, it's not as if, by handing things off to NATO, it's something other than the United States and coalition partners; for example, in Afghanistan, where we have a 2-to-1 American contribution, in terms of troops on the ground. I'm interested, if, in fact, NATO makes a determination, Secretary Gates, that a stabilization force is needed on the ground—I understand it's within the power of the United States Government to withhold its participation in a stabilization force—but, would the United States participate in that, or would we withhold?

Secretary GATES. First of all, I think that the Security Council Resolution specifically prohibits a foreign occupying force. So, unless—the circumstances under which any kind of stabilizing force would go in would, I think, be open to debate. I, frankly, would tell you, based on the debate leading up to the NATO agreement to take on this responsibility, that the chances of getting authorization, under NATO auspices, to put boots on the ground would be virtually impossible.

Senator CORNYN. I'm worried, in light of your answer and I sort of expected an answer along those lines, that we may have started something that NATO's not going to be in a position to finish. I wish—

Let me just ask you this. Secretary Gates and Admiral Mullen, do you know what the U.S. Government plan is if Qadhafi were to go into exile tomorrow?

Admiral MULLEN. You mean after the celebration? [Laughter.]

Senator CORNYN. I hope it would be a celebration.

Admiral MULLEN. I'd go back to my answer to Senator Webb. I think we should not exaggerate our ability to influence the political outcome in Libya, even after Qadhafi goes. I think that there is the opportunity for other Arab states, for the international community, to try and influence that outcome; but, I think we're kidding ourselves if we don't think there's going to be some kind of a struggle for power.

Senator CORNYN. That means a civil war?

Admiral MULLEN. No, not necessarily. But, there, even Qadhafi rules by balancing the tribes and, the major tribes, and playing them off against one another and so on. He does that through money and some intimidation, and so on. So, it's a complicated business, in terms of his governance, even his governance. I think it's likely to be more complicated in the future.

But, I think we've lost our place a little bit in this, in a couple of respects. The urgency of this mission was based on the fact that his forces, 2 weeks ago, were racing for Benghazi, a city of 700,000-plus, and the belief that, once he got there, he would slaughter a large number of people. So, the reason for the urgency and the speed with which this came together was to have the capability to stop him from getting to Benghazi, and that part of the mission was successful.

Another concern was the millions of foreign workers in Libya. There are over 1 million Egyptians and the fact that we had hundreds of thousands of them fleeing for the borders of both Tunisia and Egypt had the potential to create a destabilizing influence in both of those countries. So, getting that stopped was very important. Then we have taken on this effort to try and protect the civilians inside Libya.

But, one of the things that I think we have accomplished is to reduce his ability to destabilize North Africa and Egypt and Tunisia. Now we will have to work with our allies and with the opposition inside.

Senator CORNYN. I have no doubt that the situation was dire. Again, I wish the President had had this conversation before the U.N. Security Council was asked to pass the Resolution, that he had come to Congress and explained it to us and the American people.

The one thing I really wish that we had, and I wish the President would explain to us, is what the ultimate goal is, other than the intermediate goal that you just described, stopping the rush to Benghazi—what the goal is after Qadhafi leaves and what the responsibility of the United States, as part of a coalition or individually, to engage in nation-building or other efforts there. It all seems extremely open-ended to me. But, now it's started, and it's

going to be decided, as you suggest, in part by things beyond our control.

Secretary GATES. I would say it still remains to be dealt with. But, I think that the last thing this country needs is another enterprise in nation-building. Again, this is an area where—one of the reasons we acted was because of the urgency that our allies felt—the British, the French, and the Italians—as they contemplated the prospect of significant migration out of Libya to their shores. They really did consider Libya, itself, to be in their vital interest and—along with the unprecedented action of the Arab League.

So, my view is that the future of Libya—the United States ought not take responsibility for that, frankly. I think that there are other countries, both in the region and our allies in Europe, who can participate in the effort, particularly with nonlethal aid, to try and help the development of Libya. I just don't think we need to take on another one.

Senator CORNYN. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Cornyn.

Senator Shaheen.

Senator SHAHEEN. Thank you.

Secretary Gates, Admiral Mullen, thank you for being here this afternoon.

Secretary Gates, you indicated that our capabilities will continue to be on standby as we have turned over the strike sorties and the embargo to other of our allies. One concern that I have—and I think it's been reflected here by others—is that a prolonged presence in Libya will fall, ultimately, on the United States to continue to shoulder the burden of the military effort there. So, do you have confidence that our European and Arab allies in this effort will be able to sustain their involvement over a long period of time?

Secretary GATES. They certainly have made that commitment, and we will see.

Senator SHAHEEN. And—

Secretary GATES. But, I would say this, and particularly looking at what they have done in Afghanistan, from the British to others. They thought they were signing up, probably, for a peacekeeping mission, back in the mid-2000s, and at Riga. They have found themselves in years of combat now, and they have certainly stepped up to the plate there, and been able to sustain an effort.

Senator SHAHEEN. Are we at all concerned that a prolonged conflict, with our European allies bearing a significant share of that burden, will affect their willingness to continue to support our—the efforts in Afghanistan?

Secretary GATES. There has been no indication of that at this point.

Senator SHAHEEN. You indicated that, and we know, that both the UAE and Qatar are part of this effort. Are we talking to other Arab countries about their providing assistance for military involvement, in terms of planes and flights, or for helping to provide cost—coverage for the costs of the effort?

Secretary GATES. We haven't talked to them about covering the costs. But, we continue to talk to a lot of Arab countries. Frankly, while there are only a couple that actually have planes in the fight,

there are a number who are providing support in terms of overflights, in terms of landing rights, and a variety of other things that are actually necessary for the success of the mission.

Senator SHAHEEN. Are there any other of our allies who are not involved, either with military equipment or as part of the military effort, who have suggested they might be willing to help with the contributions to the cost?

Secretary GATES. No.

Senator SHAHEEN.—of the effort?

Admiral Stavridis, when he was here, has said that our intelligence is showing—I think he put it, “flickers of potential ties to al Qaeda and Hezbollah within some of the rebel forces.” Do we have concerns about that? Are we confident that the rebels don’t have connections to al Qaeda or Hezbollah or other terrorist groups that we might be concerned about?

Admiral MULLEN. It’s been an area of great focus. We just haven’t seen anything other than what I would call aspirational from al Qaeda leadership in that regard. They are—I think this has caught them somewhat flat-footed, as well. That doesn’t mean that we’re not on guard for that or that they might not—in fact, I do think they will try to take advantage of it. We just haven’t seen anything to date.

