

## HEARING TO RECEIVE TESTIMONY ON THE SITUATION IN SYRIA

WEDNESDAY, MARCH 7, 2012

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

The committee met, pursuant to notice, at 9:05 a.m. in room SD-106, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Lieberman, Nelson, Webb, Hagan, Shaheen, Gillibrand, Blumenthal, McCain, Sessions, Chambliss, Wicker, Brown, 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: Jessica L. Kingston, research assistant; Michael J. Kuiken, professional staff member; Jason W. Maroney, counsel; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; and Roy F. Phillips, professional staff member.

Minority staff members present: Adam J. Barker, professional staff member; Christian D. Brose, professional staff member; Paul C. Hutton IV, professional staff member; and Daniel A. Lerner, professional staff member.

Staff assistants present: Hannah I. Lloyd, Brian F. Sebold, and Bradley S. Watson.

Committee members' assistants present: Vance Serchuk, assistant to Senator Lieberman; Carolyn Chuhta, assistant to Senator Reed; Ryan Ehly, assistant to Senator Nelson; Gordon Peterson, assistant to Senator Webb; Lindsay Kavanaugh, assistant to Senator Begich; Patrick Day, assistant to Senator Shaheen; Elana Broitman, assistant to Senator Gillibrand; Ethan Saxon, assistant to Senator Blumenthal; Lenwood Landrum, assistant to Senator Sessions; Clyde Taylor IV, assistant to Senator Chambliss; Joseph Lai, assistant to Senator Wicker; Charles Prosch, assistant to Senator Brown; Brad Bowman, assistant to Senator Ayotte; Ryan Kaldahl, assistant to Senator Collins; Sergio Sarkany, assistant to Senator Graham; and Dave Hanke, assistant to Senator Cornyn.

### OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. The committee meets today to hear from Secretary of Defense Leon Panetta and Chairman of the Joint Chiefs General Martin Dempsey, to update

the committee on the situation in Syria and to discuss the policies of the administration with respect to Syria.

It was nearly a year ago that demonstrations in Syria peacefully—demonstrators peacefully took to the streets to call for an end to the rule of President Assad and demand an opportunity to choose a leader through a free and fair democratic process. Since those first days of the uprising, the world has watched as the Syrian people have continued to challenge the Assad regime's tyrannical ways. As the weeks and months have passed, peaceful demonstrators have been killed. The tragedy unfolds daily.

According to the United Nations' most recent estimates, more than 7,500 people in Syria have been killed and at least 100 more people are being killed each day. The Assad regime's brutal crackdown has included gross human rights violations, use of force against civilians, torture, extrajudicial killings, arbitrary executions, sexual violence, and interference with access to medical treatment and other humanitarian assistance. These acts, when committed as part of a widespread or systematic attack directed against civilian populations, as is the case in Syria, amount in my view to crimes against humanity.

President Obama's efforts to build a broad international coalition to put massive pressure on Assad have been met with opposition from China and Russia. They vetoed a proposal brought to the United Nations Security Council by the Arab League to establish a Syrian-led political transition to a democratic, pluralistic political system. Despite these vetoes, the UN General Assembly voted overwhelmingly to condemn the Assad regime's brutal use of force against civilians.

Last week the Friends of Syria, which included representatives of the Syrian National Council, Secretary Clinton, and leaders from more than 60 other countries, came together in Tunis, the home of the first Arab Spring uprising, to forge a way forward in Syria, including a call for the Assad regime to end the violence, withdraw its forces from cities and towns, and ensure unhindered access for Arab League monitors.

The Friends also praised the work of the Syrian National Council to form a broad and inclusive body and lay the groundwork for a political transition. And, importantly, they agreed to continue to ratchet up the economic pressure through tough sanctions on the Assad family and its supporters. The dialogue in Tunis also included a robust dialogue about whether there is a feasible way to help those that are under assault by the Assad regime in order to defend themselves.

As the international community continues to search for an avenue, there are a number of questions which we must ask about the nature of the conflict in Syria: What is the makeup of the Syrian opposition? How unified are they and would they be a force for democracy and humane governance should they succeed? What are the objectives of the opposition and who are their benefactors? Is there a political entity, such as the Syrian National Council, that is capable of uniting the small bands of fighters across Syria and then coordinating the efforts of the opposition groups against the Syrian military? Have violent extremist elements infiltrated the opposition movement?

The military questions are of course equally important: What are the military options available? What are the military actions that could be taken and who would they need to be taken by to maximize the chances of success, and what are the risks and down sides to each option? These are just a few of the questions that we hope to discuss with our witnesses this morning.

Just as was the case with Libya, there is a broad consensus among regional leaders and organizations on the preferred outcome in Syria: Assad and his cronies must go. There is not, however, a consensus about how this goal can be achieved. Each situation is different. Unlike Qaddafi, who prevented the formation of a capable and professional fighting force, President Assad and his father before him built a substantial and professional military with a modern air defense capability, a large deadly stockpile of chemical weapons, and well-trained troops. So far, this military establishment has remained mainly cohesive and willing to carry out Assad's brutal order to conduct a violent campaign against his people.

Some observers believe the uprising in Syria, which is led by the Sunni majority, could aggravate sectarian tensions beyond Syria's borders in a region already riven by religious and ethnic divisions over power and territory. Syria is also home to an ethnically and religiously diverse population that includes minority Christian, Alawite, and Druze populations. Some religious leaders are raising concerns about the situation in Syria devolving to the point where there is little tolerance for religious minorities, a situation all too familiar to us following the invasion of Iraq.

We must also try to understand the impact of the conflict in Syria on the region. Elements of Hezbollah and Hamas call Syria home. Perhaps more importantly, it is Iran's sole ally in the Arab world. Iran uses Syria and the terrorist organizations it protects to carry out its destabilizing agenda in the region. Syria is also home to a Russian naval installation, Russia's only regular port of call in the Mediterranean. These are but some aspects of the situation that need to be considered as we develop a path forward.

Our witnesses have the responsibility to provide the President options to address these challenges and to provide him their best professional advice as to the pros and cons of such options. As the committee heard from General Dempsey last month, the Joint Staff has already begun the careful planning necessary to support a full range of potential operations, including, I'm sure, humanitarian airlifts, naval monitoring of multilateral sanctions, aerial surveillance of the Syrian military, and aerial enforcement of safe havens. We look forward to discussing these options and many others with our witnesses this morning.

We thank you both for being here this morning. We are grateful for your steady leadership and we also appreciate your very positive relationship with this committee and its members.

Senator McCain.

#### **STATEMENT OF SENATOR JOHN McCAIN**

Senator McCAIN. Thank you, Mr. Chairman, and I join you in welcoming our distinguished witnesses. Let me thank you, Mr. Chairman, for convening today's hearing on the horrific situation

in Syria. The urgency of this hearing has only grown more important over the past several weeks. It's estimated that nearly 7,500 lives have been lost and many informed observers even think that that figure could be low.

Syria today is the scene of some of the worst state-sponsored violence since the Balkans. What is all the more astonishing is that the violence continues despite the severe international pressure that has been brought against Assad and his regime. Syria is almost completely isolated diplomatically and the regime is facing a punishing array of economic sanctions imposed by the United States, the European Union, the Arab League, and others.

This has been an impressive international effort and the administration deserves credit for helping to orchestrate it. Unfortunately, the violence continues and, worse, it appears to be escalating. Assad seems to be accelerating his fight to the finish, and he's doing so with the active support thus far of Russia, China, and Iran. A steady supply of weapons, ammunition, and other assistance is flowing to Assad from Moscow and Teheran and, as the Washington Post reported on Sunday, Iranian military and intelligence operatives are likely working in Syria to strengthen the regime's crackdown.

General Mattis testified to this committee yesterday that "Assad is clearly achieving what he wants to achieve," that Assad's military campaign is "gaining physical momentum on the battlefield," and that in General Mattis' opinion Assad will "continue to employ heavier and heavier weapons on his people."

Similarly, General Ronald Burgess, the Director of the Defense Intelligence Agency, and James Clapper, the Director of National Intelligence, both told this committee recently that, absent some kind of external intervention, Assad would likely remain in power for the foreseeable future.

The United States has a clear national security interest in stopping the slaughter in Syria and forcing Assad to leave power. The end of the Assad regime could sever Hezbollah's lifeline to Iran, eliminate a longstanding threat to Israel, bolster Lebanon's sovereignty and independence, and remove a committed state sponsor of terrorism that is engaged in the proliferation of weapons of mass destruction. It would be a geopolitical success of the first order and, as General Mattis told this committee yesterday, "the biggest strategic setback for Iran in 25 years."

The President has made it an objective of the United States that the killing in Syria must stop and that Assad must go. The President has committed our prestige and our credibility to that goal and it is the right goal. But the killing continues.

What opposition groups in Syria need most urgently is relief from Assad's tank and artillery sieges in the many cities that are still contested. But time is running out. Assad's forces are on the march. Providing military assistance to the Free Syrian Army and other opposition groups is necessary, but at this late hour that alone will not be sufficient to stop the slaughter and save innocent lives.

The only realistic way to do so is with foreign air power, which could break Assad's siege of contested cities in Syria, protect key population centers, and help the opposition to Assad on the ground

to establish and defend safe havens in Syria where they can organize and plan their political and military activities against Assad.

At the request of the Syrian National Council, the Free Syrian Army, and local coordinating committees inside the country, the United States should help to lead such a military effort in Syria. But, as I have repeatedly said, this does not mean we should go it alone. We should not. We should seek the active involvement of key Arab partners such as Saudi Arabia, UAE, Jordan, and Qatar, and willing allies in the EU and NATO, the most important of which in this case is Turkey.

Rather than closing off the prospects for a negotiated transition that is acceptable to Syria's opposition, military intervention is now needed to strengthen this option. Assad needs to know that he will not win and, unfortunately, that is not the case now.

To the contrary, Assad seems convinced that he can wipe out the opposition through violence and is fully committed to doing so. The ideal political outcome of military intervention would be to change this dynamic, to prevent a long and bloody fight to the finish by compelling Assad and his top lieutenants to give up power without further bloodshed, thereby creating the opportunity for a peaceful transition to democracy, possibly along the lines proposed by the Arab League.

To be sure, there are legitimate questions about the efficacy of military options in Syria and equally legitimate concerns about their risks and uncertainties. It is understandable that the administration is reluctant to move beyond diplomacy and sanctions. Unfortunately, this policy is increasingly disconnected from the dire conditions on the ground in Syria, which has become a full state of armed conflict.

Secretary Panetta, you were chief of staff to President Clinton during much of the debate over Bosnia in the 1990s, including the NATO bombing campaign. More than any of us, perhaps, you remember the many painful years when the UN and the EU kept sending envoys to Milosevic and the Bosnian Serbs pleading with them to agree to reasonable requests, such as lifting the siege of Sarajevo and allowing access to humanitarian assistance. You also remember how the Serb leaders cynically used these diplomatic entreaties to buy time to continue their killing.

In Bosnia and later in Kosovo, we heard many arguments against military intervention. It was said there was no international consensus for action, that the situation on the ground was messy and confused, that it was not clear who we would actually be helping on the ground, and that our involvement could actually make matters worse.

We heard all these arguments about Bosnia, as you know, Mr. Secretary, and now we hear them about Syria again today. We overcame them in Bosnia, thank God, and now we must overcome them in the case of Syria.

I want to close by reading how President Clinton described Bosnia in 1995: "Nowhere today is the need for American leadership more stark or more immediate than in Bosnia. For nearly four years, a terrible war has torn Bosnia apart. Horrors we prayed had been banished from Europe forever had been seared into our minds again."

President Clinton went on to say, and I quote: “There are times and places where our leadership can mean the difference between peace and war and where we can defend our fundamental values as a people and serve our most basic strategic interests. There are still times when America and America alone can and should make the difference for peace.”

