

HEARING TO RECEIVE TESTIMONY ON THE CURRENT AND FUTURE WORLDWIDE THREATS TO THE NATIONAL SECURITY OF THE UNITED STATES

THURSDAY, MARCH 10, 2011

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

The committee met, pursuant to notice, at 9:33 a.m. in room SD-G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Lieberman, Hagan, Manchin, Shaheen, Gillibrand, Blumenthal, McCain, Brown, Ayotte, and Cornyn,

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

Majority staff members present: Madelyn R. Creedon, counsel; Richard W. Fieldhouse, professional staff member; Jessica L. Kingston, research assistant; Thomas K. McConnell, professional staff member; William G.P. Monahan, counsel; Russell L. Shaffer, Counsel; and William K. Sutey, professional staff member.

Minority staff members present: David M. Morriss, minority staff director; Adam J. Barker, professional staff member; Christian D. Brose, professional staff member; John W. Heath, Jr., minority investigative counsel; Daniel A. Lerner, professional staff member; and Michael J. Sistak, research assistant.

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

Committee members' assistants present: Vance Serchuk, assistant to Senator Lieberman; Gordon Peterson, assistant to Senator Webb; Roger Pena, assistant to Senator Hagan; Joanne McLaughlin, assistant to Senator Manchin; Chad Kreikemeier, assistant to Senator Shaheen; Elana Broitman, assistant to Senator Gillibrand; Jeremy Bratt, assistant to Senator Blumenthal; Lenwood Landrum, assistant to Senator Sessions; Charles Prosch, assistant to Senator Brown; Brad Bowman, assistant to Senator Ayotte; Dave Hanke, assistant to Senator Cornyn; and Joshua Hodges, assistant to Senator Vitter.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

First, I'd like to welcome our witnesses for today's hearing on current and longer term threats and challenges around the world.

We're delighted to have James Clapper here for the first time as the Director of National Intelligence, along with the DIA Director, General Ron Burgess.

This committee has a special responsibility to the men and women of our Armed Forces to be vigilant on worldwide threats and on our intelligence programs. The safety of our troops, decisions on whether or not to use military force, and the planning for military operations all depend on understanding those threats through our intelligence programs and activities.

In Afghanistan we're beginning to see signs that the strategy announced by the President just over a year ago is achieving some progress. U.S., coalition and Afghanistan security forces have partnered to drive insurgent forces from Taliban strongholds in the south, and Afghanistan security forces are increasingly taking the lead in securing these areas so the Afghanistan people can return to building a better life. General Petraeus has said that there are signs of "friction" within the insurgency's ranks and that some local Taliban fighters are questioning their leaders' orders to keep fighting while those leaders are safely hiding out in sanctuaries in Pakistan. Do our witnesses see that same phenomenon? And what do they assess the prospects are for more lower-level insurgent fighters in Afghanistan to decide to lay down their arms and reintegrate into Afghanistan society?

A significant juncture in the next few months is the July 2011 date established by the President for the beginning of reductions in U.S. forces. Secretary Gates said the other day that "we will be well-positioned to do just that." Later this month President Karzai is expected to announce a number of provinces and districts selected for the first phase of transition to Afghanistan security forces taking the lead in providing security.

The President also said that the pace of the U.S. force reductions will be condition-based. One factor influencing those conditions will be the size and capability of the Afghanistan army and the Afghanistan police. I hope our witnesses will provide their views on whether the pending proposal to increase the size of the Afghan security forces by up to an additional 70,000 personnel, or a total of 378,000, would facilitate the transition to Afghan-led security.

A major source of instability in Afghanistan is the continued presence of sanctuaries for extremist insurgent groups across the border with Pakistan. We need to hear from our witnesses whether there is a realistic prospect that the Pakistanis will end those safe havens and end the support that they've been providing to the Haqqani network and the Quetta Shura Taliban that cross over into Afghanistan to attack coalition and Afghan forces and innocent Afghan civilians. And what is our witnesses' assessment of whether Pakistan might recalculate its strategic interest in Afghanistan and whether it might act to help bring the Afghan Taliban to the negotiating table?

Events in the Middle East and North Africa are both stunning and uplifting. It is stirring to see people express their will for freedom and human rights which are, once again, shown to have universal appeal. The people of Egypt and Tunisia now face the difficult challenge of forming a government that embodies those values without giving way to the forces of extremism and intolerance,

while the other countries in the region are struggling more with longstanding issues of economic and democratic reform.

To date, the revolutions in the Middle East have not been a victory for al Qaeda or other extremist groups that reject democracy and that prey on the resentment caused by corruption and poverty to nourish and sustain them. While we do not expect the Intelligence Community to—excuse me—to predict the future in this complex region, I do hope that our witnesses will provide insight into what the people in various countries in the region want to achieve, their ability and commitment to achieve it, and what outside actors are attempting to influence the outcomes.

In Libya, the aspirations of the Libyan people for freedoms and human rights have been met with brutal oppression by the Qaddafi regime. Is the conflict headed for a protracted stalemate in the judgment of the Intelligence Community? In addition, a humanitarian crisis is developing within the internally displaced and refugee populations growing along the borders with Tunisia and Egypt. We'd be interested in our witnesses' estimate as to whether it is likely the rebels in Libya can succeed militarily.

The administration is conducting planning, with our allies, to prepare for a range of contingencies in Libya, including, but not limited to, the possibility of a no-fly zone to protect the people of Libya from air attack. These events in recent days have shown machine guns and tanks can slaughter people as well as bombs can from the air.

Earlier this week the Arab League's Ambassador in Washington, Hussein Hassouna, indicated that the 22 members of the Arab League may endorse a no-fly zone when they meet in emergency session in Cairo this Saturday. While he said Arab League members feel "a sense of urgency" regarding Libya, saying that "If we leave this for too long, things will be worse and worse for the people," he warned on the other hand that Arab countries "are not in favor of foreign military intervention." We would appreciate our witnesses' assessment on who the opposition is in Libya, and whether our intervention more directly on their behalf, in the absence of Arab or Muslim countries' participation, might turn the people of the region against us as occupiers instead of their continuing to be focused against their own dictatorial regimes.

In Iraq, our forces are implementing the decision by President Bush and Prime Minister Maliki as set forth in the 2008 Security Agreement to withdraw all U.S. forces from Iraq by December 31st of this year. There are signs that the Maliki Government is cracking down on peaceful demonstrations. We'd want to hear from our witnesses their estimate of the prospects for democracy and for security for religious minorities in Iraq.

Iran perhaps provides the greatest challenge to the United States and the international community. The recent update to the National Intelligence Estimate on Iran's nuclear programs is of major interest. That update remains classified, but we look forward to some insight from our witnesses today on the Iranian nuclear program, particularly how many years away is it from being able to produce enough highly enriched uranium for one nuclear weapon, and from completing the design and manufacturing of all the parts of a warhead or bomb after a decision to do so were made by the

Iranians, if they haven't already made such a decision. We also need their views on the effect of the sanctions on Iran on, and on which countries are the least cooperative in implementing those sanctions. And for the members of our committee, we will be holding a briefing on the recent NIE review of Iran in the near future.

The Iranian regime's cynical reaction to the upheavals in the region has been to redouble its suppression of popular protests at home, while championing and claiming credit for revolts elsewhere. We need to do what we can to pierce that veil of hypocrisy, to understand how the uprisings abroad are affecting the Iranian regime and its opponents.

Questions abound on other parts of the world where we need the intelligence community's assessments. For example, what are the prospects for Russian missile defense cooperation with NATO and the United States, and the potential impact of such cooperation, particularly with respect to Iran? And what are our witnesses' views on North Korea's intentions, and what is the likelihood that they would launch an attack on the South?

So, our witnesses have a great deal of ground to cover with us this morning.

We have arranged for a closed session following this open session, if needed.

[The prepared statement of Senator Levin follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman, and thank our witnesses for the decades of service to our Nation, including in the critical intelligence positions they now hold.

On behalf of our committee, please extend our gratitude to the men and women you lead, who labor everyday, often in silence, to secure our Nation.

Our appreciation for the work of our intelligence committee is mixed with a great deal of humility as we consider the overwhelming array of worldwide threats now facing the country, which is the subject of this hearing. And I say in all seriousness and with no eagerness that, in my many years of public service, I have never seen an international environment in which we have been called upon to confront more threats of greater diversity and magnitude, all at once, than we are in today's world. I know you would agree that there's much to keep us up at night.

We face a wide variety of challenges ranging from al- Qa'ida, North Korea, Syria, Afghanistan, Pakistan, cyber networks, a rise of China and shifting balance of power in the dynamic Asia-Pacific region, and others.

Trying to understand and anticipate all these challenges, and more, is a tall order. Congress and the American people are right to hold our intelligence professionals to the highest standards and to expect the most of them. After all, they expect nothing less of themselves. However, our expectations must also be realistic, and that means remembering, especially in times of rapid change like these, we must resist the temptation to mistake intelligence for omniscience.

The truth is, there were plenty of people who foresaw that the status quo in the Middle East and North Africa was far—in North Africa—was far from stable. When you combine young populations, rising expectations, declining opportunities, corrupt and autocratic governments, and little to no political freedom, it doesn't take world-class intelligence to predict that this is a crisis in the making. It just takes common sense. But as for why this crisis is unfolding now, as opposed to some other time, I think that is and will remain a mystery. No intelligence agency, even ones as well-funded as ours, could be or should be expected to foresee what one forlorn young man in Tunisia would burn himself to death, and that this single tragedy would unleash a geopolitical shockwave toppling long-entrenched rulers, emboldening millions to find their political voices, and changing the region forever.

The main question for us now is not, why didn't we see this coming, but how do we understand where it is going? And that's why I would focus on the horrific events in Libya. Up to now in Tunisia and Egypt and elsewhere, we've seen overwhelmingly peaceful demonstrations elicit unprecedented political change, and most governments are seeking to accommodate that change without resorting to large-scale violence. These public demonstrations have not been inspired by violent extremism, but rather by moderate demands for greater freedom, justice, and opportunity. As such, they are a repudiation of everything al Qaeda stands for.