Secretary GATES. One of the things that Qadhafi is doing, though, is, in his information operations, he is trying to gen up the narrative that the opposition is, in fact, led by al Qaeda. So, one of the things that’s making it a little difficult is, he broadcasts, all the time, that al Qaeda is involved and al Qaeda’s doing this and that. So, we just have to be aware that he’s using this in his own propaganda.

Senator SHAHEEN. Have we been successful with efforts to jam the communications from Qadhafi?

Admiral MULLEN. I think we struggled a little bit, early on, because we were at sea, we were further out. Once the Integrated Air Defense System went down, we were actually able to move capability over Libya. We have been more successful, but I wouldn’t characterize it as completely successful or 100 percent, in terms of the ability to eliminate his broadcast capability.

Senator SHAHEEN. Thank you.

My time is expired.

Chairman LEVIN. Thank you, Senator Shaheen.

Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

Thank you both for your service to our country.

I don’t really know where to begin, because I’m more depressed than I ever thought I would be, after listening to the plan. But, we have to move forward, and we will. I’m hopeful, and pray, that Qadhafi does leave.

Let’s start with the idea of al Qaeda taking over Libya. I may be wrong, but I’m just not overly worried about that. I just don’t believe that all these people have risen up against Qadhafi because he was not tough enough or that he wasn’t enough like al Qaeda. Do either one of you believe the Libyan people would stand for an al Qaeda-led Libya?

Secretary GATES. There is absolutely no evidence to support that.

Admiral MULLEN. No, I don't.

Senator GRAHAM. I mean, it makes no common sense, does it, that they would tolerate——

Secretary GATES. I mean, the reality is that fires we have faced in Afghanistan and some al Qaeda members have come from Libya——

Senator GRAHAM. That's right.

Secretary GATES.—particularly eastern Libya. But, that's a different story than the people of Libya wanting al Qaeda.

Senator GRAHAM. Right.

Secretary GATES. The real power in Libya is in the hands of these tribes. And even Qadhafi realizes that.

Senator GRAHAM. Sure.

Secretary GATES. I just don't understand how it would be possible for these tribes to want to cede any of that authority to some outside crowd like al Qaeda.

Senator GRAHAM. Mr. Secretary, the truth is that there's just no real evidence that the people of Libya—the body of the people of Libya really want to embrace al Qaeda, that I've seen.

Secretary GATES. No, sir.

Senator GRAHAM. Okay.

So, people, on our side particularly, talk about the cost of this operation—the cost of a Tomahawk missile and how much it costs America to be engaged in taking Qadhafi down. But, if you looked at a balance sheet of what it costs to take him out, versus the cost to our country and the world if he came back into power, what would be the cost to our country, and to the Mid-East as a whole, if Qadhafi were able to survive? What would that mean to us?

Secretary GATES. I think that if he were—the assessment from the intelligence folks, and my own view, is that if he survives and somehow wiggles out from under the pressure that he's under right now, there is no question in my mind, first, that he will take terrible revenge on the people of Libya and anybody who has dared to oppose him or that he even thinks may have opposed him. Second, I think that he has a long history of supporting terrorist groups. I think that—we all remember Pan Am 103, and so, I think that the risk of him generating his own revenge, if you will, to the extent that he possibly can, is a very real possibility.

Senator GRAHAM. So, the cost to our country and the Mid-East as a whole would be greater if he survived than if we took him out. Do you agree with that?

Secretary GATES. I think it would be an ongoing danger.

Senator GRAHAM. Do you agree with that, Admiral Mullen?

Admiral MULLEN. I do. I mean, one of the actions we've taken is to freeze over \$34 billion——

Senator GRAHAM. Right.

Admiral MULLEN.—that——

Senator GRAHAM. That could be used——

Admiral MULLEN.—he has——

Senator GRAHAM. Right.

Admiral MULLEN.—that is not planned on being used for the Libyan people, for example. And that's just an indication of the scope——

Senator GRAHAM. Right.

Admiral MULLEN.—and the potential cost, in terms of the question that you asked and what the balance would be.

Senator GRAHAM. I've been wrestling with myself about how to approach both of you, because I admire you so much, to whether I should make a joke about this; that when we pushed for a no-fly zone, we didn't mean our people. And the idea that the AC-130s and the A-10s and American air power is grounded, unless the place goes to hell, is just so unnerving I can't express it adequately.

The only thing I would ask is, please reconsider that, because if you don't, you have some friends up here who disagree with you about tactics, but we do see the need to get rid of this guy. There's probably going to be a vote soon in Congress about whether or not we support this policy. Senator Levin is working on authorization to use force. And I believe it is inherent within the Commander in Chief's ability, under our Constitution, to do what he did. And I think you're on solid legal ground with the War Powers Act. But, you need to come here.

Now, I'm telling both of you, as friends, that if something doesn't become a little clearer and a little more forceful and a little more decisive, it's going to be very difficult to get an authorization to approve the plan as it is. Could you just comment, Secretary Gates, would it be helpful if Congress blessed this operation?

Secretary GATES. Yes, sir. As several have said—Secretary Clinton and, I think, the President—we would welcome congressional support.

Senator GRAHAM. What would happen if we rejected the authorization, as a Congress, if we voted it down because we're not confident that it will work? What kind of signal would that send?

Secretary GATES. It would obviously send an extraordinarily negative signal to our allies. It would certainly be encouraging to Qadhafi.

Senator GRAHAM. It would be a disaster, I think.

One last comment, and I won't go over my time. Is Qadhafi the legitimate leader of the Libyan people, in your eyes, legally? If he's not, would it be unlawful for some nation, including ours, to drop a bomb on him to end this thing?

Secretary GATES. President Reagan tried that.

Senator GRAHAM. That doesn't mean we shouldn't try again. I mean, I'm asking this in all seriousness. I don't believe this man is the legitimate leader of the Libyan people. I believe he's an international terrorist and an unlawful enemy combatant. Then we're within our bounds, as a nation, and our coalition partners, to take the fight to him and his cadre of supporters. Is that on the table, or not?

Secretary GATES. I don't think so, because I think it would probably break the coalition.

Senator GRAHAM. Who would be mad at us if we dropped a bomb on Qadhafi? And why would they be mad?

Secretary GATES. I think that certainly some of our European allies have a different view on the idea of—

Senator GRAHAM. Is there anybody in Europe who would be upset if Qadhafi were killed in this engagement?

Secretary GATES. I don't know.