Those were the words of a Democratic President who led America to do the right thing in helping stop mass atrocities in the Balkans. I remember working with my Republican friend and leader Bob Dole to support President Clinton in that endeavor. The question for another Democratic President today and for all of us in positions of leadership and responsibility is whether we will allow similar mass atrocities to continue in Syria and whether we will do what it takes to stop them.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.  
Secretary Panetta.

**STATEMENT OF HON. LEON E. PANETTA, SECRETARY OF  
DEFENSE**

Secretary PANETTA. Chairman Levin and Senator McCain: Thank you for the opportunity to be able to discuss with you the ongoing violence in Syria. This tragedy has justifiably evoked the concern and outrage of the United States Government, the American people, and much of the world.

At the outset, I would like to stress that the President and a broad cross-section of the international community have stated unequivocally that Bashar Al-Assad must halt his campaign of killing and crimes against his own people now. He must step aside and he must allow a democratic transition to proceed immediately. Furthermore, through its repeated violations of human rights any government that indiscriminately kills its own people loses its legitimacy. This regime has lost its legitimacy and its right to rule the country.

This situation demands an international response and for that reason the United States has been leading efforts within the international community to pressure Assad to stop his violence against the Syrian people and to step aside. Unfortunately, this terrible situation has no simple answers, and so the result is a great deal of anger and frustration that we all share. There are some members who are concerned about whether we are doing enough to stem the violence in Syria, and that’s understandable. And there are others who are concerned about the dangers of involving ourselves in still another conflict in that part of the world, and that too is understandable.

Let me try and address these concerns by providing some context for what is guiding the administration’s views on Syria and our actions in response to the violence. The turmoil in Syria is clearly part of a larger transformation that has been reshaping the Arab world for more than a year. The change we’ve seen has manifested itself in different ways, sometimes through peaceful protests and negotiations aimed at a more responsive government, but also in other cases in violent uprisings and brutal crackdowns from repressive regimes.

Many countries have been affected by these changes and, although each conflict has its own dynamic, it is part of a broader trend that is fundamentally and irreversibly reshaping the politics of the Arab world. Although this is clearly a challenging and unpredictable period of time, our goal must be to encourage governments to do more to ensure that their people can live in peace and prosperity.

As a global leader with a vital interest in the stability of the broader Middle East, this administration has been determined to do everything we can to positively shape the course of events in the Middle East. But each situation by virtue of the politics, geography, and history of each country is unique and demands a unique response. There can be no cookie-cutter approach for a region as complex and volatile as the Middle East.

Nevertheless, from the outset we have made clear that our response has been guided by three fundamental principles. First, we oppose the use of violence and repression by regimes against their own people. Second, we have supported the exercise of universal rights—right to freedom of expression, the right to peaceful assembly, the right to freedom of thought, conscience, and religion, the prohibition against discrimination, and the right to vote through genuine elections that express the will of the electorate. Third, we support political and economic reforms that can meet the legitimate aspirations of ordinary people throughout the region. These basic principles have shaped our response to Tunisia, to Egypt, to Libya, and now Syria.

The violence there has become increasingly dire and outrageous. As Secretary Clinton has noted, the Assad regime has ignored every warning, squandered every opportunity, and broken every agreement. We are forging an international consensus that the Assad regime's brutality must end and that a democratic transition in Syria must begin.

Although China and Russia have repeatedly blocked the UN Security Council from taking action, the UN General Assembly has given full support to the Arab League's transition plan, delivering a clear message from the international community that the Assad regime has lost its legitimacy, and there are continuing efforts to try and agree on a Security Council resolution as we speak.

The administration's focus now is on translating that international consensus into action along four tracks. First, we are working to increase the diplomatic and political isolation of the Assad regime and encouraging other countries to join the United States, the European Union, and the Arab League in imposing sanctions on the Assad regime. These sanctions are having a significant impact.

Second, we are providing emergency humanitarian assistance to the Syrian people, with an initial commitment of \$10 million, and we are working to broaden our efforts at relief.

Third, we are working with the Friends of Syria and other groups to help strengthen the opposition, to try to encourage the various opposing groups to unify and lay a groundwork for a peaceful, orderly transition to a democratic government, a government that recognizes and respects the rights of all Syrians, including minorities.

And fourth, we are reviewing all possible additional steps that can be taken with our international partners to support the efforts to protect the Syrian people, to end the violence and ensure regional stability, including potential military options if necessary.

This approach has succeeded in putting unprecedented pressure on Assad, but it is clear that there is no simple or quick solution to this crisis. We believe that the best resolution to this crisis will be a peaceful political, democratic transition led by the Syrian people along the lines suggested by the Arab League. We believe there's still an opportunity to try to achieve that goal.

Although we will not rule out any future course of action, currently the administration is focusing on diplomatic and political approaches, rather than military intervention. Guided by our approach from Libya and elsewhere, we believe it is important in this instance that we do the following: that we build multilateral international consensus for any action that is taken; two, that we maintain clear regional support from the Arab world; three, that we make substantial U.S. contributions to the international effort, especially where the United States has unique resources that can be brought to bear; four, we need to have a clear legal basis for any action that we take; and five, keep all options on the table, but recognize that there are limitations of military force, especially with U.S. boots on the ground.

Each situation, as I said, is unique and, as I've said, there is no simple solution here. The reasons for the differences between our approach with Libya and the current approach to Syria are clear. Although there has been widespread support in the Security Council and the Arab League for military intervention in Libya, no such consensus currently exists with regards to Syria.

For us to act unilaterally would be a mistake. It is not clear what constitutes the Syrian armed opposition. There has been no single unifying military alternative that can be recognized, appointed, or contacted. While the opposition is fighting back and military defections and desertions are on the rise, the Syrian regime continues to maintain a strong military. As Secretary Clinton has noted, there is every possibility of a civil war, and a direct outside intervention in these conditions not only would not prevent that, but could make it worse.

Even though our current approach is focused on achieving a political solution to this crisis, the Assad regime should take no comfort. The pressure is building on the regime every day, and make no mistake, one way or another this regime will meet its end. We will continue to evaluate the situation and we will adjust our approach as necessary.

Let me close by briefly addressing the United States' broader strategic interest in Syria and the region. The stability of Syria is vital to this region and to Turkey, Lebanon, and Iraq and Israel. All of these countries and the United States have a strong interest in preventing a humanitarian crisis in Syria. But perhaps most notably, Syria is a pivotal country for Iran. As Senator McCain pointed out, Syria is Iran's only state ally in the region and is crucial to Iran's efforts to support those militants throughout the region who threaten Israel and threaten regional stability.

Unrest in Syria has already greatly weakened Iran's position in the region and it is clear that Iran only stands to lose further as Assad is weakened further. As groups such as Hamas distance themselves from the Assad regime, Iran is quickly becoming the Assad regime's lone backer. This shows the world the hypocrisy of Teheran.

I cannot predict how this volatile situation in Syria will unfold, but the United States has made clear that we are on the side of the Syrian people. They must know that the international community has not underestimated either their suffering or their impatience. We all wish there was a clear and unambiguous way forward to directly influence the events in Syria. That unfortunately is not the case. That is not an excuse; that is reality.

Only our clear path—our only clear path is to keep moving in a resolute, determined, but deliberate, manner with the international community to find a way to return Syria to the Syrian people.

Thank you.

[The prepared statement of Secretary Panetta follows:]

Chairman LEVIN. Thank you very much, Mr. Secretary.

General Dempsey.

**STATEMENT OF GEN MARTIN E. DEMPSEY, USA, CHAIRMAN,  
JOINT CHIEFS OF STAFF**

General DEMPSEY. Thank you, Mr. Chairman, Senator McCain, distinguished members of the committee. I appreciate the opportunity to meet with you today and discuss the evolving situation in Syria. The situation is tragic for the people of Syria and for the region. Real democratic reform should have been the Assad regime's response to last year's peaceful protests. Instead, the regime responded with brutality.

Syria's internal convulsions are having consequences for a region already in turmoil. Refugees are fleeing. Spillover into neighboring countries is an increasing concern. We also need to be alert to the movement of extremists and other hostile actors seeking to exploit this situation. And we need to be especially alert to the fate of Syria's chemical and biological weapons. They must stay exactly where they are.

With other conscientious nations, the United States is applying diplomatic and economic pressure on the regime to compel Assad and his accomplices to stop killing their own. Our military's role has been limited to this point to sharing information with our regional partners. But should we be called on to help secure U.S. interests in other ways, we will be ready. We maintain an agile regional and global posture. We have solid military relationships with every country on Syria's borders.

Should we be called, our responsibility is clear: Provide the Secretary of Defense and the President of the United States with options. All options will be judged in terms of their suitability, their feasibility, and their acceptability. We have a further responsibility to articulate risk and the potential implications for our other global commitments.

In closing, I want to assure this committee, you and the Nation that America's armed forces are always ready to answer our Nation's call. I am prepared to answer your questions.

[The prepared statement of General Dempsey follows:]

Chairman LEVIN. Thank you very much, General.

Let's try a 7-minute round.

Secretary Panetta, the Arab League has proposed a transition plan. Has the Arab League requested military intervention in Syria?

Secretary PANETTA. It has not.

Chairman LEVIN. Did they support military intervention in Libya?

Secretary PANETTA. They did.

Chairman LEVIN. What explains the difference?

Secretary PANETTA. I think they share some of the same concerns that we do with regards to the situation in Syria and just exactly what kind of military action would have the kind of impact that we all desire. Because of the divisions within the opposition, because of the situation that is occurring there and it's volatile and unpredictable, I think that those concerns have impacted on their decisionmaking here.

Chairman LEVIN. General Dempsey, you've made reference to putting together options for the President should he decide to move in one direction or another. Without telling us what you would recommend, can you give us kind of a menu of military options which might be available?

General DEMPSEY. Yes, I can actually discuss them in greater detail in closed session if you choose to do that. But you mentioned the principal options in your opening statement, which would include humanitarian relief, no-fly zone, maritime interdiction, humanitarian corridor, and limited aerial strikes, for example.

We're at what I would describe the commander's estimate level of detail, not detailed planning; have not been briefed to the President, have been discussed with the President's national security staff, and, as General Mattis testified yesterday, the next step would be to take whatever options we deem to be feasible into the next level of planning.

Chairman LEVIN. Would the use of air power against their troops be an option? And tell us about the air defenses that Syria has?

General DEMPSEY. Well, first of all, as you know, we're extraordinarily capable and we can do just about anything we're asked to do. In doing it, we have some considerations that we would make in terms of whether we would do it alone or with partners, as Senator McCain said clearly. We generally, in fact always, provide a better outcome and a more enduring outcome when we work with partners, especially in that part of the world.

The ability to do a single raid-like strike would be accessible to us. The ability to do a longer-term sustained campaign would be challenging and would have to be made in the context of other commitments around the globe. I'll just say this about their air defenses: They have—and again, I can speak more openly in a closed session about their exact capabilities. But they have approximately five times more sophisticated air defense systems than existed in Libya, covering one-fifth of the terrain. All of their air defenses are arrayed on their western border, which is their population center. So five times the air defense of Libya, covering one-fifth of the terrain, and about ten times more than we experienced in Serbia.

Chairman LEVIN. Has NATO taken up the issue of some kind of an intervention militarily in Syria?

Secretary PANETTA. Not at this point.

Chairman LEVIN. Would it not be useful as a either preliminary consideration or as an important signal to the Libyan regime that at least NATO take up the question?

Secretary PANETTA. I believe that NATO ought to take up the question.

Chairman LEVIN. Can you make sure that that happens, or recommend at least to the President that that be done?

Secretary PANETTA. Yes.

Chairman LEVIN. I think that would be an important signal to the Syrian regime.

General Mattis recently indicated to the committee that President Assad's regime is going to fall, and he said it's just a matter of when and not if. Do you share that assessment and are you as confident that that will happen, and do you attach any conditions to that happening? Secretary, let me start with you.

Secretary PANETTA. I've heard the intelligence and I share the assessment that it isn't a matter of if he'll fall, but when.