We saw similar peaceful demands made by people in Libya, but the government's response has been something different entirely. The Qaddafi regime has unleashed a campaign of unconscionable violence—often at the hands of foreign mercenaries—which has pushed the country to the brink of civil war. The President of the United States has said that Qaddafi must go. He said all options are on the table to achieve that goal. And I believe he's right on both counts. But we now seem to be increasingly faced with the possibility that Qaddafi will not go ?- that he will instead recapture control, at least, parts of Libya, at least enough to wage a counter-revolution of murder and oppression for a long time to come against anyone who stands in his way.

If that were to happen, he would establish a dangerous counterexample to the revolutions in Egypt and Tunisia. It would signal to rulers across the region that the best way to maintain power in the face of peaceful demands for justice is through swift and merciless violence. There is much concern about the perception of United States or Western military involvement in another Muslim country after Afghanistan and Iraq, and that's why we must continue to work with our partners in the region to address the situation in Libya. Perhaps the greater concern for us all should be that it would mean America's credibility and moral standard, standing, if a tyrant were allowed to massacre Arabs and Muslims in Libya, and we watched it happen.

Finally, Mr. Chairman, the situation regarding the no-fly zone continues to dominate the airwaves. Perhaps we are spending too much time on that single issue. I would point out, the New York Times this morning, an article by Nicholas Kristof. "This is a pretty easy problem, for crying out loud. For all the hand-wringing in Washington about a no-fly zone over Libya, that's the verdict of

Gen. Merrill McPeak. I called General McPeak to get his take on a no-fly zone. He said, quote, I can't imagine an easier military problem, he said. If we can't impose a no-fly zone over a not even third-rate military power like Libya, then we ought to take a hell of a lot of our military budget and spend it on something else."

Perhaps as importantly, General Odierno, the U.S. Commander of Joint Operations Command, said, "The U.S. military would be able to establish a no-fly zone over Libya within a couple of days if the international community decided that such a move was needed. We can react very quickly to all this if we have to. We're prepared to do that. I believe within a couple days we would probably be able to implement a no-fly zone," said Raymond Odierno, commanding general of the United States Joint Forces Command.

I'll be interested in my, the witnesses' views of the importance of establishing a no-fly zone given the recent news this morning in the Wall Street Journal that says, "Meanwhile, rebel leaders in Benghazi said government planes had bombed fuel silos and an oil pipeline near Ras Lanuf. The strike raised fears that Qaddafi had turned his weapons on petroleum assets in opposition-controlled territory, something the rebel government has dreaded." Quote, "What we worried about has started to happen today, said Abdul Hafidh Ghoga, spokesman for the temporary governing council in Baghdad. This could lead to a huge environmental crisis, and one that could also cause global aftershocks in the oil industry."

I might add that the French, the government of France has just recognized this provisional government in Benghazi.

I thank you, Mr. Chairman.

[The prepared statement of Senator McCain follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you very much, Senator McCain.

Director Clapper, I think we will begin with you.

I thank you again, both your and General Burgess, for your great service, and I join Senator McCain in asking you to pass that along to the men and women with whom you work.

STATEMENT OF HON. JAMES R. CLAPPER, JR., DIRECTOR OF NATIONAL INTELLIGENCE

Mr. CLAPPER. Thank you, Chairman Levin, Ranking Member McCain, and distinguished members of the committee for inviting General Ron Burgess, a friend and colleague of long standing, and me to present the 2011 Worldwide Threat Assessment.

As many of you understand, it's not possible to cover the full scope of worldwide threats in our brief oral remarks, so I'd like to take this opportunity to highlight four broad areas of significant concern to the Intelligence Community. General Burgess will address specific threats and challenges for defense intelligence. Subject to your concurrence, we've submitted longer statements for the record.

First and foremost is terrorism. Counter-terrorism is out top priority because job one for the Intelligence Community is to keep Americans safe and the homeland secure.

The Intelligence Community has helped thwart many potentially devastating attacks—for example, the cargo bomb plot last October. We've apprehended numerous bad actors throughout the world and

greatly weakened much of al- Qaeda's core capabilities, including its operations, training and propaganda. We're especially focused on al- Qaeda's resolve to recruit Americans and to spawn affiliate groups—most notably al Qaeda on the Arabian Peninsula—around the world.

We also see disturbing instances of self-radicalization among our own citizens. While homegrown terrorists are numerically a small part of the global threat, they have a disproportionate impact because they understand our homeland, have connections here, and have easier access to U.S. facilities.

Counterterrorism is central to our overseas operations, notably in Afghanistan, and while progress in our efforts to disrupt, dismantle and defeat al Qaeda is hard-won, we have seen and will continue to see success in government security and economic development that will erode the willingness of the Afghan people to support the Taliban and their al Qaeda allies.

While U.S. combat operations have come to an official close in Iraq, bombings by terrorists, and specifically al- Qaeda, mean that our work to help solidify the security gains we've made thus far remains a high priority.

Another major concern is the proliferation of weapons of mass destruction. The proliferation threat environment is a fluid, borderless arena that reflects the broader global reality of an increasingly free movement of people, goods and information. While this environment is critical for peaceful scientific and economic advances, it also allows the materials, technologies and know-how related to chemical, biological, radiological and nuclear weapons, as well as missile delivery systems, to be shared with ease and speed.

Iran, as you noted, is a key challenge. In the months following the 2009 Iranian elections we saw a popular movement challenge the authority of its government. We also saw the Iranian government crack down with harsh authoritarian control. Now we are seeing similar unrest, although so far on a smaller scale than was the case in 2009, and a similarly harsh crackdown by the regime. We look forward to discussing Iran further with you in closed session—particularly its nuclear posture.

North Korea, as you also noted, nuclear weapons and missile programs also pose a serious threat, both regionally and beyond. Pyongyang has signaled a willingness to re-engage in dialogue, but it also craves international recognition as a nuclear weapons power, and it has shown troubling willingness to sell nuclear technologies.

Third, I also want to highlight another major challenge for the Intelligence Community. The reality, as you all, both noted, that, we are in an interconnected interdependent world, and instability can arise and spread quickly beyond borders. Of course, the vivid examples of this include the sudden fall of the Ben Ali regime in Tunisia and the contagious mass uprisings in Egypt which led to the departure of former president Mubarak, and the large scale demonstrations and uprisings elsewhere, most notably now in Libya. The Intelligence Community is following these fast-moving events closely.

We've long assessed the political and socioeconomic drivers of instability in the region, including analyses of historical transitions

of power to understand future risks to regime stability. However, specific triggers for how and when instability would lead to the collapse of various regimes cannot always be known or predicted. In other words, we aren't necessarily clairvoyant. And, Senator McCain, I very much appreciate your commentary about the need to distinguish mysteries and secrets. And sometimes we're held to the same standard for knowing both.

What's happening in the Middle East is yet another manifestation of the fact that economic challenges and frustrated political aspirations have become paramount in our independent world and cannot be underestimated, from increasing debt to fluctuating growth, to China's economic rise.

Another example of such interdependent challenges are cyber threats and their impacts on our National security and economic prosperity. This threat is increasing in scope and scale. Industry estimates that the production of malicious software has reached its highest level yet, with an average of 60,000 new programs or variations identified each day. Industry has estimated that the loss of intellectual property worldwide to cyber crime continues to increase, with the most recent 2008 annual figures approaching \$1 trillion in losses. Last year some of our largest information technology companies discovered that throughout much of 2009 they'd been targets of systematic efforts to penetrate their networks and acquire proprietary data.

We're also analyzing the national security implications of energy, security, drug trafficking, emerging diseases, international organized crime, humanitarian disasters, and other global issues. In the face of these challenges, the Intelligence Community must always remain attentive to developments in all parts of the globe and many spheres of activity, and that is why I consider it imperative that we must sustain a robust balanced array of intelligence capabilities.

Fourth, counterintelligence is another area of great concern to me. We face a wide range of foreign intelligence threats to our economic, political and military interests at home and abroad. In addition to cyber and other threats clearly tied to foreign intelligence services, unauthorized disclosures of sensitive and classified U.S. Government information also pose substantial challenges, and the most prominent recent example, of course, is the unauthorized downloading of classified documents subsequently released by WikiLeaks.

Speaking from an intelligence perspective, these disclosures have been very damaging. As part of a broader whole Government effort, we in the Intelligence Community are working to better protect our information networks by improving audit and access controls, increasing our ability to detect and deter insider threats, and expanding awareness of foreign intelligence threats across the U.S. Government. I believe we can and will respond to the problems of intrusions and leaks, but we must do so without degrading essential intelligence integration and information sharing.

In sum, the Intelligence Community is better able to understand the vast array of interlocking concerns and trends, anticipate developments, and stay ahead of adversaries precisely because we operate in an integrated community.

I thank you and the distinguished members of the committee for your support to the Intelligence Community and your dedication to the security of our Nation. Following General Burgess's remarks, we look forward to your questions and our discussion.

And sir, what I'd like to do is turn the podium over to Ron for his statement and then I'll, we'll go through the questions you raised in both your opening statements.

[The prepared statement of Mr. Clapper follows:]

Chairman LEVIN. Thank you so much, Director Clapper. Now we'll call on General Burgess, and we will follow that course of action, if you would like to take some additional time to address the questions which we raised in both of our opening statements.

General Burgess.

**STATEMENT OF LTG RONALD L. BURGESS, JR., USA,
DIRECTOR, DEFENSE INTELLIGENCE AGENCY**

General BURGESS. Chairman Levin, Ranking Member McCain, and members of the committee, it is an honor for me to join Director Clapper before this committee.

I would like to comment on a few areas of special focus for Defense Intelligence. First is transnational terrorism. DIA assesses that al Qaeda continues to adapt in response to our counter-terrorism efforts. We believe that while core al Qaeda is forced to focus more on survivability, it remains resilient, continues attack planning, and provides operational guidance to regional affiliates.

Affiliates such as al Qaeda in the Arabian Peninsula and al-Shabaab continue recruitment and fundraising efforts in support of their own attack planning. Terrorists inspired by the al Qaeda ideology also remain a persistent threat, most recently exemplified by the attack against United States Air Force personnel in Frankfurt, Germany.

Recent and ongoing events in North Africa and the Middle East have opened a period of uncertainty across the region, elevating risk relative to traditional allies in other nations historically opposed to U.S. interests.

In Afghanistan we likely will see higher levels of violence through this year, due in part to increased ISAF presence and operations. ISAF has constrained insurgents in some areas, but Taliban in the south have shown a resilience and still influence much of the population, particularly outside urban areas. In the east, the Taliban and Haqqani network have suffered numerous tactical and leadership losses, with no apparent degradation in their capacity to fight. Violent demonstrations of Taliban influence persist in the north and the west.