Chairman LEVIN. Thank you, Senator Graham.

Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman.

And thank you, both of you, gentlemen, for your excellent work here.

Obviously, following up Senator Graham, I, too, definitely agree that General Qadhafi needs to be removed from power. He needs to step down. But, in light of that, I am very concerned about how difficult that is. What else can be done, without ground forces, transitioning now to NATO, to be sure, from a political and economic factor, that we can help along those lines?

Secretary GATES. I think that there are still some additional measures that can be taken, in terms of seizing Libyan assets. We've taken action against the assets here in the United States that the chairman referred to. I think there are other assets in Europe and elsewhere that probably could be seized, in terms of denying him access.

Senator HAGAN. Are those being sought after right now?

Secretary GATES. Yes.

I think that the question of what kind of assistance to provide to the opposition is clearly the next step, in terms of nonlethal or weapons, and so on. I think, kind of, all the members of the coalition are thinking about that at this point. But, as with our Government, no decisions have been made.

Senator HAGAN. Okay. Speaking of cost, as we transition to NATO assuming command and control of all the elements of this mission, there continue to be uncertainties regarding the costs, the resources, the duration, and the nature of our military conflict. According to the DOD's controller's office, currently the costs have been about \$550 million, most of those from munitions and aircraft. It appears that it would cost about \$40 million a month, assuming no added munitions costs.

But, we obviously know that we have 100,000 service men and women in Afghanistan. I would just want to be sure that we're—I fully support this, but want to be sure that we're not distracted from that mission. Can you discuss the types of resources and support that the United States will provide NATO for the operations in Libya, and how we can be sure that supplying those capabilities and resources will not distract from those assets that are needed in Afghanistan?

Admiral MULLEN. We've moved a squadron of electronic attack jets from Iraq into the Mediterranean theater to support this. We've moved one command-and-control aircraft that we don't consider—that is, from my perspective, more critical in the Med—or, in the Mediterranean theater than in Afghanistan. And that's been—that's sort of been the limit of what we've done with respect to any assets out of CENTCOM moved into this theater.

We don't expect—so, I don't see any long-term significant effects, particularly in the areas that Afghanistan seeks more resources, the areas of intelligence, reconnaissance—surveillance and reconnaissance. We're going to add assets over there this summer, fairly significant assets. I suspect the Secretary is about to say that from reprogramming initiatives that we think are critical, where we can—he's led the effort to make those assets available for the fighting season, this season, in Afghanistan. So, I haven't seen any kind

of significant impact on resourcing Afghanistan or Iraq, anything of substance, based on what's going on in Libya.

Secretary GATES. I'd like to just add one more thing, because in response to some of the comments from Senator McCain and others. I acknowledge that I am preoccupied with avoiding mission creep and avoiding having an open-ended, very large-scale American commitment, in this respect. We know about Afghanistan. We know about Iraq. What people haven't realized is, we have 19 ships and 18,000 men and women in uniform helping on Japanese relief. We are in serious budget trouble. The ongoing continuing resolution (CR) and significant budget cuts, at a time when we are asked to do so much, I think brings this issue home. Frankly, I need help from Congress. DOD needs help from Congress. If we're going to do all these things, we need the resources to do them. Under this CR, we're canceling ship deployments because we don't have the money to pay for them. So, trying to do all these things, and then taking on another major commitment that is potentially significant in scope, I think is—is a very great worry for me. It's one of the reasons why I've been so adamant about keeping the nature of our engagement in this as limited as possible, because there are others who can fulfill nearly all of the role.

Senator HAGAN. Thank you.

Chairman LEVIN. Thank you very much, Senator Hagan.

Senator COLLINS.

Senator COLLINS. Thank you, Mr. Chairman.

I wish that Senator Graham were still here, because I see the issue of congressional authorization rather differently. I remember the many weeks we spent being briefed and debating, before we went into Iraq. And I believe that Resolution should have come before any military action. I'm not going to ask either of you to comment on that, because that's really the President's call and not necessarily yours.

I do want to say, Secretary Gates, that I am so aware of the terrible problems that the Pentagon, operating under a short-term CR, is creating. I think Congress has been completely irresponsible to not make the DOD appropriations bill our highest priority. We're in the midst of three wars now. Yet, we haven't finished the work from last year for DOD. It's going to end up costing us way more than it otherwise would. To make that point, I keep offering the DOD appropriations bill as an amendment to all the bills that have been on the floor.

That's a different subject, but it is related to the issue that you raised about avoiding mission creep. And I'm glad that you're so focused on that issue. I'm concerned to hear the testimony from the Air Force Chief of Staff, General Schwartz, earlier this month, when he said that a no-fly zone, alone, was likely going to be insufficient to turn the momentum in Libya. And, indeed, it seems each day we see a turn of—or a change in fortunes among the rebel forces. So, that worries me, because that looks like we're engaged in an operation, even if it's in a supporting role, that's going to drag on without resolution forever, unless Qadhafi is somehow removed.

The administration has said repeatedly that the removal of Qadhafi is not a military objective, it's a political objective. In re-

sponse to Senator Graham, and it was a question I was going to ask you, is: Are we trying to kill him? Or, are we or our allies trying to kill him? If we're not trying to do that, are we trying to arrange for him to go into exile and have a soft landing, with no further consequences? Or are we going to try to get him out of Libya and have him tried by the International Criminal Court, which has been mentioned? If he knows that that's the consequence, he's never going to leave voluntarily.

So, if getting Colonel Qadhafi out of Libya is an objective, how are we going to accomplish that, and how are we going to bring this to closure? I just don't see how this ends.

Secretary GATES. I mean, there are several alternatives. One is that a member of his own family kills him, or one of his inner circle kills him; or the military fractures; or the opposition, with the degradation of Qadhafi's military capabilities, rises up again and is successful, because so much of his military has been destroyed.

I think that General Schwartz was completely accurate when he said that a no-fly zone alone would not be sufficient to get him out of power or to meet our goals. But, I think that, as part of the humanitarian mission, the degradation of his military forces does add something—add a completely—a significant and different dimension to the no-fly zone, so it's not just a no-fly zone alone.

I would just make one observation that nobody in this hearing has mentioned. There have been a lot of concerns expressed about the consultation with Congress. But, in its own way, Congress consulted with the President, and particularly this body, that unanimously, in a Resolution, called for the imposition of no-fly zone.

Senator COLLINS. Well, if you look at that Resolution, it is very limited in what it calls for. But that's a debate for another round or another day.