Chairman LEVIN. And is that dependent on our actions or other actions against him, or is that going to happen even with the current momentum and the current status quo continuing?

Secretary PANETTA. I think—I've asked the same question of our intelligence people and I think their view is that the state of this insurgency is so deep right now and will continue into the future that ultimately he will fall one way or the other.

Chairman LEVIN. General, can you tell us what capabilities there are to get additional weapons to the insurgents or the opposition, and also tell us what weapons Assad is getting and from what source? If you can try to give us as best you can the type of weapons that could be provided to the opposition and what weapons are actually going into Assad and from where?

General DEMPSEY. I can't speak in open session about the source of his weapons, except to say—I will in closed session—except to say that he has some security arrangements with others, both in the region and outside the region, to provide weapons, what we would describe in our situation as a foreign military sales program. I mean, he has an existing foreign military sales agreement with at least two nations, that I can discuss in closed session.

Chairman LEVIN. Are you able to tell us what Iran is supplying?

General DEMPSEY. I can in closed session.

Chairman LEVIN. Not here, okay.

Could you give us some idea in open session? In other words, are you able to give us, if not precisely, can you give us just some general estimate or idea as to what's going in from Iran, types of weapons and quantity, without being too precise.

General DEMPSEY. I would describe—if Iran succeeds in some of their movements of weapons to Syria, and they have, then it would be largely smaller caliber rocket-propelled grenades, anti-tank weapons.

The other actors who have open foreign military sales agreements are generally upper tier stuff, including air defense.

Chairman LEVIN. Thank you.

Thank you both.  
Senator McCain.

Senator MCCAIN. Well, General Dempsey, is the reports in the Washington Post accurate about Iranian involvement? We don't need a closed session, I don't think, for you to say whether the Washington Post is correct or not.

General DEMPSEY. The Washington Post has—parts of their reporting are accurate, yes, Senator.

Senator MCCAIN. Thank you.

Secretary, General Mattis testified before the committee yesterday that the departure of Assad from power, as you stated, would be the “biggest strategic setback for Iran in 25 years.” You're basically in agreement with that statement?

Secretary PANETTA. I agree with that.

Senator MCCAIN. By the way, the Kuwaiti parliament has called for arming the opposition. The Saudi foreign minister called for it. Other elements of the Arab League are calling for it. Clearly, it's just a matter of time before the Arab League takes a stronger position on it.

General Mattis told us, General Dempsey, yesterday that Assad's crackdown is “gaining physical momentum.” Do you agree with General Mattis's statement?

General DEMPSEY. I do. He has increasingly used heavier weapons.

Senator MCCAIN. So even though you agree that sooner or later Assad will fall, at the moment he happens to be, including regaining control of Homs, gaining momentum; is that correct?

General DEMPSEY. That is correct.

Senator MCCAIN. So would you characterize this as a fair fight, when he's using artillery and tanks to kill Syrians?

General DEMPSEY. I would characterize the Assad regime as brutalizing their own citizens.

Senator MCCAIN. I see. But since sooner or later he will fall, we don't have to act?

The President said yesterday he has taken no options off the table. Mr. Panetta, in the case of Syria you said in your opening statement that includes “potential military options if necessary,” you said in your statement. And yet, Admiral Stavridis and General Mattis stated that there had been no contingency planning either in NATO or CENTCOM. Will there be some contingency planning?

Secretary PANETTA. We have looked at a number of options that could be involved here.

Senator MCCAIN. But will there be contingency planning?

Secretary PANETTA. We have not done the detailed planning because we are waiting for the direction of the President to do that.

Senator MCCAIN. The President—Mr. Secretary, President Obama issued a presidential directive stating: “The prevention of mass atrocities is”—this is a presidential directive—“a core national security interest of the United States.” That's the administration's policy. With at least 7,500 and possibly more than 10,000 dead, with Assad using tanks, “gaining momentum” according to General Mattis, would you agree that mass atrocities have occurred and are occurring in Syria?

Secretary PANETTA. I don't think there's any question that we're experiencing mass atrocities there.

Senator MCCAIN. So the President said yesterday he's taken no options off the table, and you said in your opening statement that includes, as I mentioned, potential military options if necessary. Can you tell us how long, how much longer the killing would have to continue, how many additional civilian lives would have to be lost, in order to convince you that military measures of this kind that we are proposing necessary to end the killing and force to leave power, how many more have to die? 10,000 more? 20,000 more? How many more?

Secretary PANETTA. I think the question, as you stated yourself, Senator, is the effort to try to build an international consensus as to what action we do take. That makes the most sense. What doesn't make sense is to take unilateral action at this point.

As Secretary of Defense, before I recommend that we put our sons and daughters in uniform in harm's way, I've got to make very sure that we know what the mission is. I've got to make very sure that we know whether we can achieve that mission, at what price, and whether or not it will make matters better or worse. Those are the considerations that I have to engage in, and obviously the administration believes that every effort ought to be made to deal with those concerns in the international setting to try to build the kind of international consensus that worked in Libya and that can work in Syria if we can develop that.

Senator MCCAIN. Well, let me tell you what's wrong with your statement. You don't mention American leadership. Americans should lead in this. America should be standing up. America should be building coalitions. We shouldn't have statements like that we are not going to intervene no matter what the situation is. Such has been, at least up until now, the statements by the administration and the President.

In past experiences, those that I mentioned before, America has led. Yes, it has been multilateral and multinational, as is absolutely vital. We're not leading, Mr. Secretary.

General Dempsey, again I hear the same old refrain that I've heard for many, many years: "It's not clear what constitutes the Syrian armed opposition." That was the same argument that this administration used for not intervening in Libya at the beginning.

And by the way, I might add that the prime minister and deputy prime minister of Libya are former professors at the University of Alabama, far better than being from Senator Lieberman's alma mater. But anyway.

So we can find out who they are. We can find out who they are. They're not fighting and dying because they're Al-Qaeda. They're not fighting and dying and sacrificing their lives because they're Muslim extremists. They're fighting and dying because they want the same universal rights and freedom that we guaranteed in our Constitution.

So I reject the argument that we "don't know who they are." We spend a lot of money on defense and we spend a lot of money on intelligence. We should know who these people are and it would be easy enough to find out. The best way, of course, to help them orga-

nize is to provide them with a safe haven where they can organize and train and equip.

We are allowing—I was interested in your answer, and I'll conclude with this, that, well, sooner or later Assad will fall. I don't disagree with that. Meantime, he's gaining momentum. He's regained Homs. The death count goes up and the atrocities continue.

Yet the President says a core national security interest of the United States is the prevention of mass atrocities. Mass atrocities are going on. I would hope that America could lead and exercise the options necessary to stop these atrocities, as has been the actions of the United States of America in the past in both Republican and Democratic administrations.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman.

Thanks to Secretary Panetta, General Dempsey. On this question of what to do in Syria, I'm of like mind with Senator McCain, except on the unfortunate reference to the brave graduates of Yale University. I'll have to talk to him later about that.

Perhaps we are of like mind because we went through in the 90s together similar circumstances in Bosnia and Kosovo. Secretary Panetta, certainly in Bosnia you were there in the White House. I would say—and in each case the American entrance into that conflict was late, but had a very constructive effect and a civil war was terminated.

In my opinion, the humanitarian and strategic arguments for the United States to be involved, to help lead an international effort which is military to stop the slaughter in Syria are actually greater than the were in the case of either Bosnia or Kosovo. There obviously is, as great as those were, there obviously is the humanitarian crisis, which is that, as we've all agreed, Assad is slaughtering his people. He has them out-gunned and for all we know he'll keep doing it and not leave office until he's worn them down.

Beyond that are all the strategic reasons that I think we also agree on, which is how positive it would be if Assad, who's the only ally of Iran, at this critical moment is taken down, how liberating it would be to the Lebanese people next door, who have suffered under Syrian repression.

There's another element to this, too, which perhaps is so unique and different that we're not giving it enough weight. In our foreign policy, we've done a lot of things over the years, including in recent years, to try to essentially regain the confidence of the Arab world, of the Muslim world. And we have here a moment where the Arab League, the Gulf Coordinating Council, Turkey, are out there—I know Turkey's not the Arab world, but in the region—are out there against what's happening in Syria. I think if we seem to be holding back—and incidentally, I think those countries are out there both because they see their own strategic interest in this, but also because their people are demanding it, because of the wave of change sweeping across the region.

So to me this is both humanitarian, strategic in terms of its negative effect on Iran if we can bring, help bring Assad down, but also can help improve our relations with not just our allies in the

Arab world, but the so-called Arab street. When I've been to Libya, as an example, the U.S. and NATO are naturally extremely popular and there's a lot of appreciation for them because in their hour of need we were there. I hope and pray that we can come to do that again with regard to Syria.

I agree this is not something we should do alone. But the truth is without American leadership helping to organize this coalition and being prepared, as you've suggested, to provide some of the critical resources that we have, it won't happen in a timely way and it won't be successful.

I want to say very briefly, to me, I have kept saying that the factors that led us into Libya with an international coalition are here. They're happening. We worried about mostly, about a humanitarian disaster. They're here.

But, Secretary Panetta, you've cited a few reasons why Syria is different from Libya and, respectfully, I want to offer a different view. One is that there was widespread support in the Security Council and the Arab League for military intervention in Libya. No such consensus exists regarding Syria. That's literally true, and that's particularly because of Russia and China and what they're doing in the UN. But within the Arab League there's clearly a lot of interest in a military intervention in Syria. The same is true of the Gulf Coordinating Council. And I take it that the Saudis and Qataris are thinking of beginning to arm the Syrian opposition as well.

The other thing I want to say is that in Kosovo, as we all remember, the U.S. with a coalition of the willing acted without UN Security Council approval because again there were one or two nations blocking it. So that shouldn't stop us from acting.

The second concern is that we hear all the time the Syrian armed opposition is—we're not sure who they are, they have no single coordinating person at the top or group at the top. Again I agree, but that was true in Libya as well. The militias that formed in different parts of the country were not connected. In some sense they were hostile to one another. You can see that playing out in some ways in Libya today.

But when the international community came in it gave strength—with military assistance, it gave strength to the Transitional National Council there and they worked together with our assistance to bring about the change that occurred.

Finally, the statement that military intervention would not prevent civil war, but could expedite it. I know Secretary Clinton said something to that effect. Obviously there is a civil war going on now, and recent history shows that foreign military intervention in Bosnia, Kosovo, and Libya has actually, Libya most recently, has actually been critical in ending civil wars in those countries and the absence of foreign military intervention in countries like Rwanda, the Congo, Somalia, and others has doomed those countries to suffer through extended civil wars.

So I think the clock is running. People are being killed in great numbers every day. I think if we don't get the international community together in a coalition of the willing soon, we're going to look back and say we not only didn't do the right thing morally to stop innocents from being killed, we missed an extraordinary stra-

tegic opportunity to strengthen our position and the position of free people in the Middle East.

I want to give you an opportunity to respond if you will, without asking—if you want to, without asking a specific question.

Secretary PANETTA. Senator, I guess I want to make the point that the concerns that Senator McCain and you and others have expressed are exactly the concerns of the administration. We're not divided here and we are not holding back. This administration has led in Iraq, we've led in Afghanistan, we've led in the war on terrorism, we led in Libya, and we're leading in Syria. We are working with those elements to try to bring them together.

If the agreement here is that we ought not to just simply go in unilaterally, then we have to build a multilateral coalition. We've got to be able to work at that. It's not that easy to deal with some of the concerns that are out there. But nevertheless we're working at it. Secretary Clinton is working at it every day. There are diplomats that are engaged on this issue. We are trying to engage with NATO. We are trying to engage with these other countries. There are other countries that are interested in trying to provide provisions. We are working with them, we are talking with them. And we are looking at every option to try to put that in place.

Can it happen today? Can it happen now? No. It's going to take some work. It's going to take some time. But when we do it we'll do it right. We will not do it in a way that will make the situation worse. That's what we have to be careful of.

