



**Testimony before the
Committee on Foreign Relations
United States Senate**

**“Civilian Post-Conflict Reconstruction
Capabilities”**

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A Statement by

**Dr. John J. Hamre
President and CEO of the Center for Strategic and
International Studies**

**Senate Foreign Relations Committee
Hearing on Post-Conflict Nation Building
March 3, 2004**

Testimony submitted by Dr. John J. Hamre, President and CEO of the Center for Strategic
and International Studies (CSIS),
with Mr. Frederick D. Barton, Senior Advisor and Co-Director, CSIS' Post-Conflict
Reconstruction (PCR) Project,
Ms. Michèle Flournoy, Senior Advisor, CSIS' International Security Program,
and Ms. Bathsheba N. Crocker, Fellow and Co-Director, CSIS' PCR Project

Mr. Chairman, I am honored to have the opportunity to address this distinguished Committee today on such an important and timely subject. I fully support your efforts to identify and address the key gaps in U.S. civilian post-conflict capacities that are inhibiting fulfillment of our ongoing objectives in Iraq and Afghanistan and that will continue to plague future efforts.

Mr. Chairman, you, Senator Biden, and this entire Committee deserve particular credit for your efforts to bring national attention to these issues, and the Iraq case in particular, beginning with your early hearings in August of 2002 and a continuing series of hearings since then. Your decision to convene a Policy Advisory Group to tackle the tough issues surrounding how to better set up the civilian side of the U.S. government to handle future post-conflict cases, the important legislation you introduced last week, and this hearing today are testament to the seriousness with which you are approaching the challenges the United States faces in improving our civilian capacities to approach future post-conflict cases. This Committee's attention has been critical to the increased attention these issues are now getting, inside the U.S. government, among our friends and allies, and in the eyes of the U.S. public.

Post Conflict Reconstruction: An Enduring Task

Since the successful examples of the reconstruction of Germany and Japan after World War II, the United States has under-invested in the civilian capabilities needed to partner with its military forces to achieve overall success in complex operations. At the same time, the United States has also failed to adequately train, equip, or mandate its military forces for the difficult post-conflict security tasks that those forces are so often asked to carry out.

The United States will spend over \$200 billion on the military and civilian postwar efforts in Afghanistan and Iraq alone. Both places have served to remind us that post-conflict reconstruction operations are an inherent part of modern warfare. Our military forces can win the combat phase of wars decisively, but military operations themselves are rarely, if ever, sufficient to achieving the U.S.'s overall strategic objectives. To decisively win the peace, we need an immediate and sharper focus on developing and institutionalizing the civilian and military capabilities the United States requires for complex operations.

The facts speak for themselves: in nearly every operation from Somalia to Iraq, a lack of rapidly deployable civilian capabilities has left military forces performing tasks for which they

do not have a comparative advantage and has extended the duration of their deployments. Our success rate has been less than impressive: one need look no further than the recent events in Haiti to understand that, despite a well-intentioned intervention, serious resources, and tens of thousands of U.S. “boots on the ground,” without the requisite civilian capabilities to follow-through in the post-conflict phase and the political will to stay the course, countries can easily revert to failing or failed state status. Afghanistan is posing a similar risk, and Iraq could as well.

In the fall of 2001, in response to growing recognition of the gaps in the U.S. government’s ability to respond to the challenges of post-conflict reconstruction, General Gordon Sullivan (USA, Ret.), president of the Association of the U.S. Army (AUSA), and I formed the Post-Conflict Reconstruction (PCR) Project, initially as a collaboration between AUSA and the Center for Strategic and International Studies (CSIS). Together, our two institutions assembled a high-level, bipartisan *Commission on Post-Conflict Reconstruction*, comprised of 27 former U.S. government officials, current members of Congress, experts in the field, and representatives of nongovernmental organizations and the private sector. (A list of Commission members appears at the end of the Commission’s report, *Play to Win*, which is submitted as an attachment to this testimony.)

The Commission issued its final report—*Play to Win*—in January 2003, laying out 17 recommendations detailing how the United States should reconfigure its agencies, personnel, and funding mechanisms to improve response measures in post-conflict reconstruction situations. (*Play to Win* is submitted as an attachment to this testimony, and is available at <http://www.csis.org/isp/pcr/playtowin.pdf>.)

The PCR Project at CSIS is pursuing the implementation of the Commission’s recommendations through extensive interaction with the U.S. government and Congress, including many of you on this Committee and your staffs, and public outreach and education. At the same time, CSIS is undertaking a major project that looks at necessary reforms not addressed in the landmark Goldwater-Nichols legislation. CSIS’ Beyond Goldwater-Nichols Project is developing recommendations, including a chapter on improving U.S. interagency and coalition operations in complex contingency situations.