The Taliban can sustain operations without al Qaeda, though al Qaeda uses its limited involvement to support attacks and for propaganda, fundraising, and legitimacy.

Turning to North Korea, of significant concern is decision making relative to the apparent leadership succession underway and its implications for additional deliberate provocations against the South. The North Korean artillery attack against Yeonpyeong Island on November 23rd, 2010, and torpedo attack on the naval corvette Cheonan on March 26th, 2010, show Pyongyang's willingness

to use military force to advance its external and internal goals. Miscalculation could lead to escalation.

Elsewhere in Asia, China's leaders have stated their intentions and are allocating resources to pursue broadbased military transformation. While remaining focused on Taiwan as a primary mission, China will by 2020 lay the foundation for a force able to accomplish broader and regional global objectives.

Despite significant improvements, the PLA continues to face deficiencies in inter-service cooperation and actual experience in joint exercises and combat operations. Recognizing these shortcomings, China's leaders continue to stress asymmetric strategies to leverage China's advantage, while exploiting potential opponents' perceived vulnerabilities.

I'll close with a few words on Iran. At Iran's behest, Lebanese Hizballah provides Iraqi insurgents with weapons and training to attack U.S. forces. Iran also provides weapons, explosives and munitions to insurgents in Afghanistan. While Iran is unlikely to initiate or launch a preemptive attack, it could attempt to block the Strait of Hormuz temporarily, threaten U.S. forces and regional allies with missiles, and employ terrorist surrogates worldwide. Iran's space launch missile program demonstrates progress towards technology that could eventually be used for an intercontinental ballistic missile.

These are DIA's assessments, and they also reflect our close working relationship with our Intelligence Community partners and close allies. While I am proud to represent DIA today, I remain very mindful that what we do in the Community is a true team effort. This spirit of cooperation and integration has been most evident over the last 10 years of deployments by the men and women of DIA working in support of counter-terrorism and counter-insurgency operations in Iraq and Afghanistan, the Horn of Africa, and elsewhere. Challenged by very hard targets and highly resilient and adaptive adversaries, DIA today is a more forward-deployed, capable and effective agency as it approaches its 50th anniversary later this year.

Sir, thank you for this opportunity. And we will now begin the response to your original questions.

[The prepared statement of General Burgess follows:

Chairman LEVIN. Thank you very much, General.

Let me go back to you, then, Director.

Mr. CLAPPER. Yes, sir. What I propose is, I'll take a cut at the questions both you and, issues that you and Senator McCain raised, and then I'll ask Ron to jump in and amplify or correct as required.

First, sir, you brought up about the friction that appears to be emerging between Taliban or insurgent elements in Afghanistan versus their command hierarchy in sanctuaries in Pakistan, and that's true. We are seeing more of that as, and that's, I think, a direct result of the effects of the surge in Afghanistan, as more and more pressure has been put on the Taliban. To say, though, that that's going to turn into a groundswell and, going to have a lot of Taliban march with their feet—I think that remains to be seen. Certainly, the interval now, between now and next spring, as the

weather improves and combat intensifies, I think we'll have to watch that and see if that's a developing trend.

You asked about the Afghan army and Afghan police, and expanding that to approaching 400,000 people. Actually, that would be a good thing. I think the issue then will be whether the Afghan government can sustain a force of that size, and in doing so, reduce the attrition, absences, if you will, that we continue to see in both those forces.

With respect to Pakistani safe havens, I would say this—that oftentimes our interests and the Pakistani interests are congruent, and other times they're not. The primary threat for the Pakistanis continues to be India, and that consumes and preoccupies, I think, where their strategic interests lie. It's a very complex, delicate relationship with the Pakistanis, and we'd be pleased to speak more to that in closed session.

You spoke very eloquently, sir, I think, about this tectonic change—I think, and I don't think that's an exaggeration—that's going on in the Mideast. And it demonstrates, I think, the universal hunger that people have for economic improvement, for freedom of expression, for the opportunity to participate in and have credible, honest elections, and their great aversion, as we've seen, to corrupt governments. I think what we've also seen, which is a subject of great interest to me in, as the head of the Intelligence Community, is the impact of social media and our ability to monitor that social media and understand what's going on in this groundswell.

I think the outlook generally is, we're in for a bumpy time in the Mideast. This is not going to be a smooth, equally, an equally smooth transition from country to country. It's going to vary from point to point.

With respect to the rebels in Libya and whether or not they will succeed or not, I think, frankly, they're in for a tough row because a very important consideration here for the regime is the, by design, Qaddafi intentionally designed the military so that those select units loyal to him have had the most, are the most luxuriously equipped and the best trained. And that is, I think, having a telling effect now with the rebels and, I think, logistically, the overwhelming power or control that Qaddafi has.

You're quite right. Obviously, there are a range of options being considered, of which no-fly is, a no-fly zone is one. I think of great interest is the Arab League apparent interest in and support for the conduct of a no-fly zone.

You asked about the opposition. What appears to have emerged is a council of about 31 leaders that are drawn from the various towns and cities that are generally held in opposition hands. That in turn is led by an executive group of three, and the senior appears to be a man named Jalil, who is the punitive former Minister of Justice.

In Iraq, I think, actually what has happened in Iraq has been a very interesting and encouraging evolution, as they have gone, they're going through a very difficult transition into a democracy. They have, too, have had demonstrations in, that have taken place widely throughout many cities in Iraq, and I personally was heartened by the excellent performance of the Iraqi security forces who

reacted temperately and professionally, for the most part, to these demonstrations.

You brought up the National Intelligence Estimate, actually, the Memorandum to Holders, which is a revision or update if the original 2007 National Intelligence Estimate on Iranian nuclear capabilities and intentions. I would suggest, sir, that it would be best to discuss this in closed session and, as soon as we can get that scheduled, our, we'll have our lead for that, the National Intelligence Officer, Andy Gibb, who will be available to brief you on that update.

With respect to the effect of sanctions, it is having effects on the economy of Iran. I don't think there's any question about that. We cannot say, however, that it's having any direct effect on their nuclear program or their nuclear intentions. I think you're quite right to point out the incongruity of the Iranian reaction to the unrest in the Mideast—demonstrations are good, just not here—which, I think, puts them in a very awkward position.

With respect to prospects for missile defense in Europe in cooperation with Russian, the Vice President is in Russia now. I'm sure that's one of the topics he'll discuss, as, I think kind of the standard reaction here would be, the Russians will, as always, act in what they think is their best interest. And to the extent that we can entice them to participate cooperatively in a missile defense program, I think that would convey a very compelling message to Iran.

With respect to North Korean intentions, obviously they continue to play their nuclear card. That is their single, I think, leverage point, or leverage device they can use to attract attention and seek recognition for them as a nuclear power. I think personally—and General Burgess I'm sure has a view on this—that the likelihood of a conventional attack on the, South Korea is frankly rather low.

Senator McCain, and in turn Senator Levin, expressed appreciation for the men, the work that the men and women in our Intelligence Community. As you've both, all of you have visited folks in the field, so you can understand the environment they operate in, often at great personal risk to themselves. I'm about to go out on a trip to the Far East this Saturday, and I will be visiting many of these people. In fact, Senator McCain, it'd be the first time back to Vietnam for me since I left in 1966. I'm looking forward to that.

And I certainly, and, as I know General Burgess does, completely agree with your assessment of the world environment. I've been in the intelligence business 47 years. I cannot remember or recall a time that has had more complex challenges for us as a community to face. And I appreciate your recognition of that. And I appreciate as well, sir, your call for being realistic about the expectations. We're not clairvoyant.

I do agree as well with—and I think Chairman Mullen indicated this recently—about, with all the uprisings in, and demonstrations in the Mideast, I think this is in fact a reputation of al Qaeda and it's ideology.

I would also agree that I, we believe that Qaddafi is in this for the long haul. I don't think he has any intention—despite some of the press speculation to the contrary—of leaving. From all the evi-

dence we have, which I'd be prepared to discuss in closed session, he appears to be hunkering down for the duration.

With respect to General Tony McPeak, who was Chief of Staff when I was in the Air Force, his typical candid view, it's, I would just comment that it's really not entirely a military problem. From the standpoint of the threat there, the Libyan air defense structure on the ground, radars and surface to air missiles, is quite substantial. In fact, it's the second largest in the Mideast after Egypt. They have a lot of Russian equipment, and there is a certain quality in numbers. Some of that equipment has fallen into oppositionist hands. They have about 31 or so major SAM sites, a radar complex which is focused on protecting the coastline, where 80 or 85 percent of the population is.

They have a large, large number of MANPADs, that is manned portable surface to air missiles, and of course there's great concern there about them falling into the wrong hands. Their air force—lots and lots of aircraft, not very many of the operational. Approximately 80 or so, 75 or 80. About a third of those are transports, a third, helicopters, and the remainder are fighters. They have used them to some extent in attacks on the ground. They're somewhat, though, akin to the gang that can't shoot straight, since they're doing this visually, and have not caused very many casualties, although some physical damage.

With that I will turn to General Burgess for any commentary he may want to add to those questions.

Chairman LEVIN. Thank you very much, Director Clapper.

General Burgess.

General BURGESS. Sir, I would just add a couple of points on General Clapper's, or, Director Clapper's points.

Reference the friction that you noted up front. Actually, I think the Intelligence Community has been reporting on the friction between the Taliban inside Afghanistan and those that are back in Pakistan since 2002. This has actually been fairly consistent even from the mujahideen days in the 1980's, for those that were inside the country fighting and those that were back in "sanctuary," and who was pulling what in terms of fair share. So that friction has been there and been being reported on. I think it is fair to say that we are seeing a heightened level of reporting at this time on some of that. But we have not seen any evidence at all yet that this friction is superceding the desire of the insurgents in Afghanistan to continue to fight. Nor is it contributing at this time to what I would call very nascent reintegration opportunities that are presenting themselves.

Reference the Afghan National Army and the Afghan National Police. You know, sir, what I would say on that is, you know, as you all are well aware, the Afghan National Police and the Afghan National Army have met their targets again for this year, and they continue to meet the levels that are set for them.

For both the army and the police, I think it is a matter of balancing what I would call quantitative growth with qualitative improvement in figuring out how you bring that. And in our assessment, the Afghan National Army is ahead of the Afghan National Police in that regard at this time. And so, as instruments of the central government's power, we need to continue to reinforce.