Senator LIEBERMAN. Well, I thank you for the statement. I'm encouraged by it, and all I can do is plead with you and other nations that we're reaching out to to move as quickly as possible, because people are dying every day and strategic opportunities are being lost.

The fact is that we have an opportunity here and it's also a responsibility, and I think it's critically important that we exercise it.

I'd say finally that I know some people continue to hope that a way can be found for President Assad to leave the country and usher in the democratic process of transformation that we've talked about. From everything I hear, everything I see, he will only do that if he thinks his life, his regime, is really in jeopardy. And right now I think he thinks he's dominant and has the kind of momentum, physical momentum that General Mattis, General Dempsey, spoke about today.

So the sooner we put international military pressure on the Assad regime, the sooner we have a chance to end this peacefully.

Thank you.

Thanks, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Lieberman.

Senator Brown.

Senator BROWN. Thank you, Mr. Chairman.

Mr. Secretary, you said we're leading in Iraq, Afghanistan. I don't disagree with that. Leading in Syria, I haven't really seen it yet, and maybe that's because we're not privy to the information you are.

And I would suggest, Mr. Chairman, based on some of the intelligence that we would need to make those determinations, that we set up a secure briefing so we can better understand the intricacies

of what's happening, because right now I agree with everything, surprisingly, that Senator Lieberman said, and that is I think very important. It was very well said about we're missing a potential opportunity.

That being said also, I'd like to shift to General Dempsey. We know that Syria has substantial chemical and biological weapons stockpiles. We also know that the regime will eventually collapse. That seems to be the general consensus. Is there a plan available to address that weaponry and do we have an elimination plan of any kind set up?

General DEMPSEY. That's another one of those, Senator, I would very much like the chance to talk with you about it, but not in open hearing. But I'll give you the magnitude: 100 times more than we experienced in Libya.

Senator BROWN. Great. Thank you. I would like that opportunity to get that briefing, once again.

Sir, based on what you saw in Libya, what are some of the lessons we need to—that we learned, that we need to apply to any thoughtful consideration of military intervention in Syria? Because I ultimately, I recognize that Libya was not—everyone basically hated Qaddafi. They wanted to get him out. We had the Arab League. We had a broad coalition. I know the UN problems that we're having.

But I recognize what Senator Lieberman and Senator McCain said, that we do have a lot of thoughtful, concerned partners in that part of the region that want to step up. Is there a chance we would move without the UN and just with those partners to take advantage of that leadership role that we should have?

General DEMPSEY. Well, look. You know my job, Senator, is to place military options in context. So when you asked me about lessons learned that are transferable from Libya to Syria, sure, there are some tactically for sure: how to enable indigenous forces on the ground without boots on the ground.

But the context of this—you know, I just, I very much want to elevate our thinking here about this. We're talking about Syria, but we're looking at it through a soda straw. And it doesn't exist as an individual, isolated country. It's in the context of the region. It's in the context even of actors outside the region. The inside of Syria is a far different demographic, ethnic, religious mix than it was in Libya. And we need to understand that before we seek to use a particular template to solve the challenges they face.

And it's not just about the military. I know that the Secretary and I happen to be the face of the military, but this issue has to be dealt with in context and we're looking at it through a soda straw.

Senator BROWN. Mr. Secretary, who aside from the United States do you think is in the best position right now to exert the most effective pressure on the Assad regime?

Secretary PANETTA. There's no question in my mind that Russia could play a very significant role in putting pressure on Assad. They've got a port there. They have influence there. They have dealings there. Unfortunately, the position they've taken in the UN was to oppose the resolution, and that's a shame.

But there's no question that they and the Chinese, if they wanted to advance the cause of the Syrian people, they could bring great pressure on them to do the right thing.

Senator BROWN. I'm presuming Secretary Clinton is working and reaching out?

Secretary PANETTA. That's correct.

Senator BROWN. Thank you.

I'm all set, Mr. Chairman. Thank you.

Chairman LEVIN. Thank you very much, Senator Brown.

Senator Reed is not here. Senator Nelson is next.

Senator NELSON. Thank you, Mr. Chairman.

Thank you, gentlemen, for your distinguished service.

It's been reported that Al-Qaeda leader Ayman Zawahiri and other violent extremists have called on members of their group to support the uprising in Syria. And General Mattis before the committee yesterday stated that there is already evidence that the terrorist network is involved in supporting the opposition.

Do we have an idea regarding the number of violent extremists that are engaged in the uprising, Mr. Secretary?

Secretary PANETTA. We do, but I would prefer to—

Senator NELSON. Oh, no.

Secretary PANETTA.—discuss that in closed session.

Senator NELSON. No, no, I understand. But we do have an idea, so it's not that we don't have the intel.

Secretary PANETTA. We have intelligence.

Senator NELSON. We have the intel. And do we have an idea of what sort of outside assistance they're getting as well? You don't have to tell me what it is necessarily.

Secretary PANETTA. That's correct.

Senator NELSON. Do we have some idea of what Iran is providing in the way of outside assistance?

Secretary PANETTA. That's correct.

Senator NELSON. To the level of detail that we need to have?

Secretary PANETTA. As a former Director of the CIA, I would like a lot better detail.

Senator NELSON. Always one more detail. I understand that, of course, yes.

If the decision to arm the Syrian opposition force is predicated on defining the force, how long do you think it might take us to be able to have that definition of the force if a decision is made on a multinational basis to engage in arming that force internally?

General DEMPSEY. Again, in open session I'll say there's approximately 100 groups that we've identified as part of the opposition, rough numbers.

Senator NELSON. And some of them aren't necessarily the terrorist organizations?

General DEMPSEY. No, no. In fact, we can go into that more in closed session as well, but we're not suggesting that that part of al Qaeda that has made its way to Syria has aligned itself or is in bed with the opposition. But they're there trying to exploit it, and so that's a factor that we have to consider.

Of those groups, to your question about how long would it take us if we chose to do something through the opposition, the question would be how quickly—not how quickly we could, let's say, vet

them all, but how quickly we could vet enough of them that could form some kind of coherent core. But it doesn't exist today. Despite our aspirations and hopes that it would, it doesn't exist.

Senator NELSON. It hasn't occurred yet, but it could occur on its own, but there is some concern about it getting worse before it gets better, more people dying in the interim. So obviously time is of the essence in trying to get international interest in this, given the fact that we've got two of the largest countries in the world not supporting our efforts.

If we made the decision and we have a multinational force and we have 100 groups to go through, how reasonable do you think it is that you'll get a coalescence of those groups? Will providing the arms and providing support, if we don't put boots on the ground, that that coalescence will occur? Do we think that it will happen that way, or will they be just disparate and devolve into some sort of a civil war?

Secretary PANETTA. Senator, I really wish we could predict that. But it's dangerous to do that. We faced somewhat the same situation in Libya. In heading up the intelligence operation there, it was one of the first orders of business, was to try to figure out who the opposition was and where they were located and what they were doing, what kind of coordination they have.

Here you've got triple the problem because there are so many diverse groups that are involved. Whether or not they can find that one leader, whether they can find that one effort to try to bring them together in some kind of council, there are efforts to try to make that happen, but frankly they have not been successful.

Senator NELSON. Are we in a position where we have plans in place in the event that we engage in Syria to some extent or another to deal with the potential of the chemical weapons that they currently have?

Secretary PANETTA. I think, as General Dempsey has pointed out, that is clearly one of our great concerns and we have developed options to try to address those concerns.

General DEMPSEY. If I could reinforce, if you think it's a concern of ours, you can imagine the concern it is of Syria's neighbors. So we are in consultation with them about that challenge.

Senator NELSON. What are the chances of neighbors in the region working with us—perhaps they are—working with us to get multinational interest in this?

Secretary PANETTA. There are efforts to try to engage the neighbors with regards to the issues in Syria, and the neighbors clearly share the concerns that we all have with regards to the situation there. Two neighbors are being directly impacted by refugee problems, both in Turkey and Jordan. We're engaging with both of them. And we're engaging with others to try to see what we can do to try to build at least a coalition of those countries to try to engage with regards to some of the issues there.

Senator NELSON. Well, in our efforts to do that do we think that they're getting sufficiently motivated and sufficiently concerned to engage in some joint effort with their neighbor, Syria?

Secretary PANETTA. I think there is great concern, and they're experiencing directly the concern, not only from the refugees, but from the fallout of what's going on in Syria. And they too are con-

cerned about what ultimately happens there when Assad is removed or steps aside, what are going to be the consequences within Syria itself, because that could have a huge impact on them as well.

Senator NELSON. Thank you both and thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Nelson.

Senator Ayotte.

Senator AYOTTE. Thank you, chairman.

Thank you, Secretary Panetta. Thank you, General Dempsey.

I would like to ask about the role of China and Russia here. Let me just say up front—I'm sure you'll agree—that it's outrageous that China and Russia blocked the UN resolutions, both of them, also most recently in February. As I understand it, according to the Center for Strategic and International Studies report that was issued in June 2010, the arms imports from Russia to Syria between 1997 and 2008, that really Russia's been a leading arms supplier to the Assad regime. Is that the case?

Secretary PANETTA. That's true.

Senator AYOTTE. Do they continue to provide arms to the Assad regime now?

General DEMPSEY. Yes, Senator, they do.

Senator AYOTTE. So Russia is continuing to provide arms to the Assad regime as they murder their own people?

General DEMPSEY. They have a longstanding foreign military sales relationship with them and it continues on unabated.

Senator AYOTTE. And it doesn't seem to matter to Russia at all that they are using these arms to murder their own people. It's outrageous.

As I understand it, China has also provided in the past arms to the Assad regime as well, to a lesser extent.

Secretary PANETTA. Let me get back to you, because there are other areas of assistance, but I'm not sure about arms.

Senator AYOTTE. Okay. Well, I would appreciate a follow-up to that. But they certainly to some extent have provided assistance to the Assad regime in the past. Do we know if they're providing any assistance now of any type?

General DEMPSEY. No, I haven't been tracking intelligence on China's role in arms sales. Iran and you noted Russia from the report.

Secretary PANETTA. But I think economically they have had ties into Syria that they still are trying to maintain.

Senator AYOTTE. Is it not true also that, with respect to our posture with Iran in terms of wanting to impose the toughest economic sanctions possible to ensure that Iran does not develop nuclear weapons capability, that Russia and China are a key to that, because we know that Russia has actually an economic interest, unfortunately, in the Iranian nuclear program and that China relies heavily on Iran for oil exports? Is that not true?

Secretary PANETTA. Correct.

Senator AYOTTE. And yet they have failed also to step up to the plate to impose the types of tougher sanctions we would like them to do so that the world is together to stop Iran from acquiring nuclear weapons capability; is that not true?

Secretary PANETTA. You're correct.

Senator AYOTTE. So what can we do to be tougher on Russia and China if they are going to take their position in the world as part of the world leadership? I view their behavior in blocking the UN resolution as irresponsible and also the fact that they haven't stepped up to the plate to make sure that we stop Iran from acquiring nuclear weapons capability. It's all related and it's obviously very detrimental to the safety of the world. What should we be doing there to be tougher on them?

Secretary PANETTA. Obviously, you should hear this directly from Secretary Clinton, but my knowledge is that Secretary Clinton is exhausting every effort to try to engage both Russia and China in this effort, particularly Russia because, as I said, Russia because of its longstanding relationship there, because it owns a harbor in Syria and has the record that you just described with Syria, that Russia could, if they wanted to accept the responsibility that they should, they could be helpful here in the effort to try to remove Assad.

Senator AYOTTE. Well, I appreciate that, those efforts. You know, Mr. Putin just got reelected and I would hope that he wouldn't want the blood of the deaths of Syrians on his hand and that he would stop selling arms to the Assad regime, and of course that both Russia and China would step up, support the UN resolution. And both those countries in my view, I don't know why they would not want to pursue every possible means to stop what is happening and the bloodshed there.