As you are aware, Mr. Chairman, on the basis of our work, Secretary of Defense Donald Rumsfeld and Ambassador L. Paul Bremer requested that CSIS lead a team of experts to Iraq to perform the first independent assessment of reconstruction efforts there. We had the honor to brief this Committee on our findings and recommendations upon our return from Iraq. (Our trip report, *Iraq’s Post-Conflict Reconstruction: Field Review and Recommendations*, is submitted as an attachment to this testimony, and is available at <http://www.csis.org/isp/pcr/IraqTrip.pdf>.)

New Capacity urgently needed in Civilian Agencies

This body of work only reaffirms the importance of this Committee’s goals, in convening a Policy Advisory Group, holding this hearing today, and the legislation Senator Lugar introduced last week. The Stabilization and Reconstruction Civilian Management Act of 2004 (S.2127) (SARCMA), if enacted, would significantly change the capacities and

authorities available to the civilian U.S. government agencies that carry out post-conflict operations.

Had this legislation been law before the wars in Afghanistan and Iraq, those agencies would have been far better positioned to address the post-conflict challenges in both places.

Our work over the past several years has highlighted in particular four challenging and recurring issues the U.S. government has faced in post-conflict operations:

- The need for enhanced strategy and planning capacities;
- The need for experienced and robustly authorized civilian leadership of the overall reconstruction effort;
- The need for sufficient, flexible, and immediate standby funding; and
- The need to achieve public safety in the aftermath of war.

Your legislation would make several meaningful changes with regard to the first three issues, although further thinking is required, as I lay out below. The public safety question is in part beyond the scope of this Committee's jurisdiction—at least in so far as it involves the U.S. military and Department of Defense—but it must be addressed in order for the U.S. to truly improve its postwar efforts.

Let me briefly address some of the important advances in this legislation.

- **Strategy and Planning.** The SARCMA recognizes the need to formalize the National Security Council's (NSC) role in integrating and coordinating strategy and planning efforts, through the establishment of an NSC directorate responsible for post-conflict operations. It suggests the creation of a new Directorate of Stabilization and Reconstruction Activities within the NSC that would oversee the development of interagency contingency plans and procedures. The creation of a standing interagency committee, as suggested in the legislation, would also address the need for greater interagency coordination in terms of planning and execution of stabilization and reconstruction activities. This is a critical provision and essential if we are to make progress.
- Both *Play to Win* and our *Beyond Goldwater-Nichols* work also emphasize the necessity of clarifying the NSC's role in integrating and coordinating strategy and planning efforts. The interagency disputes over postwar Iraq—and the failure of the NSC early on to ensure appropriate coordination of planning and operations—have had lasting impact on the effectiveness of the Coalition Provisional Authority's (CPA) efforts.
- **Funding.** The SARCMA makes several very important advances in the area of funding, by authorizing, upon a presidential determination, the provision of assistance to respond to crises, and the use of drawdown, account transfer, and waiver authorities that would otherwise be restricted under the Foreign Assistance Act of 1961. The SARCMA also recognizes the need for a flexible, replenishing emergency account to provide assistance for stabilization and reconstruction activities. Importantly, it would also provide much-needed flexibility in terms of contracting and procurement procedures that often delay the start of important

reconstruction work by civilian agencies. (On February 25, 2004, Frederick D. Barton, Senior Advisor and Co-Director of CSIS's PCR Project, and former director of the Office of Transition Initiatives at USAID, testified before the Subcommittee on International Economic Policy, Export and Trade Promotion of the Senate Foreign Relations Committee on USAID's contracting and procurement procedures. Mr. Barton's testimony is included as an attachment to this statement.)