On Libya, DIA would agree with, as the Director put it, in terms of, Qaddafi does give indication at this time, sir, that he is, he's in this for the, as he said, long haul, for this. He put it a different way. I generally quote someone, and it was Napoleon that said, "Mass has an inherent quality all of its own." He was referring to artillery, but clearly Qaddafi has, both on the air side and the ground side, and the surface to air missiles, he has all of that, and the qualitative advantage is in that material that is in the western part of the country, as opposed to the eastern, which is controlled by Qaddafi. So, right now he seems to have staying power, unless some other dynamic changes at this time.

The only other one that I would add a comment on was Director Clapper's comment, reference North Korea. It is also our assessment at this time that there is a low probability of a conventional attack by the North upon the South. But as I mentioned in my statement, North Korea has shown a proclivity for doing sometimes the unexpected. And it is the unintended consequences of those events that may precipitate something else, sir.

Chairman LEVIN. Thank you both very much.

Let's have a first round of 7 minutes.

General Burgess, when you say there's a low probability of a conventional attack by North Korea. I assume that that would include a nuclear attack as well, perhaps even lower. Is that correct?

General BURGESS. Yes, sir.

Chairman LEVIN. Now, relative to Iran, Director Clapper, you mentioned in your statement that you do not, we do not know, talking about the Intelligence Community, if Iran will eventually decide to build nuclear weapons. I read into that that Iran has not made a decision as of this point to restart its nuclear weapons program. Is that correct?

Mr. CLAPPER. Yes, sir. I would like, though, to defer a more fulsome response to a closed session.

Chairman LEVIN. Okay. But, what is level of confidence that you have that as of this time they have not decided to restart that program? Is that a high level of confidence?

Mr. CLAPPER. Yes, it is.

Chairman LEVIN. And if Iran made the decision to restart its nuclear weapons program, what is the likelihood that we would know reasonably shortly thereafter that that decision was made?

Mr. CLAPPER. I would prefer to discuss that in closed session.

Chairman LEVIN. Okay. Are you able to tell us in open session what I think has been assessed before openly, but you tell us whether you can do it now—if Iran decided to restart its nuclear weapons program today, about how long, what range of years, would it take for them to have a complete, fully assembled nuclear warhead, including the necessary highly enriched uranium?

Mr. CLAPPER. Again, sir, I would prefer to respond in a closed environment.

Chairman LEVIN. Okay. We respect that. Would a missile still be the most likely delivery vehicle?

Mr. CLAPPER. Yes, sir.

Chairman LEVIN. Okay. Relative to Afghanistan—and I think that you both said this, but I want to be sure that I hear you correctly—you both are cautious, but I think it's, well, let me just ask

you point blank, then. We had an assessment both from Secretary Gates and General Petraeus recently that there has been progress in Afghanistan in the last year or so, and in General Petraeus's words, the momentum of the Taliban has been halted in much of the country and reversed in some important areas. Would you agree with General Petraeus?

Mr. CLAPPER. Yes, sir, I do. This, of course, we had this discussion, debate, during the National Intelligence Estimate deliberation, and I don't think there's any question about the tactical successes that the ISAF forces led by General Petraeus have enjoyed, particularly in light of the surge.

I think the issue and the concern that the Intelligence Community has is after that, and the ability of the Afghan government to pick up their responsibility for governance. And that's, I think that's what we're going to be watching very carefully. But I don't think there's any question about the success that ISAF forces have enjoyed. Our troops have had great success, as Secretary Gates commented, on the battlefield and have made tremendous progress.

General BURGESS. Sir, I would just add, I mean, I would agree that we have enjoyed tactical defeats and operational successes against the Taliban. However, the Taliban does remain resilient and will be able to threaten U.S. and international goals in Afghanistan through 2011.

Chairman LEVIN. Thank you. On Pakistan, let me ask you, both of you, has the U.S. Government presented evidence to the Pakistan government about the location of the Quetta Shura and the Haqqani network? Do they know where these guys are?

Mr. CLAPPER. Generally, yes, sir. They have. But I think they are generally aware. And we've had those discussions, and that's probably all I ought to say in public.

Chairman LEVIN. All right. Well, let me just say that, the reason I ask you that is that every time we talk to the Pakistanis what they tell us is, give us the evidence about the location. Tell us where they are. And we've done that. I mean, and I, you confirm it here today. So, I don't think that answer from the Pakistanis is going to carry any water, and shouldn't carry water. They might have other reasons why they're not going after those people who are moving so easily into Afghanistan to attack us and our Afghan partners and the Afghan people. But it can't be that they don't know where the Quetta Shura is. It's obviously and openly located in Quetta, and the Haqqani network is located in Waziristan, and they know where it is. And I'm glad to hear you say that because it's important the Pakistanis not hide behind that fiction.

Relative to Iraq, can you give us an assessment about the vulnerability of the government of Iraq to the kinds of protests which have, we've seen in other parts of that region? And has the government of Iraq cracked down on peaceful demonstration, and could that lead to greater demonstrations?

Mr. CLAPPER. Well, sir, I think the people in Iraq have the same aspirations as we're seeing throughout the Mideast, the same four factors I indicated. And I think, you know, the word crackdown, I guess that's somewhat of a loaded word. I guess they have curtailed, controlled these demonstrations. And I think the real test is going to be how responsive the Iraqi government can be for things

like provision of water and electricity to the people. And I think it's sort of basic fundamental needs. And the government of Iraq I think understands that. I think the Prime Minister Maliki certainly does, and that he's got to deliver. And that's going to be the test. And to the extent that they're not able to do that, then I think that frustration will fester more among the Iraqi people.

Chairman LEVIN. And just to wind that up, what is the Iranian influence in the Iraqi government? What's the extent of it?

Mr. CLAPPER. Well, sir, it's, I think sometimes we, there is a tendency to overstate that. I think clearly they're interested, they're going to try to influence things in Iraq in a manner that's supportive of their interests. I think, though, Prime Minister Maliki, his eyes are wide open here. He's got some background with the Iranians, and I think they're very much aware of that, and certainly that's a great concern to others in the region.

Chairman LEVIN. So, you say it's a limited effect, the Iranian influence?

Mr. CLAPPER. Well, I wouldn't, I don't know what the right characterization is. It's, it is a concern, it's a factor. And certainly the Iranians will want to exploit any openings they can, whether in Iraq or anywhere else in the region. And some measures, in some ways they would like to exploit the situation. But I think that that's going to be very problematic for them.

Chairman LEVIN. Thank you.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

I thank the witnesses again.

General Clapper, do you believe that there—as you know, Senator Lieberman and I just came from a visit—and by the way, I hope you enjoy your visit to Vietnam. I want you to go to the statue next to the lake where I was shot down. And I know you'll express to the Vietnamese government that we are somewhat disappointed in their lack of progress in human rights. In fact, recent crack-downs have been disappointing to all of us who supported the normalization of relations between our countries.

Do you believe that in the Middle East there's a perception that the United States is in the decline?

Mr. CLAPPER. I don't know that, so much in decline as much as very unpopular. I think if you look at the polls that we take, that, throughout the Mideast, that our image is not very good. I don't know that they, that's a reflection that they think we're in decline as much as a, just aversion to what they believe our interests are, or things we have or haven't pushed. I think it has more to do with that. But we're just, I would characterize it as, we're very unpopular there.

Senator MCCAIN. And two of the reasons might be that we, our failure to support the democratic movements within some of these countries robustly enough, and the other perhaps could be that we have not been able to assist them in the ways that they feel are important. I think we all realize that it was the economy of these countries that really is what, and the lack of opportunity and the lack of jobs. And what they want is our investment, not so much our guidance, but our investment so they can, so that we can create jobs. Would you agree with that?

Mr. CLAPPER. Yes, sir. I think the economic issues are high on their mind. You have a very high population of unemployed youth. I think in Saudi it runs, for example, it runs around 40 percent. And so, you have a growing body of, you have this huge youth bulge in the Mideast. The effect of social media, so, they are aware of what is potentially, what's possible.

Senator MCCAIN. Okay.

Mr. CLAPPER. And I think that has created this huge groundswell of frustration for economic betterment. So, probably, yes, they would welcome investment as long as we're not telling them what to do.

Senator MCCAIN. And the other factor could be the lack of progress on the Israeli-Palestinian issue.

Mr. CLAPPER. Yes, sir. I think that's quite true. That's an issue very prominent in the minds of many.

Senator MCCAIN. And this argues, at least in my mind, a greater urgency to make progress on the Israeli-Palestinian peace process. Do you agree?

Mr. CLAPPER. Yes, sir. And I have to say, since I'm not a witness to all this, the administration has worked that very hard.

Senator MCCAIN. I wasn't being critical of the administration. I just think that the perception out there is not helpful to U.S. interests.

On the issue, again, of the no-fly zone, do you agree—and I understand, you talked about their array of defenses and surface to air missiles and radars—do you agree with General Odierno's assessment that it could be a couple of days, the U.S. military would be able to establish a no-fly zone over Libya within a couple of days if the international community decided that such a move was needed?

Mr. CLAPPER. Well, I'd have to take that under advisement, sir. I don't, a couple days, I wouldn't, I don't know about 2 days. It might, may be a little longer than that, because this would, I believe, involve a suppression of the air defense equipment there and sorting out which equipment is in the hands of the oppositionists and which isn't and, you know, the intelligence that would be required to support the imposition of the no-fly zone. So, I'm a little reluctant to say 2 days.

Senator MCCAIN. Well, a relatively short period of time. And I must say with respect, it think it's fairly obvious where their air assets are located and where most of their air defense assets are located, and that's around Tripoli. It's obvious, because the eastern part of the country is not under their control.

I noticed with interest that the French government has recognized the provisional government, which you, I think accurately, described as in Benghazi. That's bound to be a boost to their morale. Should the United States consider recognition of—all right, let me put it this way. Wouldn't it be helpful to their morale, which is sagging somewhat right now, if the United States recognized the provisional government, particularly in light of the fact that the President of the United States has announced that Qaddafi must go?

Mr. CLAPPER. It probably would raise their morale, sir. And that's a policy call, and certainly not in my department of intelligence.

Senator MCCAIN. Thank you. And I understand that. But, from an intelligence standpoint, it would be certainly helpful to have them recognized. We've done that in the past in other cases.