I appreciate all of your efforts on it and I hope that they understand that we're very serious about that. And we will in the Congress look at actions we can take, too, because this is really wrong and they're on the wrong side of history, both with respect to the Syrian regime. They're on the wrong side of history with respect to Iran, and they will look back at this as a big mistake by both of these countries if they don't step up to the plate right now.

I also wanted to ask about the Assad regime's relationship just with some of the groups that we have labeled terrorist groups. What's the Assad regime's relationship with Hezbollah?

Secretary PANETTA. Again, I think that's probably better addressed in a closed session in terms of the specific relationship. But there has been a longstanding relationship between Hezbollah and Syria. It's actually diminished of late. Hezbollah has kind of stood aside while—and hasn't directly been involved in some of the violence that's taken place in Syria.

Senator AYOTTE. Thank you.

Also with Hamas?

Secretary PANETTA. Hamas the same, the same thing.

Senator AYOTTE. In fact, as I understand, at least based on public reports, Hamas is actually stepping back from the situation. Yet Iran has not stepped back?

Secretary PANETTA. Correct.

Senator AYOTTE. They're continuing to push forward.

Secretary PANETTA. That's right.

Senator AYOTTE. Let me ask you, does the violence that's happening in Syria have any impact on stability in Iraq?

Secretary PANETTA. Interestingly, there was a point at which, obviously, Iraq was kind of standing to the side and not engaged. I

think as a result of what they've seen happening in Syria, that Iraq itself has now asked for Assad to step down and they are—let me put it this way: they are more engaged than they were in the past.

Senator AYOTTE. Do you view this as a positive step?

Secretary PANETTA. Yes.

Senator AYOTTE. Thank you both. My time is up. I appreciate your being before the committee today on such an important issue.

Chairman LEVIN. Thank you, Senator Ayotte.

We are planning on a closed session immediately following this, and if we succeed that means surely that there will only be one round here, and it is our plan to succeed.

Senator Reed.

Senator REED. Thank you very much, Mr. Chairman, Mr. Secretary and General Dempsey.

General Dempsey, all of the military options which are beginning to be contemplated—the humanitarian corridors, limited aerial strikes, safe havens—all would presume that we would have complete control of the air space over Syria. And given what we know about their air defense systems, that would presume—I don't know if you can comment openly—that the first step in any type of military operation would be a campaign to suppress their air defense systems. Can you comment, give us some general notion about how long that would take and how challenging it would be?

General DEMPSEY. Senator, as I mentioned, we've demonstrated the capability to penetrate air defense systems for a discrete purpose in a very limited amount of time, and that stays; we still have that capability. As I mentioned, to conduct an enduring or a sustained campaign we would have to suppress the air defense. In closed session, we do have an estimate, based on gaming and modeling, of how long it would take to do that, given the density and the sophistication of their air defense system. But it would be an extended period of time and a great number of aircraft.

Senator REED. And it would be, by the nature of our capability, presumptively led by the United States, rather than our NATO allies, because of our capabilities?

General DEMPSEY. Almost unquestionably. We have the electronic warfare capabilities necessary to do that.

Senator REED. So from a perceptual view alone, the opening stages in any military operation would be an extended, almost exclusively air campaign by the United States against Syria, presumably supported politically by the Arab League, NATO, the EU, and everyone else. But the first kinetic part of the operation would be ours for several weeks before we actually started even going in and effectively protecting Syrians. Is that a fair judgment?

General DEMPSEY. It is a fair judgment. We generally—not generally. We can only act with the authorized use of military force either with the consent of a nation in our National self-defense or with an UNSCR. So we'll have to have—we would have to have some legal basis. It would be my military advice that, whatever we do, we be part of a coalition, both because we increase our capability and capacity, but also we've shown that that produces an enduring outcome.

And then we'd have to balance it against risk elsewhere in the region.

Senator REED. The other aspect is that in testimony yesterday General Mattis indicated that, unlike Iraq, there were no natural safe haven areas, the mountains. And also, I think unlike Iraq, there's no force, very well organized forces that could provide even a limited self-defense. So creating these safe havens, there's a geographic challenge and there's also an institutional challenge. Who's going to physically defend them?

We could have air power and try to interdict Syrian military convoys and tank columns, but that wouldn't work 100 percent. So is that another challenge that you're considering?

General DEMPSEY. Sure, it is a challenge. And again, in the context of this, as you note, the border with Iraq, the border with Jordan, the border with Israel, and the border with Turkey all have their own unique complexities. So I think we'd have to go through that.

But I want to be clear. We can do anything. The question is—so it's not about can we do it, but it's should we do it and what are the opportunity costs elsewhere and what are the risks.

Senator REED. In terms of opportunity costs, there are costs in collateral civilian casualties to air operations. There are costs in terms of time, a lot of time or some time to set up the operations. So that the notion that we can sort of in a few hours or days quickly go in and establish superiority, stop the fighting, is not accurate.

General DEMPSEY. You obviously have a military background, sir.

Senator REED. I show up on time most times, if that's it.

Secretary PANETTA. Senator, if I could just point out, again we can discuss this in closed session, but what we've talked about is that air defense system that is pretty sophisticated. But more importantly, a lot of it is located in populated areas. There would be some severe collateral damage in going after those areas.

Senator REED. Let me change the subject, Mr. Secretary, because we've talked on the military aspects, but there's a political aspect here. I'm not at all an expert on Syria, but what struck me in some of my reading is that there is a small Alawite clan of Shia who dominate the government, but the other minority sectors, the Syrian Kurds, the Syrian Christians, also seem to see their future most closely allied with Assad and his group. And they are very influential, even though a minority, very influential. And there has yet to be, I think, the creation of a truly national and credible opposition to Assad. So it's awfully difficult to build this or to get him off when there's nobody to take his place and there's still strong support in areas, in communities, that you wouldn't necessarily think would be supporting him.

Is that part of the analysis that you looked at?

Secretary PANETTA. That's correct, and that's part of the problem. It is—having worked pretty closely on the Libyan situation, when there were some leaders that came to the front and were able to organize a council and it had credibility and credibility with the opposition, and unfortunately that's not the case here. There are some outside groups that are trying to organize, but there isn't the relationship with regards to what's happening in the country. As a result, it's very difficult to be able to know who we deal with there in terms of an opposition.

Senator REED. I think the only, the final point I'd make, is that, going back to military capacity in Libya—and again, I think the first point is we have to assume Syria is not Libya. But there, there seemed to be tribal paramilitary organizations. I don't get the same impression that outside the military there's any type of sort of, or security forces, there's any kind of counterpoint; and that we would have to, unless there was a political solution to force Assad off, if he was going to be deposed it would have to be organized. We'd have to organize a force and that would take many, many months. Is that a—

General DEMPSEY. Well, that's the current state of our thinking about how we might do this. If you think about two recent experiences: Libya, we had tribal forces on the east and west collapsing onto the center, essentially. Even in Afghanistan, we had the Northern Alliance collapsing on the center. There's no geographic density of opposition to collapse anywhere. They're all intermingled.

By the way, it's 70 percent Sunni and 30 percent Druze, Christians, Alawi Shia. And those three have been—the Alawites have been in control and have essentially protected the others. So there is that dynamic as well.

Senator REED. Thank you very much, gentlemen.

Thank you.

Chairman LEVIN. Thank you, Senator Reed.

Senator Cornyn.

Senator CORNYN. Thank you, Mr. Chairman.

Gentlemen, you discussed briefly with Senator Ayotte Russia's role in Syria.

Mr. Chairman, I have an article in Reuters February 21, 2012. The title is "Russia boosts arms sales to Syria, despite world pressure." I'd ask unanimous consent that that be made part of the record.

Chairman LEVIN. It will be part of the record.

[The information referred to follows:]

[COMMITTEE INSERT]

Senator CORNYN. I'm grateful to you for that.

This article suggests that Russia has continued to supply a variety of weapons to Syria through an arms exporter by the name of Rosoboronexport. I guess, General Dempsey, I'm catching myself because I know you suggested some of this you'd like to go into in closed session.

But let me ask, Secretary Panetta, General Dempsey, does Russia have a physical presence in Syria as part of their arms sales business?

Secretary PANETTA. They do.

Senator CORNYN. What specifically, Secretary Panetta, is Russia's interest in Syria?

Secretary PANETTA. They've had a longstanding economic and military relationship in Syria. As we said, the port there in Syria is owned by the Russians. I mean, it's their port. And so they've had a lot of shipping that's gone in there over the years. They've transferred not only military aid, but also economic assistance as well. So they've had a very longstanding relationship with Syria that makes them, as I said, one of the key players. If they really

wanted to assert the kind of responsibility they should, they would be a key player in bringing pressure on Assad.

Senator CORNYN. Let me transition just a little bit to the Department of Defense's business transactions with this same firm I mentioned to you earlier, Rosoboronexport, that is engaged in military sales of Russian weapons to Assad's regime. Reportedly, this company has signed a deal with the Syrian government to sell it 36 combat jets capable of hitting civilian ground targets.

Can you confirm that?

Secretary PANETTA. I can't. I'd have to look into that.

Senator CORNYN. I don't mean to blind-side you. I'll certainly share with you this article, and I'd be interested in following up in greater detail.

Rosoboronexport was sanctioned by the United States in October 2008 for assisting Iran's nuclear program, but those sanctions were lifted by the Department of State in May of 2010. This is what I wanted to get to. It's my understanding the Department of Defense has, through an initiative led by the U.S. Army, is currently buying dual-use MI-17 helicopters for the Afghan military from this very same company.

I'd like to know whether either one of you can confirm that at this point?

General DEMPSEY. No, but I can certainly take that for the record. I can confirm we are buying MI-17s for the Afghan military, but I can't confirm that that's the corporation providing them.

Senator CORNYN. I understand that and I look forward to following up with you.

But, General Dempsey, can you explain why we would buy helicopters for the Afghan military from this arms exporter that's been sanctioned by the U.S. Government for its illicit activities with Iran, and which is the principal means by which Russia is arming Assad's regime and killing so many Syrians?

General DEMPSEY. Well, assuming we are, because again I have to confirm or deny that we are, but assuming we are, as the process goes in a competition, if they're not sanctioned and enter the competition it could very well be that they ended up being the lowest bidder and therefore they could very well have been selected. But I can't confirm that. I just—I have to get back to you, Senator.

Senator CORNYN. I understand that.

Well, if in fact this article is correct, this means that, instead of creating jobs and selling American helicopters to the Afghan military, we are working with a Russian arms exporter to sell these MI-17 helicopters, which makes absolutely no sense to me. But as you said and as I've said, I don't want to blind-side you with this information. I'd like to get an explanation.

But if in fact, if this report is true that this same arms dealer is arming Assad's regime and killing innocent Syrians and also under a contract with the United States Department of Defense to provide helicopters to the Afghan military, that causes me significant concerns, and I bet it does you, too. So I'd like to get to the bottom of that, if you will help me do that.

General Dempsey, you talked about the need to balance the risks of intervening in Syria with other parts of the region. What would happen if Assad were to fall and the forces of democracy begin to,

hopefully, take root in Syria? What would that do to Iran's aspirations in the region? What would that do to Hezbollah, a terrorist organization supported by Iran? What would that do to Hamas and what would that do to Lebanon? What would be the impact that you would hope for in the region?

General DEMPSEY. Well, as General Mattis testified yesterday, it would certainly diminish Iran's influence in the region and set back their aspirations of becoming a regional hegemon dramatically.

Senator CORNYN. Mr. Chairman, thank you very much.

Thank you, gentlemen.

Chairman LEVIN. Thank you very much, Senator Cornyn.

Senator Blumenthal is next.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

Thank you both for your very forthright and also careful and cautious approach to this problem. I think many of us are approaching this issue with a high degree of humility, given the lack of complete or even reliable information and looking forward to knowing more as you brief us in a more secure setting.

But even with all that care and caution, I'm struck, Mr. Secretary, by the certitude of your prediction that this regime will fall. You say: "Make no mistake. One way or the other, this regime will meet its end." There are very few things in life that are inevitable and right now the Assad regime seems on the march. It seems to have momentum on its side. And you have described very graphically how this opposition is less organized than the Libyan.