- As highlighted in *Play to Win*, current U.S. funding mechanisms for post-conflict operations lack needed coherence, speed, balance among accounts, flexibility, and effective mechanisms for contracting and procurement. This means, in practice, and as we have seen in Afghanistan and Iraq, that the President does not have the ability to bring the full force of wide-ranging U.S. capabilities to bear on these situations in a timely manner. This constrains our ability to ensure that programs—such as disarmament, demobilization, and reintegration (DDR), deploying emergency justice teams, quick start projects to jumpstart basic services and economies, and support for national constituting processes and civil administration needs—are started quickly, to avoid longer term repercussions. At the same time, post-conflict operations continue to be funded through supplemental budget requests, outside the regular budgeting process.
- **Operational Infrastructure.** Your bill would also address the shortcomings that result from the lack of standing capacity within the State Department to coordinate and oversee the civilian side of stabilization and reconstruction activities. The bill would mandate the Secretary of State to establish an Office of International Stabilization and Reconstruction, headed by a high-level coordinator, with wide-ranging functions related to tracking, planning for, coordinating, and overseeing implementation of activities in crisis situations. Our PCR and Beyond Goldwater-Nichols Projects have highlighted this need. President Bush's decision to give such responsibility to the Department of Defense in Iraq reflects the reality that without a well-staffed and resourced office in the State Department, with appropriately high-level authority and access to principals in the Department, other agencies, and the White House, the President will not be able to rely on the State Department to carry out the essential tasks in countries emerging from conflict or undergoing civil strife.
- Obviously, this Office would require decision-making authority and high-level access, the ability to marshal resources, including personnel, and other necessary special authorities, as discussed below. Your Committee would play an essential role in by following up through oversight hearings to insure the Office is properly empowered.
- Your bill would also respond to another need our work has identified: the creation of civilian rapid response capacity, sorely lacking under the current set-up of our civilian agencies. The SARCMA would establish a robust response readiness force of civilians—both inside and outside the federal government—who would be readily available for deployment to conflict and post-conflict zones. The bill allows for important and needed changes in the State Department's personnel system in order to effectuate and reward the commitment and dedication of Department personnel to take part in such operations.

- **Training and Education.** Finally, the bill would make important advances in the area of stabilization and reconstruction training and education. CSIS' extensive efforts to look at current gaps in U.S. capacities have also recognized the need to establish a U.S. training center for complex contingency operations. Thus *Play to Win* called for the establishment of such a center for training for post-conflict operations. Our Beyond Goldwater-Nichols Project has similarly highlighted the need for a training center for interagency and coalition operations.
- The SARCMA's call for the amendment of the Foreign Service Act of 1980 to include a stabilization and reconstruction curriculum for use in Foreign Service Institute, National Defense University, and Army War College programs would be a crucial step toward institutionalizing the civilian and military capabilities the U.S. needs to succeed in these situations. We second the Committee's recognition of the important work of the U.S. Institute of Peace in the area of training, and look forward to working with the Committee and others to help define the training and education needs in this area.

Mr. Chairman, the Stabilization and Reconstruction Civilian Management Act of 2004 would break more ground than any efforts thus far to address some of the fundamental issues that constrain the ability of U.S. civilian agencies to respond adequately to stabilization and reconstruction tasks, and that have led to the U.S. military being over-stretched to meet global needs. The SARCMA is crucial if we are to succeed in these efforts in the future, and will provide the institutional base upon which those efforts must be built.

Additional Steps needed beyond SARCMA

As the Committee moves forward with this legislation, and looks to build beyond it, there are several important areas that deserve further consideration, and I will address some of those areas briefly.

- First, the United States lacks adequate civilian strategic planning capacities and mechanisms. The U.S. government needs to enshrine a comprehensive interagency strategy and planning process, including presidential guidance that establishes standard operating procedures for the planning of complex operations. Had such a process and guidance been in place before the Iraq war, we would not have seen the ad hoc, under-developed, and duplicative efforts at planning that have plagued the U.S. postwar operations in Iraq.
- In recognition of this strategic planning gap, the PCR Project at CSIS has issued two action strategies (relating to Iraq and Sudan) laying out recommendations of priorities for the U.S. government and the international community in preparing for postwar operations. *A Wiser Peace: An Action Strategy for a Post-Conflict Iraq* was released in January 2003, and *To Guarantee the Peace: An Action Strategy for a Post-Conflict Sudan* was released in January 2004. (Both reports are submitted as attachments to this statement, and can be found, respectively, at <http://www.csis.org/isp/wiserpeace.pdf> and http://www.csis.org/isp/pcr/0401_sudan.pdf.)