How serious is the damage to your capability to carrying out your responsibilities was the WikiLeaks situation?

Mr. CLAPPER. Well, from my standpoint, it was quite damaging because of the chilling effect it has on people who are willing to be recruited and to provide information to us. And so, that's—

Senator MCCAIN. So, it was a lot more than just embarrassing to diplomats who—

Mr. CLAPPER. Yes, sir.

Senator MCCAIN—were candid in their assessments?

Mr. CLAPPER. And bear in mind, there are some potentially 700,000 documents out, that are out there, and there have only been about 5,000 publicly revealed, so this could go on for quite some time as these revelations are stretched out.

Senator MCCAIN. And it literally puts people's lives in danger who were cooperating with us, whose names, identities may be revealed in these leaks, is that correct?

Mr. CLAPPER. That's possible. But I, frankly, am more concerned about the ones we don't, we won't get in the future, that we can't count, who won't engage with us because of fear of revelation.

Senator MCCAIN. I thank you, Mr. Chairman. I bring that up because I'm intrigued by this debate that seems to go on that, well, it's, we needed to know what our diplomats were saying to each other, and we needed these candid—that's not what this is all about is it?

Mr. CLAPPER. Well, the embarrassment factor, it makes for juicy headlines and all that sort of thing. But that's not really what the serious impact is. And of course, this whole—I should, not to dismiss that. That also is a negative effect of, the candor involved in diplomatic discourse, diplomatic exchanges, I think will be affected.

I think, so far—and certainly the dialogue I've had with foreign interlocutors, while they're not happy about it, I think they see that there is a larger interest here in a continued relationship with the United States—but from an intelligence perspective, there's been some damage.

Senator MCCAIN. Could I finally say, Mr. Chairman, I agree with your assessment about our unpopularity, but it also seems, and it also seems to me that this is a window of opportunity for the United States of America to declare our assistance to these people, to help in their economies. Again, not to interfere. The one message that Senator Lieberman and I got from meeting with these young revolutionaries was that they don't want our interference, but they do want, they see the United States as a prime way of improving their economy and creating jobs in these countries. So—I know, obviously, you would agree—this is a time of challenge, but also a time of opportunity for the United States of America to return our, not our "popularity," but our prestige, our ability to help people, our image, and frankly, fulfill the, really, the mission of what our country's supposed to be all about.

Mr. CLAPPER. Sir, I agree. I think it's a great testimony, even though it is difficult, but it is a great testimony to our way of life and the values we stand for. And I think what we're seeing here is a universal longing for that which has manifested itself so dramatically.

Senator MCCAIN. I thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman.

Thanks to both of you.

Just to pick up on that last exchange between Senator McCain and you, General Clapper. I know that as we debate here, the debates are going on within the administration and allied capitals about how we should relate to what's happening in Libya, one of the concerns expressed is that we should not again get, we should not get involved in another, a third Arab country militarily. Well, in the first place, nobody here is talking about on-the-ground foreign military intervention.

But more to the point, is it, this one is really different, because we're being asked by an escalating chorus of voices from within the Arab world to please help the opposition to Qaddafi. It starts from the streets that Senator McCain and I visited in Tunisia and Egypt, with this new, remarkable generation of peaceful democratic revolutionaries in the Arab world. Now we've had—who view the opposition to Qaddafi as their allies, their brothers and sisters in this peaceful uprising, and Qaddafi as typical of the authoritarian regimes against which they rebelled, except that he turned his guns on them. So, they want to see us support the opposition.

Now we've had officially the Gulf Cooperation Council, some of our closest allies in the Arab world, calling on us to work with our allies to impose—around the world, really—to impose a no-fly zone in support of the opposition. And the Arab League, presumably, will do the same over the weekend. So, I think there's a different context here, and I present that in the sense of a kind of second chance, or a new chance for us to link up with the aspirations of people in the Arab world. I thank you for your answer to that.

I want to go back to Libya briefly here at the beginning. Both of you, General Clapper and General Burgess, presented your assessment that at this point, notwithstanding anything to the contrary in the media, Colonel Qaddafi is hunkering down. He's not going anywhere, as far as he's concerned.

I wanted to ask you to, if you would in that context give us your best estimate of the military situation on the ground, because the media seems to have been suggesting, from people there, reporters there over the last couple of days, that the momentum has now turned in favor of the Qaddafi government and forces against his opposition. Is that your assessment?

Mr. CLAPPER. Well, this is a very fluid situation. And one of the reasons why this is hard to assess is because of the apparent tactic of the regime forces to attack a, say, a town, go in and attack the opposition forces, and then pull back, refit, repair, and all that sort of thing. And so, there's, these places are changing hands. I just, my own view is that I just think the important dimension here are logistic.

Senator LIEBERMAN. Right.

Mr. CLAPPER. And I think the regime has more logistical resources in terms of the equipment they have, first line equipment, and, anywhere in Libya is held by the regime forces. There are two special brigades, the 32nd and the 9th, which are very, very loyal to Qaddafi and do his bidding. They are the most robustly equipped with Russian equipment, to include air defense, artillery, tanks, mechanized equipment. And they appear to be much more disciplined about how they treat and repair that equipment. So, I just think from the standpoint of attrition—

Senator LIEBERMAN. Right.

Mr. CLAPPER.—that over time, I mean, it's kind of a stalemate back and forth. But I think over the longer term, that the regime will prevail.

Ron?

General BURGESS. Sir, I would identify myself with the way Director Clapper put it.

I was going to mention the 32nd and the 9th, which are clearly two elements that we're trying to follow.

Senator LIEBERMAN. Right.

General BURGESS. The impetus, I think if you know, I mean, I think the press had it about right in terms of, initially the momentum was with—

Senator LIEBERMAN. Yes.

General BURGESS.—the other side. That has started to shift. Whether or not it has fully moved to Qaddafi's side at this time in country, I think is not clear at this time. But we have now reached a state of equilibrium where the initiative, if you will, may actually be on the regime's side at this—

Senator LIEBERMAN. Right.

General BURGESS.—time, but we're watching that in these days right now.

Senator LIEBERMAN. General Clapper, at the end of your answer to my first question you said you were concerned or thought that in the long run the regime might actually prevail because of its superiority and logistics, weaponry, all the rest. Did I hear you correctly?

Mr. CLAPPER. Yes, sir.

Senator LIEBERMAN. Well, that's certainly my concern, that, people have begun to say that it looks like it's heading to a stalemate. But I think if you start to balance the forces on both sides, it's not a balance, and that the regime, there's a real probability that the regime will prevail against the opponents. And then I think we have to ask ourselves as we watch this and think about what's at stake, and remember what the President has said, which is that Colonel Qaddafi must go—and I agree with that totally—whether, unless the world community intervenes in some way—either to, beginning with recognition of the opponents, the opposition in Benghazi, perhaps a no-fly zone, perhaps supplying them with weapons, perhaps using our superior, sharing intelligence with them about the movement of the Qaddafi forces, perhaps using our extraordinary technological capability to jam communications or intervene with telecommunications by the regime—then Qaddafi will not only survive, but he will prevail. And that's a very bad outcome

here. And it, I mean, I think it calls out to our leadership here in Washington and throughout the Arab world and the rest of the world that is invested in security in the Middle East, and I think invested in seeing the peaceful democratic uprisings that have occurred succeed, really, it calls on us to act quickly to not let this happen.

Mr. CLAPPER. Sir, I just would suggest to you that there is perhaps another outcome here which would be a reversion to the pre-Qaddafi, pre-king history of Libya, in which there were three sort of semi-autonomous mini-states.

Senator LIEBERMAN. Right.

Mr. CLAPPER. So, you could end up with a situation where Qaddafi would have Tripoli and its environs, and then Benghazi and its environs could be under another mini-state, and then there was another—and it, of course, there's a lot of history here with the tribes, and the tribal dynamics would have to be factored in here. So, there, you could have an outcome where you'd have both parties survive.

Senator LIEBERMAN. Yeah. I agree. And to me, that's not a good outcome, either. Secretary Clinton said a week or so ago that one of the dangers here is that, if this becomes a stalemate or breaks into a division of Libya, that it could become fertile ground for al Qaeda to both infiltrate into one or another of the new separate divisions of Libya, or simply to use Libya, parts of Libya as a base of operations because some parts would not actually be governed. And that's another reason, I think, for us to act quickly.

Mr. CLAPPER. Or you could end up with a Somalia-like situation.

Senator LIEBERMAN. Exactly. That's the great—other national interests that we have. People say, well, why are you, what is America's interest there? Well, part of it is humanitarian because people are being slaughtered. But the other part is that we don't want it to end up as a base like Somalia for anti-American Islamist terrorism.

I just want to say finally—my time is up—that I appreciate that President Sarkozy yesterday recognized—or maybe earlier today—the opposition government of Benghazi. If we're for removing Qaddafi from power, if we feel that he has to go, I mean, remembering an old adage that we all know from our own political careers, you can't beat somebody with nobody. There are somebodies there in Benghazi. They're led by reputable people. And I think we urgently need to give them the credibility that comes with recognition at least. And I hope that our government and other governments will soon follow the leadership example set by President Sarkozy in France.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Lieberman.

Senator Cornyn.

Senator CORNYN. Thank you, Mr. Chairman.

Gentlemen, I'd like to direct your attention to violence, really, a war occurring right out our back door in Mexico and to get some of your observations about that.

But first, Director Clapper, the Government Accountability Office has documented that there were 445,000 illegal entries into the United States across our southern border in the fiscal year 2010.

The Border Patrol has reported that out of those 445,000, about 45,000 are immigrants coming from countries other than Mexico. It's more than 100 different countries, including at least four state sponsors of terrorism, so designated by the State Department.

I would like to get your assessment of whether that represents a national security threat to the United States, a potential nationality security threat.

Mr. CLAPPER. Well, yes sir, it does. I think it's, you know, the issues of narco-trafficking and the prevalence of the drug cartels in Mexico is a matter of national security interest to both countries. I think it was recognized and reaffirmed by, recently with President Calderon's visit here with President Obama.

I can, you know, from an intelligence perspective, I think we've made a lot of progress in partnering with the Mexicans. There's some excellent work going on down there together which has resulted in significant take-downs of high value targets, cartel leaders and the like, and that will continue.