So I think that's the reason that many of us here feel that we need to do more, that the United States needs to take a more aggressive and proactive role in this fight without—and I should stress—without American troops on the ground, no boots on the ground.

That's the reason that Senator Graham and I are planning to introduce and co-sponsor a resolution that will ask for condemnation of Assad for the war crimes that he is inflicting on his own people, the brutal and barbaric criminal actions against his own people, and the slaughter and massacre that's taking place, that will seek to send that message that you describe in your testimony that the United States will support the Syrian people.

But of course, there really need to be more than just words here. So let me begin by asking whether there is currently planning for the delivery of medical and other humanitarian aid to the opposition?

Secretary PANETTA. Yes, there is. Let me also mention, with regards to your prefacing remarks, it's always dangerous to make predictions in that part of the world, and what I'm giving you is the best assessment by our intelligence community as to the situation there in Syrian.

But I also think that you shouldn't take it for granted that somehow we're going to sit back and allow the status quo to be the case. We are working very hard at trying to build the international coalition that we need. We're working hard at humanitarian aid. We're working hard at trying to do everything we can to try to bring additional pressure on Syria in order to ensure that Assad does step aside.

Senator BLUMENTHAL. Is humanitarian aid being delivered now?

Secretary PANETTA. We are delivering elements of humanitarian aid as we speak.

Senator BLUMENTHAL. And how much? Can you quantify it?

Secretary PANETTA. \$10 million was the case that we had. Let me give you: In Homs alone, we have USG partners that have delivered food for 4,000 households, and they've also delivered medical supplies. We're working with the international community to try to gain greater access, and the ICRC and the WFP are working with the Syrian Arab Red Crescent to provide additional aid. So we're trying to do that on a broader front.

Senator BLUMENTHAL. I appreciate that information.

How quickly and in what quantities could that humanitarian aid be increased?

Secretary PANETTA. Let me give you—I'm going to have to look at that and give you a more direct answer based on what the State Department and AID are doing right now to try to increase that aid. I can give you a more explicit answer based on getting that information from them.

Senator BLUMENTHAL. Is planning under way to increase that aid?

Secretary PANETTA. That's correct.

Senator BLUMENTHAL. On communications equipment, which seems essential for a diverse and divided opposition to really launch a coordinated defense and offense, what is being done to provide communications equipment?

Secretary PANETTA. I'd prefer to discuss that in a closed session, but I can tell you that we are considering an array of non-lethal assistance.

Senator BLUMENTHAL. Is it fair to say that planning is ongoing to provide that assistance?

Secretary PANETTA. That is correct.

Senator BLUMENTHAL. Even though right now as we speak none is being provided?

Secretary PANETTA. That's correct.

Senator BLUMENTHAL. With respect to other technical assistance, putting aside for the moment the aerial strike capability, is other technical assistance being provided?

Secretary PANETTA. Plans are being made to provide an array of non-lethal assistance, including technical assistance.

Senator BLUMENTHAL. General Dempsey has very well described the time that it would take to suppress the aerial defense, but I take it that issue is not an obstacle to providing these other kinds of assistance?

Secretary PANETTA. That's correct.

Senator BLUMENTHAL. It could be done immediately?

Secretary PANETTA. That's correct.

Senator BLUMENTHAL. I would appreciate additional information to this committee as to what can be done, within what timeframes, short of aerial strikes.

Is there support among any of the potential allies in military action for the kind of planning that you are doing? In other words, are specific countries volunteering specific contributions in potential military action?

Secretary PANETTA. That's again something I think we'd prefer to discuss in closed session. But there have been discussions in other countries about that.

Senator BLUMENTHAL. So that planning is under way, fair to say?

Secretary PANETTA. I don't want to—I'd rather discuss that in closed session.

General DEMPSEY. Yes, I'd say it's risen to the level of collaboration; consultation, not planning.

Senator BLUMENTHAL. And really, in order to do planning you would have to engage in that consultation; is that fair to say?

Turning to the resolution that Senator Graham and I have proposed, would that resolution, do you think, a sense of the Senate that there should be an investigation and prosecution of Assad for war crimes, have an encouraging and positive effect on the determination of the Syrian people to resist this regime?

Secretary PANETTA. Senator, I'd prefer that you direct that question to the State Department, because I think, because of the negotiating they're doing on a broader international front, I think you need to ask them the question whether this would be helpful.

Senator BLUMENTHAL. We'll do that.

Let me just close, because my time has expired, by saying that I very strongly share Senator Cornyn's concerns about the sales of equipment by the same company that is arming the Syrians to the Iraqi government, helicopters that are being sold to the Iraqi government, by the very same company that is acting on behalf of the Russian government to arm the Syrians. And I share his concern that there appears to be a less than compelling reason to use Russian helicopters sold by Rosoboronexport in Afghanistan when we could be selling our own helicopters to them.

I also ask, Mr. Chairman, that an additional article on that subject be made a part of the record. It is a July 24, 2011, article from the Washington Times entitled "Pro-Russia policy stalls Afghan copters."

Secretary PANETTA. Senator, we need to look at those reports. If those reports are true, we would share your same concern.

Senator BLUMENTHAL. Well, there's no denial in the reports, for what it's worth, that it is true. There's no denial from any official sources. And I would hope that we would have a response.

Thank you so much for your service to the country and your very helpful testimony here.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Blumenthal.

Because we would all be very much concerned with the issue that Senator Cornyn has raised and Senator Blumenthal just mentioned, we would hope that you'd give us the detail on that forthwith. Thank you.

Senator Graham is next.

Senator GRAHAM. Thank you.

I'm no helicopter expert, but I asked that question when I was over in Afghanistan about a year or two ago, and I was told that the helicopter in question is just a better fit for the Afghan military in terms of maintenance and capability. So that may not be the case. If there's an American helicopter that fits the needs of this,

I'm all for them buying from us. But that's what I was told. So I'd like to hear more.

Senator Blumenthal made a very good observation. I don't think any of us who want to be more involved in Syria believe that boots on the ground is a good idea. They haven't been requested and certainly we're not anywhere near that point for me.

But I guess what I would like to do is kind of build on what he asked. He asked a very good question. You basically said, Mr. Secretary, that Assad should be viewed as a war criminal. I think that's a good analysis to take. The UN Independent International Commission of Inquiry on Syria in February issued a report, 72 pages, but this is sort of the sum and substance of it to me: "Such violations"—talking about atrocities, gross human rights violations—"originated from policies and directives issued at the highest levels of the armed forces and the government."

Do you agree with that? Is that a pretty good characterization?

Secretary PANETTA. In Syria?

Senator GRAHAM. Yes.

Secretary PANETTA. In Syria, yes.

Senator GRAHAM. I think it is. Senator Collins and I were talking. The dilemma is if you go after him maybe it entrenches him.

I've come to believe in situations like this that he's going to do what he's going to do, and if he were rational he wouldn't be doing what he's doing. But from his point of view, he obviously believes he's rational, and that's trying to just wait us all out and kill as many people as he can and hope we get tired of it and walk away.

I think it would be really good for the Syrian people to know that the international community views what's being done to them as an outrage and that they would get support, morally and otherwise, from the idea that we all saw the abuses against them as unacceptable. So I don't know how it affects Assad, but I sure think it would help them.

Now, let's get into the situation of what happens after he leaves. Do you really believe, Secretary Panetta and General Dempsey, that the people are going through this pain and suffering at the end of the day to replace Assad with Al-Qaeda?

Secretary PANETTA. No.

General DEMPSEY. No, nor do I.

Senator GRAHAM. The real concern we have is that there are minorities in the country, the Alawites in particular, that could really be on the receiving end of some reprisals if we don't think about this; is that right?

Secretary PANETTA. That's correct.

Senator GRAHAM. In our efforts to find out what happens next, have we—are we guiding the Syrian opposition in any way to sort of form a plan? Are we involved with them?

Secretary PANETTA. Well, obviously that's the biggest challenge, is to—because we are dealing with a pretty disparate group of—

Senator GRAHAM. Are we trying to create order out of chaos?

Secretary PANETTA. Yes.

Senator GRAHAM. See, somebody's going to bet on the stock that follows Assad and I want to be on the ground floor of this new enterprise. I don't want to just show up after it's over. I want to get

ready now and try to mold the outcome, and you don't have to have boots on the ground to do that.

But when it comes to what happens next, do you believe that if Assad was replaced by the will of the international community, led by the United States, that that may do more good regarding Iran's ambitions for nuclear weapons than sanctions, if they saw the international community take their ally down, that we had the resolve to do it?

Secretary PANETTA. Well, let me tell you, it would certainly add to the impact of the sanctions to have this happen in convincing Iran that they're alone.

Senator GRAHAM. I just can't help but believe if their ally Syria went down because the international community led by the United States said enough is enough and did reasonable things to take him down, that that wouldn't have a positive impact.

Now, when it comes to planning, Senator Blumenthal asked a lot of good questions about what we're doing and what we're planning. Am I wrong to assume that from your testimony the President of the United States has not requested a military plan regarding engaging Syria?

General DEMPSEY. No, that's not correct. The President of the United States, through the National Security Staff, has asked us to begin the commander's estimate, the estimate of the situation.

Senator GRAHAM. That's good. So there is movement in process in DOD to provide the President some options; is that correct?

Secretary PANETTA. Correct.

Senator GRAHAM. Now, when it comes to China and Russia, do you believe they will ever change their tune at the UN, that we'll ever get them on board for a UN resolution like we had in Libya regarding Syria?

Secretary PANETTA. You know, I don't think it's totally out of the question. I think both countries—

Senator GRAHAM. If you were a betting man—

Secretary PANETTA.—both countries have been embarrassed, I think, by the stand that they took on the UN resolution.

Senator GRAHAM. But they can withstand a lot of embarrassment.

Secretary PANETTA. Yes.

Senator GRAHAM. So if you were a betting man, do you believe that they will ever come on board?

Secretary PANETTA. You know, if Russia wants to maintain its contacts with Syria, maintain their port, and have some involvement with whatever government replaces Assad, I think they might be thinking about an approach that would allow them to have some impact on where this goes. So I don't rule it out that they wouldn't—

Senator GRAHAM. Would you say that should not be our only option, that we should come up with a contingency plan in case Russia doesn't wake up one day and realize they're on the wrong side of history, that we have another way of engaging without China and Russia?

Secretary PANETTA. Absolutely.

Senator GRAHAM. Now, let's talk about the Arab League. The Arab League has changed mightily in the last year, haven't they, given their involvement in the Mideast?

Secretary PANETTA. They sure have.

Senator GRAHAM. Do you believe it's generated by the Arab Spring; that the Arab League was sort of an association of dictatorial regimes that now are betting on the right side of history, and they see Assad as being on the wrong side of history, and that's incredibly encouraging?

Secretary PANETTA. Absolutely.

Senator GRAHAM. Don't you think in our long-term national security interests we have a window in time here to marry up with the Arab League in terms of military, humanitarian, economic, follow-on assistance to the countries that have people who are saying, I'm tired of being led by dictators? And are we doing enough to seize that moment in history?

Secretary PANETTA. I can assure you that Secretary Clinton and I are working with our Arab League partners to try to do everything we can to develop and maintain the coalition that was established with Libya, but to maintain it as a continuing influence over what happens elsewhere in that region.

Senator GRAHAM. My final thought is that if the slaughter continues I do believe that the world, including the United States, has the capability to neutralize the slaughter through air power. And given the way the world is and the way Syria is, is there a likelihood, even a remote possibility, that if we engaged the artillery forces and the tank drivers who are killing people who basically have AK-47s, that maybe the other people in tanks would get out and quit if we blew up a few of them?

General DEMPSEY. There's certainly that possibility.

Senator GRAHAM. I think that is a high likelihood.

So thank you both for your service.

Chairman LEVIN. Thank you, Senator Graham.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Secretary Panetta, General Dempsey, thank you both very much for being here.