Thank you.

Chairman LEVIN. Thank you very much, Senator Collins.

We're trying to get the actual wording of that Resolution, by the way. We think it may have been calling on you to "consider." But, in any event, we'll get the actual wording of that. But, I think it's also true, in fairness, that there was a great urgency here; there was a catastrophe in the works here, a slaughter within perhaps hours; and that we were on recess, and that the President did actually consult with the leadership of Congress. So, I think all of those facts also need to be part of the record, regardless of the whether you're technically correct about the wording of the Resolution or not.

Senator COLLINS. Mr. Chairman?

Chairman LEVIN. I'm sorry. You have—

Senator COLLINS. I actually now have it.

Chairman LEVIN. I always could count on you. [Laughter.]

Senator Collins has the facts. She always does.

Senator COLLINS. Because I think this is an important point, because, frankly, if it had been a Resolution authorizing the use of force, I probably would have voted against it. But, instead it's a resolution that applauds the courage of the Libyan people, strongly condemns the violations of human rights, calls on Qadhafi to desist, welcomes the unanimous vote of the United Nations Security Council, urges the regime to abide by it.

This is the only part that's even tangentially on this issue. It said it urges the United Nations Security Council to take such further actions as may be necessary to protect civilians in Libya from attack, including the "possible" imposition of a no-fly zone over Libyan territory. So, I think that's pretty weak language, in terms of authorizing the United States to——

Secretary GATES. I wasn't claiming, for a second, that the Resolution "authorized" anything. But, it certainly was a manifestation of the wish and the view of the United States Senate on this issue.

Chairman LEVIN. Thank you.

We will now turn to Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I want to join in thanking you for being here today and giving us the benefit of your thinking on issues that I suspect you have been wrestling long and hard with. I don't think we've asked any questions that haven't woken you up in the middle of the night or kept you up late at night. And so, I want to thank you for sharing your views with us.

I think I want to go to a point that Secretary Gates made earlier. Can we accomplish any kind of regime change here, unless the opposition receives what you've identified as the main defect in their fighting capability, which is the absence of training and command and control? Or, to put it a different way, doesn't one of the NATO partners, or one of the Arab countries, have to be there to provide that kind of capability that they're missing now?

Secretary GATES. My view, Senator, is sort of the high point of the uprisings all across the country, people either when they rose up, either turned Qadhafi's security services, or elements of the military, to their side or were able to chase them out of their towns. The only way Qadhafi has been able to recapture control of most of his country is that, until we started flying our air sorties and strike missions, he was able to gather the loyal forces of his regime and, one by one, put those cities down by using military force. Now, if that military force is dramatically degraded over a period of time, then it seems to me that you have the potential for these people to rise again, and he will not be able to put them down, because he won't have the military capability to do it.

So, I think the training and the cohesion and the organization are all things that, clearly, the rebels need. But, I don't think that they can't win without it.

Senator BLUMENTHAL. Would you agree, Admiral?

Admiral MULLEN. I do.

Senator BLUMENTHAL. Because I am struck by the public reports of the retreating rebels, which make it appear, at least, that they really need, as a precondition of ousting Qadhafi, the kind of training and internal command and control; and indeed, of potentially governing in the future, some cohesion in that fighting force to maintain some degree of civilian control even in the country. And I would suggest that a stalemate is, in some sense, a potential humanitarian crisis if it leads either to chaos or even to Qadhafi's continued control over a part of the country where he is able to massacre and slaughter his people, as he's done for more than 40 years.

Is there any consideration to the United States providing the kind of air support that Senator McCain suggested, through the AC-130s and the A-10s?

Admiral MULLEN. Again, those planes actually are available today and for the next couple of days, and we had planned that. So, they're currently assigned to NATO. After April 2, there will be U.S. aircraft—strike aircraft available to the NATO commander, in support, should he need that—ask for that and need it. Again, this has been the focus of discussions over many days. The NATO commander is aware of that. That said, if he needs it, he'd have to ask for it, and it would come back here. The design is to have a package on alert, on standby, to prevent any kind of overwhelming effort on the part of—which would result in further massacre of Libyan citizens—on a very short notice, to the NATO commander. That's out into the future.

Senator BLUMENTHAL. So, those assets would be available if—
Admiral MULLEN. Right. They just would not—

Senator BLUMENTHAL.—the NATO commander—

Admiral MULLEN.—they just would not be participating on a day-to-day basis.

Senator BLUMENTHAL. Would that be true also of resources or assets that might support both training and command and control for the rebels in Libya?

Admiral MULLEN. Again, the decision to do that has not been made, in terms of support to the rebels. There are many countries, I think, who have the capability to do this. As a part of a coalition, I would certainly hope that, as countries make that decision, that they would do that. We just haven't made that decision at this point.

Senator BLUMENTHAL. Thank you.

My time is expired, but I would just like to say that I've supported this policy, insofar as it has, in fact, stopped the massacre or the humanitarian crisis that might have occurred in Benghazi, and also prevented the destabilization of other parts of North Africa. And I think we're debating, here, as I don't need to tell you, the means, not the ends. I think we're united in your efforts and the President's efforts to remove Qadhafi. And these problems are exceedingly difficult for the American people to understand. And your being here, I think, helps to explain to them what's at stake here.

Thank you.

Chairman LEVIN. Thank you very much, Senator Blumenthal.

Senator SESSIONS.

Senator SESSIONS. Thank you, Mr. Chairman.

I remember, after the failed attempt in Iran to rescue the hostages, a British general or expert in military said, "A good plan can be foiled by bad luck, but a plan that depends on good luck is a bad plan." I just don't know what category this operation is in. But, there's so much vagary in it, in how it will be conducted and how it might end, it seems to me an awful lot like we're hoping somehow good luck will occur. And, in warfare and in military activities, it often doesn't.

I want to get one thing very clear. From your conversation with Senator Lieberman, it seemed to me that—I believe, Admiral

Mullen, you indicated there was a lack of critical mass, perhaps, in the rebel forces—or maybe that was Secretary Gates—and that the dilemma was, as expressed by Senator Lieberman, that, under the circumstances, it appears they are not able to be successful, to win, without substantial allied support. What is the most effective support? I think it's quite clear that was the A-10s, the AC-130 that have be utilized.

Now, Admiral Mullen, as I understand it, the A-10s and AC-130s that provided close-air ground support, the powerful anti-personnel firepower that they contain, are off the battlefield at this moment. Is that right?

Admiral MULLEN. They are still available to the——

Senator SESSIONS. No, no, no.