We're actually, I think, following a pattern that, established in Colombia. And I think Colombia is instructive, since that took a long period of time to reach the state we are now. But, clearly, the whole situation there is a serious one. I am going to be shortly making the rounds to visit EPIC and Border Patrol and other entities down there, intelligence entities, that are committed to this problem. But, it's a serious one.

Senator CORNYN. I'm glad to hear that you'll be traveling to El Paso, to the El Paso Intelligence Center. They're doing some very good work down there. But, frankly, a lot more needs to be done.

But, would you agree with me, Director Clapper, that an individual with enough money and enough determination can penetrate our southwestern border and make their way into the United States, anyone with that sort of determination, enough money? And that that does represent a potential terrorist threat to the United States?

Mr. CLAPPER. Yes, sir. I don't pretend, and nor would, I don't think Secretary Napolitano would pretend, that, you know, we've got an ironclad, perfect system. But I, at the same time, I'd be remiss not to commend the tremendous work of the Border Patrol and ICE, and others that are involved with this problem. But to say that it's, you know, ironclad, perfect, and somebody could get through, yes, sir.

Senator CORNYN. I think the Government Accountability Office would agree with you. In fact, they state that only, in a February 15th report, that only, that there's still 1,120 miles of our 2,000-mile southern border that is not under the control of the U.S. Government when it comes to border security. So, I think we've got a lot of work to do. But I agree with you, Director Clapper, we need to commend the good work that is being done, although it's under-resourced and short-staffed. And we need to do more to secure our borders—not just to restore the rule of law, but also to prevent our country from suffering terror attacks through that southern portal.

I'd like to ask General Burgess—the former CIA director, General Mike Hayden, said that—after he'd left the government, he said that, as a national security challenge that would keep him awake at night, that the fact that Mexico has seen the sort of drug-

related violence—some 35,000, roughly, Mexicans killed since 2006, about, more than 140 Americans killed in that violence since 2006 - - he said that's one of the things that keep, would keep him awake at night concerning the proximity of Mexico to the United States, the fact that they're our third largest trading partner. And I would like to know if, do you think that the United States has a coherent, meaningful strategy in place to deal with the escalating violence in Mexico? I worry that once President Calderon leaves office, we don't know how his successor will be or what their commitment will be to continuing that fight. And I'd be interested in your assessment of that, sir.

General BURGESS. Sir, a couple of points—it probably would be inappropriate for me as the Director of the Defense Intelligence Agency to comment on whether we as the U.S. Government have a complete, coherent strategy vis-a-vis Mexico.

From an intelligence standpoint, I know from my days in the Director of National Intelligence in a previous life that we have worked with our friends in Mexico to ensure that, from an intelligence standpoint, we have put the processes and the capabilities in place that will enable both of our National interest, in terms of following some of the problems you have been identifying, and that we have made some progress towards that, though I would characterize it as a work in progress as we put it together.

I have been testifying since 2000 during my time—not as long as Director Clapper—in terms of doing testimony up here. And I used to refer to this, the problem you are somewhat describing, in my days at U.S. Southern Command, as beams of light into the United States, and that these beams of light—whether it be illegal migration or however you want to phrase the term, or whether it be the drugs coming across or the weapons that are moving back and forth—that all of those are beams of light coming across our southern border. And it is a national security concern because if you can move drugs, if you can move people, you can move other things that are of concern to us as a nation, so it is something that we need to have an interest in.

Senator CORNYN. If I could just follow up, one last question with Director Clapper.

You compared what's happening in Mexico, I believe, to the, our experience in Colombia. There is—how would you describe the nature of what's happening in Mexico now? There has been, Secretary Clinton at one point characterized the situation in Mexico as an insurgency. Others seemed to walk back from that characterization. But how would you characterize it?

Mr. CLAPPER. Well, I just think the whole business of, well, however you want to label it, of drug trafficking is just a very serious national security problem. It's one that we, both countries share in. As President Calderon points out, if it weren't for the demand here, they wouldn't, that wouldn't generate the business down there. It's just a serious national security concern to both countries, is the way I'd characterize it.

Senator CORNYN. You do consider it comparable to Colombia?

Mr. CLAPPER. I do, and, yes, sir, I do. And in the context of, what I meant by that is that we learned a lot from our cooperation with the Colombia government, particularly with respect to intelligence

and how the tactics, techniques and procedures that were used and developed and honed over a period of 10 or 15 years in Colombia. And we're applying that same approach to the extent that the Mexican government—which is a sovereign nation—to the extent that they will permit is to help them. And I think we are enjoying some success. But, as General Burgess says, this is a work in progress.

Senator CORNYN. Thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Cornyn.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

And thank you both for being here, Director Clapper and General Burgess.

You point out in your written testimony and, actually, in your comments, Director Clapper, that weapons of mass destruction continue to be a major concern because of the proliferation both by nation states and because of the potential for terrorists to access a nuclear weapon. Can you speak to whether the threat of a WMD-capable terrorist organization is rising or falling in the current environment?

Mr. CLAPPER. Well, I'd say it's about the same. What we have seen, particularly with al Qaeda, is aspirations about weapons of mass destruction. This is something that's of interest to them. This is, obviously, something we try to track very carefully. One of the organizations I'm responsible is the National Counterproliferation Center, which works closely with another organization I'm responsible for, the National Counterterrorism Center. And one of the things we are very focused on is that nexus between weapons of mass destruction and falling into the hands of terrorists—something we track a lot.

Knock on wood, so far we haven't seen evidence of any such materials falling into the hands of the terrorists, at least as far as we know now. But, believe me, in the category of things that keep you awake at night, that's one of them.

Senator SHAHEEN. And, are you confident that we're devoting enough of our intelligence resources to tracking what's going on?

Mr. CLAPPER. Well, ma'am, there's never enough intelligence on any given problem, so we could always use more. I think, though, in general, particularly since 9/11, we have profoundly increased the resource allocation to both WMD and terrorism, and particularly the nexus of those two. So, I think, yes, there have been a lot of resources committed to that. Would I like more? Sure. But we have a lot dedicated to it.

Senator SHAHEEN. One of the countries that's often talked about because of what's happened in the past with their nuclear program is Pakistan. And the Washington Post has run a series of reports that suggest that Pakistan may be building a fourth plutonium-producing reactor, and that it's expanding its nuclear arsenal. Can you comment on what the impact this, of, this has regionally? And also, about, you noted in your prepared assessment that Pakistan can protect its nuclear arsenal but that there are some vulnerabilities that exist, and can you speak to those

vulnerabilities and whether we believe Pakistan is taking the appropriate steps to address the vulnerabilities?

Mr. CLAPPER. I'd be happy to discuss all that with you in a closed environment. Yes, ma'am.

Senator SHAHEEN. Thank you.

On Lebanon, to switch to another part of the Middle East, there's a new government in Lebanon that many feel is controlled by Hizballah. Given this new reality, can you talk about the role of the Lebanese armed forces and how you see our support for them in terms of the changes in the government there? Either one of you.

General BURGESS. Ma'am, I think a concern that we have seen, so far the LAF, or the Lebanese Armed Forces, have proven to be a very good military force there in Lebanon. The concern has been continually for not only ourselves, but some of our allies, is in terms of the LAF and its ability in the southern part of the country to exert the control over other factions that are in there, such as Lebanese Hizballah.

So, what this means to the future of that is something that we're following very closely at this time.

Senator SHAHEEN. And should we be continuing to support the military in the way that we are?

Mr. CLAPPER. Well, that's kind of a policy call, ma'am. I would think, though, that, to the extent that we can sustain influence and insight, and help counterbalance the Hizballah military wing, that it would be a good idea. But again, that's a policy thing, not intelligence.

Senator SHAHEEN. Okay.

One of the areas that I've been very involved in has been the Balkans. I chair the European Affairs Subcommittee of the Foreign Relations Committee and have had a chance to travel there. And I note that you, Director Clapper, point out in your written testimony that a stalemate continues in Bosnia. Do you have any intelligence that indicates what a continued stalemate there might do to destabilize the other emerging countries in the region?

Mr. CLAPPER. Well, I guess my concern, having visited there myself in my last job in the Pentagon, is, it's just, we sort of have the lid on there. I think there's some, we still have some concerns about the political dynamics there. I'm not sure, though, that the situation within Kosovo necessarily means spillover, or has some implications elsewhere. I'm just concerned about the situation there itself, and for that caldron to bubble up again.

Senator SHAHEEN. You said Kosovo. Did you mean Bosnia just then? I was asking about Bosnia.

Mr. CLAPPER. Okay. Bosnia. I thought you said Kosovo. The same comment applies.

Senator SHAHEEN. Okay. Thank you very much.

Chairman LEVIN. Thank you, Senator Shaheen.

Senator Ayotte.

Senator AYOTTE. Thank you, Director Clapper and General Burgess. I want to thank you for your distinguished service to our country and for what you're doing to keep us safe.

I wanted to ask you, Director Clapper, about our National debt, and from an intelligence perspective, how does our National debt,

in your view, present a national security threat generally? And then, more specifically, ask you about our relationship with China, given that they are a significant holder of our bonds, and how does that position us with respect to some of the, their aggression and some of the areas where they could assert themselves that we would obviously take a contrary position?

Mr. CLAPPER. Well, the, you know, the size of our debt I think is a concern to all of us, whether intelligence or not. And that is certainly a factor in our National security. And so, yes, we're concerned about it.

I, and with respect to China, I think this is what's, to me is one of the striking differences. Oftentimes people make the comparison between China as a peer competitor versus the former Soviet Union. And this is a huge difference that exists, because unlike with the Soviet Union, where our economies were mutually exclusive, they're certainly not with China. So, that's, since they hold so much of our debt, that obviously has to be a concern.

Senator AYOTTE. And, just as a follow-up, it's a concern, have, at this point, have we seen any assertion of that as a way to use leverage?

Mr. CLAPPER. I haven't. I don't know that we have any intelligence on that. I think it's, I mean, it's in the Chinese interest that, to sustain a stable economy in the world just as it is for I understand.

Senator AYOTTE. General?

General BURGESS. No, ma'am. I was just going to add, in my previous life in forward, I would be in the same place Director Clapper is. I am unaware that I have seen any evidence that it has been used, you know, as a means in terms of a concern, from the other side.

Senator AYOTTE. But it's certainly, from a common sense perspective, remains a concern if we continue to go into debt?

General BURGESS. Yes, ma'am.