I want to follow up on the issues that have been raised about arms shipments from Russia and China. Reports are that 30 percent of Syrian arms come from China and North Korea. You talked a little bit about the Russian perspective, but I'm not clear whether we think there is any way to engage the Chinese on this issue. Is this something the international community has developed a strategy on for how to prevent or reduce future arms shipments from Russia and China?

Secretary PANETTA. I think the international community is concerned about what you just discussed, and I think the international community, led by the United States, is trying to engage both Russia and China to try to see if we can change their approach to Syria.

General DEMPSEY. Senator, if I could, we said here this morning that it's very clear and documented that Russia has an arms sale agreement with Syrian. We've also said we need to get back to you on whether China does. I don't know the answer to that question.

Senator SHAHEEN. That comes from published reports.

I appreciated what you both had to say about our efforts around humanitarian aid. I think most of us looking at the pictures, the reports on the news, the pictures in the newspapers of the slaughter that's going on inside Syria, are very concerned about the cost in human lives, particularly for civilians, the women and children who have been killed.

Obviously, as the result there have been a lot, thousands of refugees who are going over the borders. First of all, is there more that we can or should be doing to address those refugees who are fleeing, as well as the humanitarian efforts on the ground in Syria that you talked about?

Then can you also address concerns that we might have about the destabilizing effect that refugees might have, particularly in Lebanon?

Secretary PANETTA. We are doing everything we can to expand the humanitarian effort. There is more that can be done and that needs to be done. Indeed, one of the options we're looking at is whether or not to establish these humanitarian zones to try to assist the refugees in a more effective way.

The refugee flows, if they continue at the rate that we see are clearly going to have an impact on the neighboring countries. We've already seen that happening.

General DEMPSEY. Could I add, Senator? Having lived over there for more than five years, refugees, because of family and tribal relationships, they're hard to pin down actually, how many and where they are, because they blend in.

Senator SHAHEEN. Sure.

General DEMPSEY. So during the Iraq war there were many Iraqi Sunni Al-Anbar refugees that flowed into Syria, and what we're seeing is some of them are flowing back now. We think maybe 15,000 from Syria into Jordan, maybe 10 into Lebanon, maybe 10 into Turkey. But it's not as though they've set up a camp someplace and begin to—the way you first learn about it is when they put demands on the host nation medical system and some other things.

So the answer to the question is yes, of course there's more we can do and should. We've got to do it through the host nations because they really understand this in a way that we can't.

Senator SHAHEEN. And how engaged are the Arab League and the European community in supporting these kinds of humanitarian efforts?

Secretary PANETTA. They're very engaged, and we are working with the international community and the Arab League in addressing the humanitarian issue.

Senator SHAHEEN. Thank you.

To go on to Syria's weapons arsenal, I know that there have been reports that they have the biggest chemical weapon arsenal in the world. I had a chance to ask General Mattis about this yesterday, about what concerns we have should Assad fall, about the security of those arsenals and what potential threat to the rest of the region they might present. Can you address that?

General DEMPSEY. I can address it in great detail in closed session.

Senator SHAHEEN. Okay. Well, I appreciate that.

Senator Collins and Gillibrand and I actually sent a letter to the administration expressing our concerns about this.

Secretary PANETTA. Senator, look, there's no question that they've got huge stockpiles and that if it got into the wrong hands it would really be a threat to the security, not only of the regional countries, but to the United States.

Senator SHAHEEN. Can you—recognizing that you don't want to address this in an open session, but can you compare it to the situation that we found in Libya last year? I know 20,000 MANPADs disappeared in Libya. So how do we compare this situation?

Secretary PANETTA. It's 100 times worse than what we dealt with in Libya, and for that reason that's why it's raised even greater concerns about our ability to address how we can secure those sites.

Senator SHAHEEN. Thank you. Are there new sanctions the administration and Congress could enact that would further dissuade other countries who might be assisting Syria either directly or inadvertently to try and continue to isolate Syria and those countries who are helping?

Secretary PANETTA. There are—I have to tell you, one of the things that has really come together are the sanctions that have been put in place. They target senior leadership and their assets. They're hampering foreign transactions. There's been a GDP decline from a minus 2 to a minus 8 percent. So the GDP has taken a hit from the sanctions. There's a loss of revenue, 30 percent loss of revenue due to the oil embargo that's taking place, and that's continuing to have an impact. And there's been almost a 20 percent currency depreciation.

Senator SHAHEEN. So do we think there's a possibility that Assad is just going to run out of money if this continues indefinitely?

Secretary PANETTA. You know, they'll always struggle to find ways around some of this, but this is squeezing him badly and they are at least in the process of running out of money.

Senator SHAHEEN. Thank you very much.

Chairman LEVIN. Thank you, Senator Shaheen.

Senator Sessions.

Senator SESSIONS. Thank you.

Thank you, both of you, for your service to the country.

I had the opportunity to travel a few weeks ago with Senator McCain and Graham and Blumenthal and others to the Middle East. I think there is a sense, in Senator McCain's vast experience in this region, that the United States' position clearly spoken does impact people. Revolutions and people are standing up against oppressive regimes are encouraged and emboldened if they sense the United States clearly articulates the justice of their cause.

I think we've been a bit weak on that. In Iran, when we had the revolution there, the protests there, that was a window of opportunity I am really, really disappointed we didn't somehow participate more positively in.

So I don't know. I believe you said, Secretary Panetta, or maybe General Dempsey, there's a difference between contingency planning and a commander's estimate. What is the difference?

General DEMPSEY. The commander's estimate, the acronym is "METTT." What are the potential missions, what is the enemy order of battle, what are the enemy's capabilities or potential enemies, what are the troops we have available, and how much time? So mission, enemy, terrain, troops, and time. That's a commander's estimate.

Senator SESSIONS. You're looking at that?

General DEMPSEY. Yes.

Senator SESSIONS. And have you completed that?

General DEMPSEY. Yes.

Senator SESSIONS. You said, Secretary Panetta, that you're waiting on the President before doing contingency planning. What would be the contingency planning? What would be the next—

General DEMPSEY. Well, the next level of detail would be for us to take actual units and apply it against—taking them from someplace else and applying them against that template in order to come up with operational concepts, how would we do it.

Senator SESSIONS. Well, if you were another nation that was potentially interested in helping in this situation, wouldn't you be a little more impressed if we'd gone further in our detail? And does it not suggest that we are really not that interested in taking action if we have not gone further?

Secretary PANETTA. No, not at all. I think the assumptions that we've worked through, we've discussed them with the President, we've discussed them with the National Security Council. We are in the process of developing even further ideas with regards to some of those options. Ultimately, obviously, when the President makes the decision as to what course he wants to take in line, obviously, with our international partners, we'll be ready to go.

Senator SESSIONS. Well, you said that we'll take our time earlier, and when we do it will be well prepared. But I have to say, Senator Blumenthal and others have raised the question of whether or not this window is not already closing. I mean, dictators have successfully crushed revolutions many times in history. How confident are you that this—I know you have an estimate, but I don't see how an estimate that this country—that Assad's about to be toppled can be justified based on what we're seeing just publicly on the ground.

Secretary PANETTA. Senator, I think the fundamental issue that is before us is whether or not the United States will go ahead and act unilaterally in that part of the world and engage in another war in the Muslim world unilaterally, or whether or not we will work with others in determining what action we take. That's the fundamental decision that needs to be made.

Senator SESSIONS. Well, isn't there a window, and isn't it—can you say with certainty that, even in a matter of a few weeks, that Assad may have reestablished his control in the country and there would be no likelihood of his regime toppling?

Secretary PANETTA. I think, according to the intelligence estimates that I have seen, this insurgency is not only continuing, but it's growing wider. And when that happens, it's going to continue to put a tremendous amount of pressure on Assad.

Senator SESSIONS. Well, maybe that's—I hope that's true and I hope that we don't miss an opportunity here. I know Senator Kerry and Senator McCain said use a no-fly zone over Libya. A long time

went by before that was done. Many believe, I think Senator McCain believes, I believe, that had they been listened to early there might have been fewer casualties and the regime might have collapsed sooner.

So I just would say I value your opinion on this, because you know more detail than I do.

General Dempsey, in one of your criteria for determining what we might do militarily you say you have to ask the question of whether the action is worth the cost and is consistent with law. What law does the U.S. military look to?

General DEMPSEY. If I could, I'd like to address both since they are related. So cost, resources, risk incurred elsewhere by the use of force one other place. It's a zero-sum game. We take them from someplace else, we use them for how long. That's the kind of issue of cost, and the question of blood and treasure.

The issue of legal basis is important, though. You know, again, we act with the authorized use of military force either at the consent of a government, so when we're invited in, or out of national self-defense, and it's a very—there's a very clear criteria for that. And then the last one is with some kind of international legal basis, an UNSCR.

Senator SESSIONS. Wait a minute. Let's talk about an international legal basis. You answer under the Constitution to the U.S. Government, do you not? And you don't need any international support before you would carry out a military operation authorized by the Commander in Chief.

General DEMPSEY. No, of course not. That's the second one.

Senator SESSIONS. I just want to know that, because there's a lot of references in here to international matters before we make a decision. And I want to be sure that the United States military understands, and I know you do, that we're not dependent on a NATO resolution or a UN resolution to execute policies consistent with the National security of the United States.

Now, Secretary Panetta, in your talk, in your remarks, you talk about: First, we're working—first, we are working to increase diplomatic isolation and encouraging other countries to join the European Union and the Arab League in imposing sanctions. Then you note that China and Russia have repeatedly blocked the UN Security Council from taking action.

Are you saying and is the President taking the position he would not act, if it was in our interest to do so, if the UN Security Council did not agree?

Secretary PANETTA. Senator, when it comes to our National defense, we act based on protecting the security of this country and we don't look for permission from anybody else when it comes to our National defense.

When it comes to the kind of military action where we want to build a coalition and work with our international partners, then obviously we would like to have some kind of legal basis on which to do it, as we did in Libya.

Senator SESSIONS. Now, some sort of legal basis. We're worried about international legal basis, but nobody worried about the fundamental constitutional legal basis that this Congress has over war. We were not asked, stunningly, in direct violation of the War

Powers Act. Whether or not you believe it's constitutional, you certainly didn't comply with it. We spent our time worrying about the UN, the Arab League, NATO, and too little time, in my opinion, worrying about the elected representatives of the United States.

As you go forward, will you consult with the United States Congress, and can we be assured that you will have more consultation and more participation and legal authority from the duly elected representatives?

Secretary PANETTA. Believe me, we will. We don't have a corner on the market with regards to issues involving our defense. We want to consult with the Congress. We want to get your best advice and your guidance. And when we take action, we want to do it together.

Senator SESSIONS. And do you think that you can act without Congress and initiate a no-fly zone in Syria, without Congressional approval?

Secretary PANETTA. Again, our goal would be to seek international permission and we would come to the Congress and inform you and determine how best to approach this. Whether or not we would want to get permission from the Congress, I think those are issues we would have to discuss as we decide what to do here.

Senator SESSIONS. Well, I'm almost breathless about that, because what I heard you say is: We're going to seek international approval and we will come and tell the Congress what we might do, and we might seek congressional approval. I want to just say to you, that's a big—wouldn't you agree? You served in Congress. Wouldn't you agree that that would be pretty breathtaking to the average American? So would you like to clarify that?

Secretary PANETTA. I've also—I served with Republican presidents and Democratic presidents, who always reserved the right to defend this country if necessary.

Senator SESSIONS. But before we do this you would seek permission of the international authorities?

Secretary PANETTA. If we're working with an international coalition and we're working with NATO, we would want to be able to get appropriate permissions in order to be able to do that. That's something that all of these countries would want to have some kind of legal basis on which to act.

Senator SESSIONS. What legal basis are you looking for? What entity?

Secretary PANETTA. Well, obviously if NATO made the decision to go in that would be one. If we developed an international coalition beyond NATO, then obviously some kind of UN Security Resolution—

Senator SESSIONS. So a coalition of—so you're saying NATO would give you a legal basis and an ad hoc coalition of nations would provide a legal basis?