Admiral MULLEN.—NATO commander.

Senator SESSIONS. You've pulled them off. They're not flying. There's no——

Admiral MULLEN. No, I haven't pulled them off. I don't know if they're flying today. They're available to fly today. That will be the case for a couple more days. After that, they won't be available, unless it's in this standby mode——

Senator SESSIONS. Okay.

Admiral MULLEN.—that I described here.

Senator SESSIONS. All right.

Admiral MULLEN. But, I would also say, Senator Sessions, there was plenty of action, plenty of support, much of which was provided by allied aircraft, before the AC-130s and the A-10s showed up. They didn't show up at the beginning of this. So, I don't discount the capability that those countries provide, as well.

Senator SESSIONS. I'll ask a military opinion. The rebel forces are in defensive situation and a spreadout Qadhafi military is attacking them. Would not the A-10s provide a powerful balance on the battlefield?

Admiral MULLEN. The A-10s and the AC-130s are very, very powerful weapon systems.

Senator SESSIONS. It's just odd that—all right. So, is there any reluctance, anywhere in this coalition, that we should not use the AC-130s or A-10s?

Admiral MULLEN. When they're available, no. But we are—over the course of the next couple days, we are not going to participate in the striking mission—striking part of this mission, which would include the A-10s and the AC-130s.

Senator SESSIONS. Now, we've been doing that. But, now that the rebel forces are in retreat, as Senator McCain acknowledged, or noted, it's a unilateral U.S. decision to cease to make those assets available to the situation unless we have a specific request from the NATO leadership? Is that the policy?

Admiral MULLEN. It is.

Senator SESSIONS. Do you think that could have a discouraging effect on the rebel forces?

Admiral MULLEN. Again, I worked this pretty hard with the previous commander, General Ham, in terms of his assessment of what the coalition capability—allied capability is. It was, and he was confident that it could be sustained at the necessary levels to support the opposition.

Senator SESSIONS. It could be sustained——

Admiral MULLEN. What has inhibited us, more than anything else in the last 3 days, has been weather. It has not been airplanes.

Senator SESSIONS. Let's go beyond the 2 days you say they might still be available, here.

Secretary Gates, in your written statement that you provided for us, you say that, "Going forward, the U.S. military will provide capabilities that others cannot provide, either in kind or in scale, such as electronic warfare, aerial refueling, lift, search and rescue, and intelligence, surveillance, and reconnaissance support." I do not see, in that list, close air support. Did you intentionally desire to leave that out?

Secretary GATES. Yes.

Senator SESSIONS. So, the military capabilities that we intend to provide, after the next 2 days, would not include the close air support of A-10s and AC-130s.

Secretary GATES. That's right. We would not be participating in the strike missions.

Senator SESSIONS. But, the NATO missions, Admiral Mullen, as Secretary Gates said in his statement, is a limited one. It will maintain pressure on Qadhafi's remaining forces to prevent attacks on civilians, enforce no-fly zones, an arms embargo, and provide humanitarian relief. Does that include, in your view, close air support attacking actual Qadhafi forces from the air, wherever they are found?

Admiral MULLEN. It does. The countries who are committed to that are those who have been participating in that already, outside our capability, which we will no longer add to that mission or have executing that mission. So, there'll be plenty of strike capability available to NATO to prosecute that mission.

Senator SESSIONS. Plenty, but not perhaps the most effective capability, the powerful A-10 aircraft.

Admiral MULLEN. Sir, they will not be participating after the 2nd.

Senator SESSIONS. That's troubling.

Thank you, Mr. Chairman. My time has passed.

Chairman LEVIN. Thank you, Senator Sessions.

Senator Begich.

Senator BEGICH. Thank you, Mr. Chairman.

And thank you, Secretary Gates and Admiral Mullen. I know you've been here a long time and you've been very patient.

So, I don't think anyone disagrees that Qadhafi is a bad character, has a lot of issues that we want to deal with. But, I felt some frustration, Secretary Gates, and it's an issue that I'm concerned about, and that's the monetary cost here, and the resource cost, both on the CR, in a broader sense of DOD, but also in this specific mission, how you have to accommodate for this. So, let me make some points on the dollars. Make sure I'm not off here; make sure we're on the same page.

My understanding is, so far we've allocated or expended \$550 to \$560 million, give or take, in that range, and that it is estimated, before this fiscal year is out, the 2011 fiscal year that we're in now, that it may be go to \$700 to \$800 million. Is that a fair—or am I low?

Secretary GATES. Our calculation of the cost, as of last Monday, was \$550 million. At the ramped down level of support, the cost—the run rate per month is about \$40 million. That's our estimate.

Senator BEGICH. Does that include all military and humanitarian, or just the DOD component of this and not the State Department component?

Secretary GATES. That's just the DOD component.

Senator BEGICH. Do you know, has there been a number on the State Department's component here?

Secretary GATES. No. One other thing I'd just like to mention, in terms of these costs that need to be covered. I mentioned earlier, we have 19 ships and 18,000 men and women in uniform in Japan.

Senator BEGICH. You're—

Secretary GATES. There are costs—

Senator BEGICH.—those have to be covered also.

Secretary GATES.—associated with that, that we need to deal with, as well.

Senator BEGICH. Right. I'm going to focus on Libya, only because that's the conversation. But I agree with you, just as we had to deal with Haiti, and the list goes on and on.

How are you paying for this? If I read what I'm reading, that it is rearranging kind of the deck of—the money, moving and shifting it. But, whatever you're shifting it from, we have to replenish that, right? I mean, I know some of the weapons, the Tomahawks, maybe we have less inventory later. What's the—how are we going to address that?

Secretary GATES. We're in that discussion with the White House and the Office of Management and Budget (OMB) right now. But, it is my view that DOD cannot just eat that cost. Now, there are some ways of looking at the overseas contingency operation funding, where we may be able to do something. But, again, I'm just in the beginning of conversations with the White House and the OMB on that.

Senator BEGICH. But, do you think that, in this contingency resource that you have, that the dollars—the amount that it may be by the end of this fiscal year can be covered, or do you think—you're going to need new resources at some point, some amount. Am I wrong about that?

Secretary GATES. I don't—

Senator BEGICH. The reason I'm—

Secretary GATES. I don't see—

Senator BEGICH.—asking is, I'm—

Secretary GATES.—the top line of either the OCO or the fiscal year 2011 budget being changed by this.

Senator BEGICH. At all.

Secretary GATES. No.