- Although the SARCMA recognizes the need for more coordinated contingency planning, and for centralized oversight in the NSC, this and future administrations should ensure that appropriate guidance is in place to organize the cross-agency planning and operational efforts in complex contingencies. Such guidance was promulgated in 1997 as Presidential Decision Directive 56 on Managing Complex Contingency Operations (PDD-56), but President Bush has not yet signed the draft National Security Presidential Directive (NSPD-XX) on complex contingencies that would have provided similar strategy and planning guidance for executive agencies responsible for efforts in Afghanistan and Iraq.
- Congress should also work with the President to ensure that the Secretaries of all agencies likely to be involved in complex operations abroad have the necessary authorities and resources to establish their own planning offices that could lead the development of agency plans and participate in the interagency planning process. Such offices do not currently exist in the civilian agencies where they would be most needed, namely State, Treasury, Justice, and Commerce. May I suggest that this Committee formally contact the leadership of the other authorization committees to encourage them to make this an oversight priority this year.
- Second, as the public safety vacuum in Iraq aptly demonstrates, the United States lacks qualified civilian police that are available for short-notice deployments in post-conflict environments. (The international community more broadly also has a shortage of readily available civilian police for such cases.) In the absence of viable local police forces in many of these environments, our inability to rapidly field civilian police requires U.S. military forces to take on tasks for which they have not necessarily been trained or adequately mandated. Moreover, the U.S. government's legal authority to train indigenous police forces is constrained.
- The Congress and the President should work together to create a standing civilian police reserve force, to round out the civilian personnel needs in conflict and post-conflict zones. The Congress should also consider replacing section 660 of the Foreign Assistance Act with new legislative authority that would provide clearer and more robust authority for the United States to train indigenous police forces in conflict, post-conflict, or civil strife-ridden zones.
- The Senate at some point needs to address the dire need to establish security units that could execute the specific security tasks inherent in post-conflict environments. Competing proposals have already been set forth, from the idea of creating standing units within the U.S. army that would perform stabilization operations (as suggested in a recent National Defense University report) to having NATO structure, train, and equip multinational units to carry out such tasks (as suggested in *Play to Win*). Although addressing this need is beyond the scope of this Committee's jurisdiction, I believe it is worth the Committee's time to recognize this gap in U.S. (and international) capacity. Unless the United States places more focus and attention on this issue, our future post-conflict operations will continue to be undermined by our inability to fill the security vacuums that so often define these environments.

- Third, responding to crises such as Iraq and Afghanistan dwarfs all other State Department activities, yet it is not clear whether the Coordinator of the new Office of International Stabilization and Reconstruction would have the requisite authorities and resources to respond adequately to similar challenges in the future. At a minimum, it should be clear that the Coordinator will have oversight and management responsibility over the new emergency fund, and any other State Department resources that may be tapped into for a particular operation. The Coordinator's authorities over personnel and resources of other agencies involved in responding to any crisis also need clarification. Further consideration should be devoted to the question whether a new State Department bureau, Deputy Assistant to the President for National Security Affairs position, White House office with expanded budget authorities, or a new stabilization and reconstruction agency would more fully address the lagging civilian leadership needs.
- Further, the President should be encouraged to designate one senior official to be in charge of and accountable for integrating U.S. civilian interagency operations on the ground in any country in which the U.S. is providing stabilization and reconstruction assistance.
- Fourth, although it is crucial that the Committee address the problems inherent in the architecture and practices of the State Department, the capacities and role of the international community must also be enhanced if these efforts are to be ultimately successful. Just as the U.S. military should not be the sole or even principal participant in reconstruction efforts, neither should the United States shoulder a disproportionate burden in these endeavors, whether by design or due to our international partners' lack of needed capacities. The President should strive to ensure that the United States works with its partners to more fully integrate the political, military, economic, humanitarian, and other dimensions of complex contingency operations. This will mean everything from sharing information (as envisioned in the SARCMA) to conducting joint planning and training exercises to committing needed resources to strengthen capacities at the United Nations, among NATO countries, and elsewhere.
- Finally, and crucially, although perhaps beyond the scope of this bill, I cannot over-stress the importance of creating "jointness" between the military and civilian sides of any complex operation in which the U.S. is engaged. It is imperative that the military and civilian leadership in the field during any such operation are linked together, through co-location and other means, and that there is one designated point of contact back in Washington to whom they can both report, from whom they can take direction, and who can bring problems and needs directly to the attention of a responsible decision-maker. This type of joint-ness should be established long before any crisis situation arises, through enhanced peacetime opportunities for civilian operators and planners to work with military counterparts, joint training opportunities, and by encouraging military and civilian personnel to spend time working at each others' agencies in Washington. (These same ideas should also be encouraged with respect to working with counterparts from various countries.)

Conclusion

Mr. Chairman, I have been honored to serve on the Policy Advisory Group you established to identify and discuss stabilization and reconstruction activities, and to testify before you today. It is my sincere belief that if you continue to work with Executive agency policy-makers to implement the important changes outlined the Stabilization and Reconstruction Civilian Management Act of 2004, the United States will be better prepared to handle future needs in conflict, post-conflict, or civil strife-ridden areas around the world.

CSIS will remain engaged on these crucial issues. We look forward to continued interaction with this Committee on these pressing questions, which will impact the U.S.'s ability to protect itself, promote its interests and values, enhance its international standing, and improve the lot of people around the globe. We stand ready to engage with you in whichever ways will be most helpful to your important work.