Secretary PANETTA. If we were able to put together a coalition and were able to move together, then obviously we would seek whatever legal basis we would need in order to make that justified. We can't just pull them all together in a combat operation without getting the legal basis on which to act.

Senator SESSIONS. Who are you asking for the legal basis from?

Secretary PANETTA. Obviously, if the UN passed a Security resolution, as it did in Libya, we would do that. If NATO came together, as we did in Bosnia, we would rely on that. So we have options here if we want to build the kind of international approach to dealing with the situation.

Senator SESSIONS. Well, I'm all for having international support, but I'm really baffled by the idea that somehow an international assembly provides a legal basis for the United States military to be deployed in combat. I don't believe it's close to being correct. They provide no legal authority. The only legal authority that's required to deploy the U.S. military is Congress and the President and the law and the Constitution.

Secretary PANETTA. Let me just for the record be clear again, Senator, so there's no misunderstanding. When it comes to the National defense of this country, the President of the United States has the authority under the Constitution to act to defend this country and we will. If it comes to an operation where we're trying to build a coalition of nations to work together to go in and operate, as we did in Libya or Bosnia, for that matter Afghanistan, we want to do it with permissions either by NATO or by the international community.

Senator SESSIONS. Well, I'm troubled by that. I think that it does weaken the ability of the United States to lead. If we believe something ought to be done, I'd be thinking we would be going more aggressively to NATO and other allies, seeking every ally that we can get. But I do think ultimately you need a legal authority from the United States of America, not from any other extraterritorial group that might assemble.

Thank you, Mr. Chairman.

Chairman LEVIN. I wonder, Senator Webb, if you would yield to me just for one moment. I won't take it off your time.

Senator WEBB. Certainly, certainly.

Chairman LEVIN. I would just like to clarify that last point, because you used the word "permission" at times as being helpful to achieving an international coalition. You don't need any authority from anybody else, any permission from anybody else, if we're going to act alone. You've made that clear. You said it three times. I think that's essential.

But what you as I understand it are saying is that if you're seeking an international coalition it would help if there is a legal basis internationally in order to help obtain that legal coalition. I don't think the word "permission" is appropriate even in that context, by the way. I think you really corrected it when you said a legal basis in international law would help you achieve an international coalition.

Secretary PANETTA. That's correct.

Chairman LEVIN. And if you're seeking an international coalition, having that kind of international legal basis will help. I think that's what you're trying to say and I hope that is what you're trying to say.

Secretary PANETTA. That's what I'm trying to say.

Chairman LEVIN. Okay.

Secretary PANETTA. Thank you.

Chairman LEVIN. Senator Webb.

Thank you, Senator Sessions.

Senator WEBB. Thank you, Mr. Chairman.

If I may—

Chairman LEVIN. Senator Sessions is raising an important point.

Senator WEBB. Senator Sessions is. I don't want to eat up too much of my own clock on this, but—

Chairman LEVIN. You have the time that's allotted.

Senator WEBB.—I would like to clarify a point that has been a concern to me on this very same issue. That is the difference between the United States acting unilaterally if we decide it's within our national interest and it's something that you, Mr. Secretary, have raised in terms of the situation in Syria—there's a difference between that and the President deciding to act unilaterally in an area that arguably has not been defined as a national security interest.

I made floor remarks on this. I have a great deal of concern when you look at the Libya model, where the basic justification has been humanitarian assistance, which is very vague and it's not under the historical precepts that we have otherwise used, like a treaty if you're talking about NATO, or defending Americans who have been captured, as in Grenada, or retaliating for a certain act, as we did in Libya, say, in 1986 when I was in the Pentagon.

So I think Senator Sessions has raised a point of concern, and I would like to just put a parentheses around that, but hold the thought. I think there definitely is room for some very serious discussion here in the Congress on the way that the President, any President, can decide unilaterally to use military action in this rather vague concept of humanitarian assistance.

But to set that aside, what I really would like to talk about today is my thoughts about your testimony, and I would like to say very specifically that I found both of your testimony with respect to the situation in Syria very reassuring. It was very careful and forthright. I think there's a lot of wisdom in the approach that you're taking on this.

I think when people are talking about the need for leadership, we need to understand and we need to have a little sense of history here. Leadership is not always taking precipitate action when the emotions are going. It's in achieving results that will bring about long-term objectives. Probably the greatest strategic victory in our lifetime was the Cold War. That was conscious, decades-long application of strategy with the right signals with respect to our National security apparatus.

There's no one in the world that will doubt the ability of the United States to put lethality on the battlefield if we decide to do it. But that's not really always the question when we're developing these kinds of policies, at least not the first question. And I thought your testimony was very clear on that from both of you.

Secretary Panetta, your comment about each situation is unique. And General Dempsey, I think your example of the danger of looking at this through a straw is probably the best way to put it. We have to look at all of the ramifications in these sorts of matters.

I think the principles that you've laid down, we should all support this type of logic: to forge an international consensus, to translate the consensus into acts, and to at least express our hope that

this change can be brought about through a peaceful political transition. I was taking notes as you made your testimony, Secretary Panetta.

I want to ask you about one thing that you said because I think we all need to think about it. You said: Any government—I think this is a direct quote. I’m an old journalist here. I can write fast. “Any government that indiscriminately kills its own people loses its legitimacy.”

Would you say that is a statement of the policy of the United States?

Secretary PANETTA. I would.

Senator WEBB. Would you believe that with the circumstances in Tiananmen Square 1989, when the Chinese government turned its own soldiers loose and its own tanks loose on its own people and killed more than a thousand people, would you say that fits into this statement?

Secretary PANETTA. Let me put this on a personal view. My personal view would be that that was the case there.

Senator WEBB. I think it also illustrates your comment that in policy terms each situation is unique and that we have to try to use the best building blocks we can in order to best address these types of situations, depending on where they happen and what other capabilities any one of these governments might have.

This is something, I actually held a hearing on this in the Foreign Relations Committee, talking about what might be viewed as the situational ethics in terms of American foreign policy. But it clearly demonstrates that you can’t—there’s no one template here when we’re attempting to resolve differences in philosophy and policies with different countries.

So I would say that, other than—I do believe your exchange with Senator Sessions may have been lost in translation because it went back and forth so much, but I do believe Senator Sessions has a very valid point in terms of presidential authority. But I strongly support the analytical matrix, the policy matrix, that you are putting into place with respect to Syria.

And I thank you for your testimony.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Webb.

Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

Mr. Chairman, I think that this hearing and discussion this morning, as well as yesterday, demonstrates how difficult the challenge is that is posed by Syria. I don’t think this lends itself to an easy solution, as appalled as we all are by the slaughter of the innocent civilians in Syria.

One of the options that I’d like to return to which has been discussed today is whether or not we should try to arm elements of the Syrian opposition. I think this too is a difficult issue. Although, Mr. Secretary and General Dempsey, you both responded to a question from Senator Graham that you don’t think al Qaeda’s the ultimate victor, if you will, once the regime falls, when Secretary Clinton testified at a House hearing last week she raised the question of, if we arm, who are we arming? And she specifically noted that Zawahiri of al Qaeda is backing the Syrian opposition.

Her comment recalled to me the situation in Afghanistan, where some of the groups that we armed in the 1980s are now some of the same people who are attacking American soldiers today, perhaps using some of those same arms.

So, General, if the United States or another countries or even an international coalition chose to arm opposition groups in Syria, what's your assessment of the risk that we might be taking that we could end up arming terrorist groups or other enemies that are hostile to the United States or to Israel or to other allies in the region?

General DEMPSEY. Well, if you sense any reluctance on my part at this point, it's because I can't get my intellect around that risk. I just can't understand it yet. But I will tell you that the President's been very directive with the intelligence community that that's what's got to happen, that we have to be able to understand the opposition. To the extent we can, we should help it coalesce into something that's understandable and definable, coherent enough. And then if we ever do reach a decision to arm the opposition, it just can't simply be arming them without any command and control, without any communications, because then it becomes a roving band of rebels, and I think we can do better than that. But we're not there right now.

Senator COLLINS. Secretary Panetta?

Secretary PANETTA. Senator, one thing we found in this region of the world is that these—once you provide these arms, there are no boundaries as to where they can wind up. We saw that happen in Libya and we are seeing evidence of some of the weapons used there popping up in the Sinai and elsewhere. If we provide arms in Syria, we have to have some sense that they aren't just automatically going to wind up going to Hezbollah, going to Hamas, going to Al-Qaeda, going to other groups that would then use those weapons for other purposes.

Senator COLLINS. I think that's an extremely difficult issue as we look at whether or not to encourage the provision of arms or to provide arms ourselves.

Senator Shaheen and I have been working on the MANPADs issue with Libya. We've been very concerned about that, as you know. And as you say, the situation in Syria makes the Libyan situation pale by comparison, plus Syria has, as I understand it, large stockpiles of chemical and biological weapons as well. So it's a very difficult issue.

I want to get your assessment of the NATO Secretary General's comment last week when he said that NATO would not get involved in Syria because western assistance would be insufficient to solve the crisis. He said that "NATO could not bring about a sustainable solution to the problem," and instead he advocated for an Arab League-led effort to the crisis.

First, I would ask what your general reaction to the Secretary General's statement was, Mr. Secretary. And second, can we expect military and humanitarian assistance from the Arab League?

Secretary PANETTA. First of all, I think I understand his concerns about the situation in Syria from a military perspective, because we share some of the same concerns. At the same time, I think that NATO in the very least ought to take a look at the situation there

and determine whether or not they could play an important role there.

The fact is, when you look at Libya, even though NATO was there, we had partners in the Arab community that joined that coalition that were very helpful to the operation there. It's that kind of coalition that I think can work very effectively.

Turning to the Arab League, the Arab League obviously is working to try to develop an approach here. Individual nations are looking at different ways to try to provide assistance of one kind or another. But the Arab League itself doesn't—it doesn't have the capability that NATO has to be able to engage militarily if necessary.

Senator COLLINS. I was in Turkey recently and obviously Turkey historically had good relationships with Syria, but the prime minister has been very strong in calling for Assad to step aside and indeed has provided sanctuary for the Free Syrian Army within its borders. What advice are we getting from the Turks on what approach we should be taking towards Syria? Are there conversations ongoing with Turkey?

Secretary PANETTA. Yes, there are. And Turkey has actually exercised very responsible leadership with regards to the issue. Obviously, they have a direct concern because it is a border country, but they have called for Assad to step down. We have engaged with them on consultation with regards to the concern over the chemical and biological sites that are located there, and we're continuing to consult with them with regards to refugees as well.

But the answer to your question is that Turkey is playing a very responsible role in dealing with this issue.

Senator COLLINS. Thank you.

Mr. Chairman, would you allow me one very quick final question?

Chairman LEVIN. Please.

Senator COLLINS. Thank you.

General Dempsey, is Iraq playing a positive role in actually interdicting the transshipment of supplies, ammunition, and weapons? It's really straddling the communications and transportation lines between the two countries.

General DEMPSEY. Iraq has done two things that I view as quite positive. One was, as the Secretary mentioned, the statement that they too now advocate Assad stepping down. So that's on the political side.

On the issue of Iranian shipments crossing through their air space, they have in fact demarched Iran to cease doing that. They have requested—remember now, they don't have the ability to control their air space. They can't interdict anyone crossing it. But they have on more than one occasion insisted that Iranian air flights across Iraq would land to be inspected, and at their insistence once that occurred the flights were delayed and in some cases we believe to allow the offloading of the shipment, so that it wasn't identified when it landed in Iraq.

So they are, they are trying. But again, they don't have much capability to do anything beyond diplomatic engagement.

Senator COLLINS. Thank you both.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Collins.

We're now going to move directly to, in the Visitor's Center, room 217 for our closed session. Thank you both, and we stand adjourned.

[Whereupon, at 11:32 a.m., the committee adjourned.]