Senator BEGICH. Let me ask you a different way. A comment I would have, then, is, does that mean that was extra money? I know the answer is no to that. So, does that mean there's some—

Secretary GATES. We'll have to make internal tradeoffs, Senator.

Senator BEGICH. Okay. What are those kind of tradeoffs?

Secretary GATES. We haven't gone there yet.

Senator BEGICH. Okay.

Secretary GATES. That's the discussion that I just said we're having with OMB—

Senator BEGICH. Okay.

Secretary GATES.—and the White House.

Senator BEGICH. I don't want you to take this as hostile at all. I'm just saying, I'm new to this. I just know we were in Iraq, Afghanistan; no one talked about the money. Now, it's trillions of dollars. That hurts your budget and it hurts the Veterans' Affairs (VA) budget.

I know how everyone wants to talk about, as we just heard, the AC-130s and the A-10s. Admiral, I appreciate your comment. Our coalition partners have the capacity, maybe not as superior as our capacity, but they're doing the job that we need them to do. I think that's great.

But, all this costs money. My issue is, what's the tradeoff? Understanding that Qadhafi has to go; he is a bad character. I can name you 10 other bad characters in the world that we should be taking out. But, we are where we are. I'm trying to figure this out. My personal opinion would be, the Arab League needs to pony up some money to offset these costs. You know? But, that's me. We cannot shoulder these costs, with a downward turn on our dollars available, for everything across the board.

I truly believe the Senate does not do a very good oversight on budgetary processes until after the fact, and then it's too late. We're in the middle of it and I'm asking the questions. So, I appreciate what you're saying. I just want to make sure it's not so far down the line, then you all come in and say, "Well, we need a half a billion dollars, because"—I want to mentally prepare for this and know what we're trading off, because somewhere we're trading off something. It's frustrating to me.

I'm supportive of your needs. I have always been here—when Afghanistan needed 30,000 more troops, one of the first Democrats to step up and say, "You get them, because you need them," because we were under resourced in that operation when I first came here. So, I'm frustrated, like you, because no one—not—I think there was maybe two questions here on the monetary elements. It's a discussion that we have to have.

Most of their income, in Libya, comes from oil, period. We're probably not going to have any agreement for repayment, if we move this country to a better situation. We're going to be, again, carrying the load.

So, I'm frustrated. I heard frustration from you. I'm frustrated. I just want to make sure we do it right.

I don't know if you have any comments. My time is up.

Secretary GATES. I would just say, the Defense appropriations bills that are currently under negotiation have around \$4 billion in unrequested adds. That's where we'll look first.

Senator BEGICH. That's a fair statement. I appreciate that. I'll leave it at that.

Again, I'm going to support the missions that you all decide, from a military perspective. But, I want to make sure the resources are there and we're not nickel-and-diming you to death. I've already been to subcommittee meetings and I've seen it. It's painful to

watch it. I'm just trying to figure out what's the right approach here.

But, I'll end at that. I appreciate it.

Chairman LEVIN. Thank you very much, Senator Begich.

Senator Manchin.

Senator MANCHIN. First of all, let me just say that the State of West Virginia thanks you all for your service, and we have the utmost respect.

I think where I'm having a problem with the cost is, I remember the Gulf War. At the Gulf War, there was a big to-do made about that we already had commitment for reimbursement before we went in. I'm just giving it to you from my perspective, being in our State of West Virginia, listening and watching and with all of our Guards people who were commissioned to go over. It was something that we felt was a win/win for us. We were asked to come help. We went in and we helped. We were successful. We did our mission. They paid their costs, and we got back out. People didn't feel like they were over-obligated or overburdened. So, if we could do it then, and we were asked, or we think we were asked, to come in this time, or we had the support of the Arab League with NATO—I think what we're saying, and I think what Senator Begich is saying, could we not make that same deal this time, where they would offset the costs for us to come in and assist them?

Secretary Gates, with all due respect, I know you've said that you did not believe that this was in our vital interest. I think a lot of West Virginians share your belief with that. But, whatever it is, we are where we are. I think, did we not get the commitment or buy-in? Or just basically the request to come and you all pay your own bill?

Secretary GATES. First of all, with respect to the Gulf War, I was there. I was in the White House when that all took place. I can tell you we had no advanced commitment from anybody to pay anything.

Senator MANCHIN. Okay.

Secretary GATES. That was all dealt with later. The reality is, the bulk of the repayment came from Saudi Arabia and Kuwait, that had been the most directly under threat. They clearly don't feel that kind of a direct threat today from Qadhafi. So, I think getting these guys to shoulder very much, if any, of the financial cost is a remote possibility.

Senator MANCHIN. So, this—the Gulf States that basically feel, if there's a direct threat to them, they—at that time, they would make the financial decision to be involved. So, they must not think it's a direct threat—Qadhafi. I think that you said you did not think that there was a direct threat. But, the decision was made that we went in anyway, and we're expending a—

Secretary GATES. The Kuwaitis had already been occupied and the—

Senator MANCHIN. Yes.

Secretary GATES.—the Saudis saw Saddam as an immediate threat.

Senator MANCHIN. I would ask this, and to both of you also. Has there been any movement—I know I keep hearing that there might

be some movement on Qadhafi leaving. Does he want to leave? Is there any opportunity for him to be exiled somewhere else? How would we approach that, if there was a country working with his exile, is that door left open, for him to leave?

Secretary GATES. First of all, we haven't really discussed this in detail. It's more the President and the Secretary of State. But, my personal view would be that anything that gets him out of the country and provides for a change of the regime should at least be considered.

Senator MANCHIN. So, it's an option.

Secretary GATES. Yes, sir.

Senator MANCHIN. I know everyone's asked you about the time element. It looks like there's no way of backing out of that thing right now, until he's gone. We're hoping that the NATO troops or whoever the Arab States are—will do their job and make that happen sooner than later?

Secretary GATES. We certainly are counting on the coalition to sustain the air campaign.

Senator MANCHIN. Yes.

Admiral, maybe you can speak to what strain is there to the troops, this third war that we have? I was in Iraq and Afghanistan, and saw the finest soldiers I could ever imagine to see and anyone in the country has ever seen. But, is it going to take a toll on us?

Admiral MULLEN. I think, over the short term, not that much. I'd be the first to say that we're stretched pretty thin. Secretary Gates spoke earlier, just on the financial side; I mean, we're now at a point where we don't have the money this year to fund some of the Navy deployments, just because we don't have a bill yet.