Senator AYOTTE. I wanted to ask you about the, we have a 25 percent recidivism rate from detainees who are held at Guantanamo, and how much of a threat that presents right now with respect to what we're trying to accomplish in fighting al Qaeda and other terrorist groups?

Mr. CLAPPER. Well, let me start and then, well, actually, one recidivist is one too many. So, it is obviously a concern when someone having been through GTMO or anyplace else does in fact return to the battlefield. So, what we've done, which has been kind of reinforced recently by executive order, is to engage in an very rigorous assessment process in which intelligence may, plays a prominent role in judging whether someone is suitable for return or repatriation.

And of course, part of that evaluation is the ability of the host country to track these people and rehabilitate them if that's the case, to ensure they don't go back to the battlefield. That's precisely what occasioned the President's suspension of Yemen, for example, as a place where we will not, for now, return any detainees.

Senator AYOTTE. But even with the suspension of certain countries, for example, Yemen, by the President, that also, when we get an agreement with another country to hold a detainee, we also

don't have the same level of control, for example, we would have at a facility like the Guantanamo facility.

Mr. CLAPPER. That's true. And that's why we both, you know, depend on liaison with the countries in question and we also use our own intelligence means to try to track these people.

Senator AYOTTE. And how well are we tracking those who have left Guantanamo, and how good a sense do we have where all of them are?

Mr. CLAPPER. Well, it varies. It's certainly a priority for all components of the Intelligence Community that would have some way of tracking them. And certainly if we, when we do, and if we, if they, if we see indications of return to the battlefield, we certainly convey that to our war-fighters.

Senator AYOTTE. And, finally, one of the issues that I've become deeply concerned about is what we're doing when we were to, for example, if tomorrow we were to capture a high value target in an area like Yemen, or an area outside of where we're currently in battle in Afghanistan, where we would put that individual. And do you have any concerns about that? And what is our current plan of where we would put someone like that?

Mr. CLAPPER. Well, right now it would be probably the facility that's at Bagram—Parwan—or perhaps a U.S. military facility.

I think, though, that it, this question has come up before. If we were to capture luminaries, if I can use that term, like Usama bin Laden or Zawahiri, I think that would be a subject of intense inter-agency discussion as to just what would happen and how we'd handle them.

Senator AYOTTE. Right. Certainly there would be concerns that would arise about necessarily putting somebody of that caliber, so to speak, in Bagram, given that it wouldn't be—versus a Guantanamo base situation in terms of security and access.

Mr. CLAPPER. Well, as I say, all those factors would have to be weighed at the time depending on who it was.

Senator AYOTTE. Thank you very much.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Gillibrand.

Senator GILLIBRAND. Thank you, Mr. Chairman, for holding this hearing.

Thank you both for your service and your dedication, and your testimony today. I appreciate it very much.

I want to recognize in particular that I have a staff member from DIA who's working as our special assistant, Mitch Catazaris. So, thank you for recommending him and offering him to our team.

I'd like to talk a bit about cyber threats. Both of you in your testimony went into some detail about the growing increase in cyber threats to our National security.

You've said in your testimony, Mr. Clapper, that there's been unprecedented opportunities for our adversaries to target U.S. due to our reliance on information systems. You talk a bit about a phenomenon known as "convergence," how we are particularly vulnerable because of the nature of our physical infrastructure and banking networks and other kinds of records that are online. And then you further go into the increase in the last year of the amount of malicious cyber activity targeting U.S. computers and networks.

And then you give a particularly concerning example that happened in April, where information was delayed in China for 17 minutes and it affected military sites, U.S. Government sites, Army, Navy, Marine Corps, Senate, Air Force, Secretary of Defense, and a number of Fortune 500 companies. So, obviously this report is particularly alarming and concerning.

And so, I'd like to get an update from you. You know, obviously, cyber security is an issue that affects both the military, Department of Homeland Security, and civilian use. I know that you are working together in a collaborative effort between the military and the Department of Homeland Security. How is that partnership going? Do you see the need for any new authorities? Is there appropriate coordination?

Mr. CLAPPER. Well, I think it's, this is another work in progress. I think it's actually going very well. I think the standup of the U.S. Cyber Command by the Department of Defense was a major step forward, and I think the notion of dual-hatting the director of NSA in that role is, was the right course. In fact, I supported that strongly when I was in the Department of Defense.

I, as well, think that the emerging partnership with the Department of Homeland Security is a good news story. I think the Department has a very important role to play as the interlocutor with State, local, tribal, private sector entities. But I think, at the same time recognize that the Nation's center of excellence for the technical expertise resides in, with, within NSA.

I think the, what I see as the growing awareness of the threat here by industry is very, very important, so that they are motivated to help work this problem themselves, without necessarily the government doing it all on their behalf. And what I see is an emerging awareness and a coalescence on the part of the role of an industry to attack this problem.

Senator GILLIBRAND. With regard to the specific military threats in the last year, we've, your report says that we've witnessed the emergence of foreign military capabilities in cyberspace, and this formalization of military cyber capabilities creates another tool that foreign leaders may use to undermine critical infrastructures and our National defense. I'd like you to comment on what you think we need to do to address that, whether there is sufficient protocols available on an international perspective to address that. I particularly am working out a bill with Senator Warren Hatch on that subject, to begin to develop these international protocols for enforcement.

Mr. CLAPPER. Well, there are some, as I understand it, 50 legislative proposals that have been made in both houses, on the, dealing with various aspects of cyber and cyber security and cyber protection. It's my understanding that the White House is evaluating all these proposals, and I believe intends to provide back to the Senate leadership an assessment of, oh, you know, what the administration preference would be. And I honestly don't know if there is emerging a position with respect to international agreements or something of that sort. So I'm just, I'm not up to speed on that.

Senator GILLIBRAND. General?

General BURGESS. No, ma'am. I would not have anything to add. I mean, this is an issue that I think actually, progress has been

made since it was first brought to the fore almost three and a half, four years ago. And from a military standpoint, as Director Clapper pointed out, with U.S. Cyber Command, we are working and have been working consistently to protect those networks that we have. Any work that could be done to ensure a standardization or protocols and others would be beneficial, because it would probably help us paint our defenses in a better way. But we are taking the steps necessary as we see it now to protect what we are, what we call the .mil domain and our own infrastructure.

Senator GILLIBRAND. And you may not be able to answer this in open session, but over the last decade China has developed and implemented a very robust cyber warfare capability. And a report by the U.S.-China Economic and Security Review Commission indicated that recent high profile Chinese-based computer exploitations continue to suggest some level of state support. How do you see the Chinese cyber warfare capabilities evolving, and what threat do they pose to U.S. warfighting capabilities?

Mr. CLAPPER. Well, the Chinese made a substantial investment in this area. They have a very large organization devoted to it. And they're, they've, they're pretty aggressive in—this is just another way in which they glean information about us and collect our, and collect on us for technology purposes. And so, it's a very formidable concern.

General BURGESS. And it's what I was referring to, ma'am, when in my opening statement I talked about China and some of this asymmetric capability. But it would probably be better if we did not go into that in an open hearing.

Senator GILLIBRAND. Okay. And, may I ask just one final question?

I have a concern that, you know, these are emerging threats that can affect every aspect of our National security or economic security. Terrorists could shut down an electric grid in the middle of winter, they could corrupt or zero-out bank accounts, take down a stock exchange. The amount of disruption and pain and death that could be created through many scenarios are pretty significant.

Are we, or, have we created the ability to recruit all of the best and brightest that we will need to be part of our cyber warfighting force, our cyber capabilities force—and with regard to both intelligence and the military?

Mr. CLAPPER. Well, I think we, certainly, the civilian agencies, there's an unprecedented number of people that—which has been the case since 9/11—wish to work in the Intelligence Community in service to their country. And certainly we're able to attract, I think, a lot of the best and brightest. This is certainly true if you have occasion to visit NSA and meet the wonderful people they have there.

With respect to the military, I'll defer to General Burgess. I think the issue there is, we get a lot of great people who come in. The challenge for the military, of course, is retention—keeping these highly capable, technically proficient people in for a military career.

And, Ron, do you want to—

General BURGESS. Yeah, ma'am, I was going to say, I would agree with Director Clapper. From a military standpoint, it clearly is a matter of the retention piece of, once we get someone up to

speed or they bring a skill set in, and then being able to hold onto them.

From our civilian workforce—and I would not speak for General Keith Alexander at NSA—but as an agency head and, again, from my days at DNI, already the amount of authorities that the Congress and others have given us in terms of our ability to hire the people we need from an incentivized standpoint, or going after folks with a particular skill set, we have a lot of tools in the tool box that you all have made available to us that really help us out a lot in this area.

Senator GILLIBRAND. Thank you, Mr. Chairman.

Thank you both for your testimony.

Chairman LEVIN. Thank you, Senator Gillibrand.

Senator Manchin.

Senator MANCHIN. Thank you, Mr. Chairman.

And thanks, both of you, for being here. We appreciate your service.

First of all, Director Clapper, I would just ask, the first question would be, in your estimation, which is the greatest threat we have in the world against the United States of America, whether it be a buildup of their army or their defenses, or their economic threat they pose, or a combination of both?

Mr. CLAPPER. Are you speaking of a nation state, sir? I'm sorry?

Senator MANCHIN. Yes. A country.

Mr. CLAPPER. Oh, a country. Well, from strictly—well. Certainly, the Russians have a, you know, still have a very formidable nuclear arsenal, even, which does pose, you know, potentially, a mortal threat to us. I don't think they have the intent to do that.

Certainly China is growing in its military capabilities. It has the full array of, whether conventional or strategic forces, that they are building. So, they, too, pose potentially, from a capability standpoint, a threat to us, as, a mortal threat.

The issue, though, is, which, you know, we always have trouble gauging is intent versus the capability.

Having said all that, my greatest concern, though, does not lie with a nation state posing a threat to us, as much as it is in the area of terrorism, as I indicated in my opening statement.

Senator MANCHIN. I notice also you all, I think both of you talked about basically the Middle East, the unpopularity of the Americans in the Middle East. And I'd like to have both of your opinions on branding—our policy on the money that we spend in these countries and really not getting much credit for it.

Mr. CLAPPER. Well, sir, that's kind of a policy thing—how we provide security assistance to any of these nations. I'd just comment on, you know, the indications are that, you know, that our image is not as good as we'd like in the Mideast.