Over the long term, I would grow increasingly concerned. That said, what we've done, or what we're in the process of doing right now, with very specific guidance from the President, is, this is a limited military involvement, and from a standpoint that I can see the limits right now, with the capabilities that we have, that we can sustain those support capabilities for a significant period of time without substantially adding to the stress on the force.

Most of the stress on the force is on the ground. Obviously, this doesn't involve ground forces. So, at least, certainly as this was initiated and where we are right now, I think we're okay. But, it is a concern.

Senator MANCHIN. Again, I say thank you for your service and thank you for the tough job you have.

Thank you, sir.

Chairman LEVIN. Thank you, Senator Manchin.

The question of the strike missions and the decision not to participate, after the next couple days, on the strike missions. You've testified that NATO has great strike capability, and I want to just be sure of one thing. That is, from your perspective, Admiral Mullen, that decision, that policy of ours, that we've worked out with NATO, does that have your own personal support, that we not participate, unless we are requested, on a standby basis—you've gone through that—and unless that standby request is then approved by the civilian leadership of this country. Do you support that policy?

Admiral MULLEN. I'm very comfortable with the guidance that I've gotten from the President and the mission to be executed, as I've described it, as the Secretary's described it, and as you just described it.

Chairman LEVIN. All right. So, that is something that has your personal support.

Admiral MULLEN. Right.

Chairman LEVIN. Thank you.

Senator McCaskill.

Senator MCCASKILL. Thank you.

Chairman LEVIN. You came just in time.

Senator MCCASKILL. Thank you. I just finished presiding over the Senate and then raced over here.

Either Secretary Gates or Admiral Mullen, what is the governance capability of the rebels? We know their shortcomings, in terms of their ability to advance, in terms of their military operations, but what about governance? What about—do we think the Interim National Council in Benghazi, in the east, is able to coordinate the efforts in some of the more remote areas of the country?

Secretary GATES. I think the answer to the second question is no. I would say that the governance capability, at this point, is limited, if not nonexistent.

Senator MCCASKILL. So, assuming that we're going to be optimistic here and Qadhafi leaves power quickly, what have our allies and what has NATO talked about in terms of what happens in the interim if there is no governance capability? Are there any plans or any discussions about what would happen in Libya? Or is this one of those situations where we will, in fact, sit back and watch to see what develops?

Secretary GATES. Secretary Clinton has carried the principal burden of negotiating with our allies and coalition partners. Whether that was discussed in the London conference a few days ago, I just don't know.

Senator MCCASKILL. Okay.

Egypt. I know, with what we are committed to—and I agree with the assessments that have been made by our leadership in regards to Libya. I worry that we are taking our eye off the ball on Egypt, to some extent. I wondered, both of you, do you sense that, "So goes Egypt, so goes the rest of the region"? What are your feelings right now about the democracy that is trying to be born in Egypt?

Secretary GATES. First of all, I would say quite the contrary. We have, not only not taken our eye off the ball, we're paying a lot of attention to Egypt. I was there last week. Secretary Clinton was there the week before that. Admiral Mullen and I are in regular contact with our counterparts. I came away from my visit, and the decisions that have happened in the last few days, feeling pretty positive about developments there.

One of the things that we had been concerned about was that trying to have elections in June would not give parties, other than the old Mubarak party and the Muslim Brotherhood, the chance to organize and to prepare. They're a movement, not a political party. So, their decision to move—to delay the elections until September, I think is actually a very positive move, because it will give more

political space for those groups that are not yet very well organized.

So, I'm cautiously optimistic that things are headed in the right direction. It is absolutely clear, from my conversations with Field Marshal Tantawi, that the military wants to shed this responsibility as quickly as they responsibly can. They seem to be making the right decisions, in terms of the reforms that they've put in place, in terms of the elections, and so on.

Admiral MULLEN. Frequency of contact is one thing that, as the Secretary said, we both do. Also it's not just myself but General Mattis is also in constant contact with the military leadership there. We're working our way through, given the huge challenges that they have, the best way to sustain the really good military-to-military relationship we've had, over a long period of time, which I think has had a significantly positive payoff in the overall crisis in Egypt. We recognize the value of that. We're continuing to work that through things like exercises and education. We just don't want to see those things go by the wayside. From all indications, neither does the Egyptian military.

Secretary GATES. One thing I would add, to address one other point that you asked about, is I think that the future of Egypt is absolutely critical to our interests in the region. It has long been the center of the Arab world, in many ways. So, we have a very significant interest in how things go in Egypt.

Senator MCCASKILL. I want to say I think that often there can be cynicism about the time and resources we spend, in terms of building alliances with other militaries around the world. I think this is a great example for the American people to take a look at. All of the training that we have done, here in this country, of Egyptian military leaders, the relationships that our military has developed with the Egyptian military over the years, clearly that has come into play at this time of crisis, and been very important, in terms of our ability to get information, and our ability to monitor and make sure that what was going on there was, in the long run, going to be healthy for our national security interests.

So, I think this is a good time to remind Americans that sometimes the resources we expend on training and even equipping our allies across the world come in handy. I think this is an example of where it has.

Admiral MULLEN. Ma'am, I agree with you. I certainly juxtaposition this with a country I also spend a lot of time on, and that's Pakistan, where we've broken that relationship. It has cost us dearly to do that, and we're working on renewing it through what are very, very difficult times and significant challenges. But, those two examples teach us lessons on both sides of that coin.

Senator MCCASKILL. I thank you both for your leadership in this time. I know it's trying. I'm glad that both of you are where you are at this moment. Thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCaskill.

Thank you both very much.

We came close to keeping a commitment to limit this to 2 hours. We did the best we could.

[Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR JEFF SESSIONS

CONGRESSIONAL NOTIFICATION

1. Senator SESSIONS. Secretary Gates, could you please provide documentation of the various actions that the Department of Defense (DOD) made to notify and inform Congress of its planning and execution of missions in support of United Nations Security Resolution 1973 and Operation Odyssey Dawn. Please include both member and staff informational briefings, meetings, point papers, decision memos, and any other pertinent products as well as the dates provided.

Secretary GATES. On June 15–16, DOD provided a variety of materials to Congress documenting DOD communications with Congress about U.S. actions in Libya in support of United Nations Security Resolution 1973 and Operation Odyssey Dawn. A portion of those documents were used to inform Congress during the course of the following meetings that occurred during March 2011.

March 1, 2011: DASD Huddleston (ISA/AF) provided an update briefing on the situation in Libya to SASC and SFRC PSMs.

March 4, 2011: ASD Vershbow (ISA), RADM Rogers (J2), and RADM Tidd (J3) briefed SASC Members on Libya (Levin, McCain, and Sessions attended). They provided an update on Libya, including recent intelligence. They also discussed possible military options, including the mechanics of a no-fly zone.

March 10, 2011: PDASD McMillan (ISA), MG Leins (J5), and Col Olsen (J3) briefed HASC Chairman McKeon on Libya. The briefing included the latest developments and possible military options for Libya, including the mechanics of a no-fly zone.

March 17, 2011: PDASD McMillan (ISA), RADM Rogers (J2), RADM Tidd (J3) briefed all-Senators on Libya developments and possible USG and international responses, including potential military options.

March 17, 2011: RADM Rogers (J2) and RADM Tidd (J3) briefed Senators Levin, McCain, Kerry, and Lieberman. They provided an intelligence update and a briefing on the mechanics of possible military options for Libya.

March 19, 2011: USDP Flournoy called House and Senate Armed Services Committee Chairmen and Ranking Members to provide an update on Libya Operations. USDP also called Senator Sessions.

March 19, 2011: ADM Mullen called House and Senate Defense Appropriations Subcommittee Chairmen and Ranking Members to provide an update on Libya operations.

March 20, 2011: VADM Gortney (Director, JS) briefed Senator Levin on developments in Libya.

March 22, 2011: RADM Rogers (J2), and RADM Tidd (J3) provided a classified briefing on Libya operations to PSMs of jurisdiction and leadership staff.

March 22, 2011: RADM Rogers (J2), and RADM Tidd (J3) provided an unclassified briefing on Libya operations. The briefing was open to all Congressional staff.

March 28, 2011: RADM Rogers (J2), and RADM Tidd (J3) provided a classified briefing to update Congressional staff on Libya operations. All Congressional staff who had a secret clearance were invited to attend.

March 29, 2011: RADM Rogers (J2) briefed Speaker Boehner on the situation in Libya.

March 29, 2011: RADM Rogers (J2) and RADM Tidd (J3) briefed Chairman Young and Rep Dicks on Libya.

March 30, 2011: The Secretary of Defense and the CJCS conducted all-House and all Senate-Members briefings on Libyan operations.

March 30, 2011: RADM Rogers (J2) briefed SSCI members on Libyan operations.

 QUESTIONS SUBMITTED BY SENATOR DAVID VITTER

INTELLIGENCE ACTIVITIES IN LIBYA

2. Senator VITTER. Admiral Mullen, there are reports that our intelligence agencies are being used within Libya. I fully support the role of these agencies in gathering sensitive and necessary information to safeguard the interest of the United States. In addition, I understand that intelligence operations are a dangerous business. However, in December 2009 a suicide bomber wearing an explosive vest killed eight Americans working as U.S. intelligence operatives in Forward Operating Base

Chapman, Knost Province, Afghanistan, as a result of several security failures. The bomber was a "trusted source" from Jordanian intelligence who was able to murder seven people inside an area under U.S. control. My concern is that the administration, in an attempt to work within the confines of an international coalition's "limited objectives," may be forcing the CIA to work in a military capacity and operate outside of the necessary security guidelines set forth by the CIA. Have the operatives working within Libya been given the necessary tools to accomplish U.S. stated objectives without placing the mission at risk?

Admiral MULLEN. DOD does not currently have any intelligence personnel working within Libya. U.S. Defense Attache Office (USDAO) personnel assigned to the U.S. Embassy in Tripoli departed Libya on 25 February, 2011. USDAO Tripoli had been open since mid-2006. Currently, USDAO Tripoli personnel perform their functions from abroad and have the necessary tools to accomplish their assigned mission. Questions concerning the presence and activities of other U.S. departments and agencies within Libya are best addressed by those organizations separately.

3. Senator VITTER. Admiral Mullen, does the administration have the adequate information on who we are working with in Libya, or what the people of Libya are advocating beyond the removal of Qadhafi?

Admiral MULLEN. Please refer to enclosed desk note for this response.

UNCLASSIFIED

15 April 2011

SUBJ: Desk Note -- (U) Libya: Substantial Intelligence Gaps Remain about the Opposition

Executive Summary. (U) This desk note addresses the following question: Do we have adequate information on who we are working with in Libya, or what the people of Libya are advocating beyond the removal of Qadhafi? Although we have adequate information on specific leaders, there is a lack of reporting on the composition and following of the larger opposition and its expectations for the future. Assessing the Libyan populace's desires is difficult given leader Muammar al-Qadhafi's long-standing control, and reporting does not indicate how the council would create a functioning government, if it were to obtain power. The relationship between opposition military and civilian leadership, and whether opposition leaders can exert command authority over their volunteers are also unclear.

What We Know about the Opposition (U)

- (U) The opposition's interim National Transition Council (NTC) is composed of 31 members who oversee a 15-man military council. Its members represent an extremely diverse set of actors with the shared goal of ousting Qadhafi.
 - (U) Mahmud Jibril, former head of the Libyan Planning Committee, heads the Council's Crisis Management Team, the executive arm of the NTC. The NTC military head is Abd al-Fatah Yunis, the former Libyan Minister of Interior and Special Forces commander.
 - (U) The military is composed mostly of inexperienced volunteers. It lacks organization, weapons, training, and command and control. The army's successes are contingent on coalition airstrikes, and it would likely be unable to sustain military operations or hold territory without strong external support.

Assessment of What the Libyan Opposition Wants (U)

- (U) The NTC's desired end state includes a unified Libya, without Qadhafi, under a popularly-elected government. There is little indication of a common ideology or shared political/military goals that can survive Qadhafi's departure. Throughout his rule, Qadhafi has stifled dissent, hindering an understanding of the populace's desires.
- (U) Libya is deeply divided by region and tribe. The NTC dominates the east, which has historically been at odds with Qadhafi's regime in the west. The NTC's support beyond the east is unclear. Its ability to mobilize the country around its leadership would represent a significant challenge.

Assessment: (U) It is unclear what a Libyan government would look like if Qadhafi were to leave, but there would likely be a significant period of transition between a temporary and more permanent government. Any post-Qadhafi government will face many challenges, as the deeply divided populace will often have conflicting—and often competing—goals.

for  , SES, DDJL
M.S. ROGERS
Rear Admiral, USN
Director for Intelligence, J2

PREPARED BY: Phyllis Pappan, Matt Heilman J22.
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[Whereupon, at 4:28 p.m., the committee adjourned.]