Senator MANCHIN. Now, we're spending, I mean, I was privileged enough and honored to go over and visit, and we spend so much of the taxpayers' dollars trying to build this goodwill and stability around the world, and those are decisions made. But I found that, alarming to me was that the branding, basically, it's, whether it's water or a bridge, water line or bridge, or, anything good, we get very little credit for. And then we wonder why our image is so poor. And I can't figure out why those decisions are being made that we

shouldn't take credit for every dollar we spend. But, that's a policy decision, as you're telling me? Who makes that policy?

Mr. CLAPPER. Well, Intelligence doesn't. That's for sure.

[Laughter.]

Senator MANCHIN. General?

General BURGESS. Yes, sir, I was just going to say, you know, from my time, as I've followed through the years, whenever we are engaged in the sort of works that you are describing, it would be, I think, a fair characterization that that's not what people focus on, and we do not get the credit for that in some cases. How that's painted is not an intelligence call. I'm not even sure that's a policy call. But, I think that would apply to anyplace around the world, just not the Mideast that we're talking about now, as I have followed things over time in terms of what we receive credit for, in terms of what we do to help other nations.

Senator MANCHIN. So, it was very disturbing, I will tell you that. I mean, the amount of billions of dollars that's invested on an annual basis, and to have the poor relations that we have, or the public opinion by the countries that we're really trying to help. I would think that that's something we should look at.

And, Director, if I could go back to China. You know, there's been a lot of comments on China. The amount of money that's being spent. And I kind of remember back at the end of the Cold War that basically it looks like we just spent Russia into oblivion. Do you have concerns that China might be trying to do the same to us?

Mr. CLAPPER. Well, I don't know that they have a conscious policy to try to outspend us. I mean, they have their own economic challenges and stresses. So, I can't say that that's their intent. I think they just, they feel they are a world power, and they want to be recognized that way. And certainly the accouterment of a world power is a powerful military, and they're building one.

Senator MANCHIN. One final question on—in Afghanistan they have told us that there has been tremendous deposits of natural resources that have been discovered. Why is it that China is the only country that's able to extract that, and do it in such a turbulent environment, and nobody else seems to be able to work in those conditions? Have you all evaluated that? How are they able to get that done, with their copper mines and the billions of dollars they've invested? And they're looking at every other resource over there.

Mr. CLAPPER. Well, no, sir. I don't think we have. I guess we could look at that. I think the Chinese have the same problem that any developer in Afghanistan would, which would be the actual extraction of these natural resources, which are quite profound. But I guess I really haven't done a case study on that.

Senator MANCHIN. General?

General BURGESS. And sir, I was just going to, I have not seen from a military standpoint any reporting that would allow me to give you a fulsome response.

Senator MANCHIN. And I know this must be from the State Department. But, from your all, wouldn't it be interesting to find out how they're able, they're the only country able right now that we know on a commercial scale, able to extract these resources, and

do it in this environment, when we're told that we cannot attract any other companies from America that have the expertise, whether it's to mine their coal or drill for their gas, or do all the extraction that they have been able to uncover. But one country's doing it.

Mr. CLAPPER. Well, sir, I've got to be smarter on just what the Chinese are doing in—you're speaking in Afghanistan, is that—

Senator MANCHIN. Afghanistan.

Mr. CLAPPER. Oh. I—

Senator MANCHIN. Right in the heart of it.

Mr. CLAPPER. I'll take that for the record and do some research on that.

Senator MANCHIN. If you could, I'd appreciate it. I really would. That's, I've found it to be fascinating, and haven't gotten much of an answer yet. But I appreciate it. Thank you.

[The information referred to follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you, Senator Manchin.

We're going to have a classified meeting of the committee right, immediately following this hearing. It'll be in Hart 219. There's been a request for it. I don't expect it would last long. But we will move directly Hart 219.

Senator Manchin asked a question, I was frankly kind of surprised by your answer, Director Clapper. He asked a very direct question—who represents the greatest threat to the United States? And your first answer was Russian, and then you kind of clarified it in terms of saying, well, that's in terms of capability, but they don't have any intent to use that capability. But I still was kind of surprised by your answer. Then the next one was China, who also would have the capability, I guess, but, without the intent.

By that, and you didn't mention North, Iran or North Korea, which would have been the first two countries that I would have thought of in response to that question. I was really kind of taken aback almost by your answer. I thought it was a very, kind of a very clear question.

Mr. CLAPPER. I think, I, as I interpreted the question, it is, you know, which country is, or, countries would represent a mortal threat to the United States?

Chairman LEVIN. Could have the potential of being a mortal threat?

Mr. CLAPPER. Yes.

Chairman LEVIN. Okay.

Mr. CLAPPER. And so, I, the two that come to mind are—because of their capabilities—are Russia and China. Obviously—

Chairman LEVIN. Now, if we were sitting—

Mr. CLAPPER.—Iran and North Korea are, you know, of great concern. I don't know that at this point in time they pose a direct mortal threat to the continental United States.

Chairman LEVIN. Does Russia or China at this time represent a direct mortal threat to the United States?

Mr. CLAPPER. Well, they have the capability because of their strategic nuclear weapons.

Chairman LEVIN. Right.

Mr. CLAPPER. I don't think, the——

Chairman LEVIN. By that measure, we——

Mr. CLAPPER.—intent is low, but they certainly have the capability.

Chairman LEVIN. By that measure we represent a direct mortal threat to both of them, right? We have the capability of attack——

Mr. CLAPPER. Yes, sir. We do.

Chairman LEVIN. So that, you would say, the Director of, you're, National Intelligence, that, you wouldn't mind a headline out there in Russian and China saying, the United States represents a direct mortal threat to Russia or China?

Mr. CLAPPER. Well, each of these countries certainly have the capability, and our strategic arsenals——

Chairman LEVIN. And vice versa?

Mr. CLAPPER. Yes, sir.

Chairman LEVIN. Okay. At any rate, I just wanted to let you——

Senator MANCHIN. Can I——

Chairman LEVIN. Please. Yes.

Senator MANCHIN. I just wanted to let you know what—Sir, maybe I can clarify. Which country represents to you, that has the intent to be our greatest adversary? Who could do, you know, that has the capabilities—I know you've gone through it. But who has the intent?

Mr. CLAPPER. Probably China.

Senator MANCHIN. China? So, Donald Trump's right.

Mr. CLAPPER. If the question is, pick one nation state——

Senator MANCHIN. That has the intent.

Mr. CLAPPER. No. I said—oh, I, if we didn't, we have a treaty with, you know, a new START treaty with the Russians, so I guess I would rank them a little lower because of that. We don't have such a treaty with the Chinese.

Chairman LEVIN. I'm just as surprised by that answer as I was by your first answer. You're saying that China now has the intent to be a mortal adversary of the United States?

Mr. CLAPPER. Well, the question is, who, from my vantage, you know, who would, from among the Nation states, who would pose potentially a greatest, if I have to pick one country—which I am loath to do, because I'm more of a mind to consider their capabilities. And both Russia and China potentially represent a mortal threat to the United States. I——

Chairman LEVIN. Would you add——

Mr. CLAPPER. Now we're getting into gauging intent which, you know, I really can't do. I don't think either country today has the intent to mortally attack us.

Chairman LEVIN. Okay. I just want to be real clear. By that measure, we represent the greatest potential threat to both China and Russia. By that measure.

Mr. CLAPPER. From a capability standpoint.

Chairman LEVIN. Which is the measure you're using.

Mr. CLAPPER. Yes, sir.

Chairman LEVIN. Okay. By that measure, we represent the greatest intent—the greatest threat, by that measure, to both China and Russia.

Mr. CLAPPER. And I don't think our intent is to be——

Chairman LEVIN. I hope not.

Mr. CLAPPER.—attack them.

[Laughter.]

Chairman LEVIN. I hope not.

I hope that clarifies your answer. But Senator Manchin—

Senator MANCHIN. Just one—

Chairman LEVIN. No. Please. Take your time.

Senator MANCHIN. I think to expand on this, is that, China—it's been said that basically we know what they're doing and we know the jobs that we've lost. We know the economy is, we're facing challenges all over the country. And it's been said that if they're not capable, or they're not able to ruin us economically, they'll be prepared militarily. And that, I think, is the concern that maybe I would have, or my constituents, are, through their economic opportunities are they able to prepare themselves to be a true military giant?

Mr. CLAPPER. Well, they could be. There's no question about that. They have the—

Senator MANCHIN. That's their intent right now, is, the buildup that you're seeing—you all definitely are watching their buildup militarily. They're doing it because of their economic prowess, if you will, in the position they are, and it's done at the backs of Americans. But with that being done, we're setting back, and they're building up economically, and now militarily, so if one doesn't, they would have capability to do the other?

Mr. CLAPPER. That's, if they were to make that decision to use the economic weapon, my guess, they could do that, and they have a lot of capability there, too.

Chairman LEVIN. I think it's clear that China has the intent to become a military giant. I think that's questioned. But when you add the word, threat, at that point you're getting into an area of intent. And I would hope that you would always say, in terms of intent, you don't see an intent on the part of either Russia or China to be a military threat to us. Although they want to be a military giant—they both are—and would be in the position to either threaten us or defend themselves. Either way. That's the position that they're going to put themselves.

But, I'm glad—it's Senator Manchin's question, and I happen to agree with Senator Manchin in terms of the economic giant, and that China intends to be a military giant. I happen to agree with you, and that that's something that should concern us. I happen to agree with that.

I just, when you start—not you. But when the Director of National Intelligence talks about, what are the greatest threats—unless he starts with capabilities and uses that, and doesn't just answer China and Russia the way he did, I was concerned by the answer. Because it didn't start with, I'm giving you an answer based on capabilities. It started with just the direct—

Mr. CLAPPER. Yes, sir. I should have answered that way, because that was the, precisely the criterion I had in mind when the question was posed—which nation or nations potentially have the capability to strike a mortal blow to us? And those two countries come to mind. I do not believe they have the intent to do that.

Senator MANCHIN. If I could just—

Chairman LEVIN. No, please.

Senator MANCHIN. Those of us who can recall the Cold War and the superpowers of the Soviet Union and the United States, and then we watched the Soviet Union engage in the Afghanistan war, it weakened them tremendously. Our economy was flourishing. We were able to build on our economy. We were able to build on our Defense Department. And we got them in a juggernaut, if you will. This is looking at it from afar, not having the ability to see what you all see on a day-to-day basis.

I am absolutely concerned about repeating that, and repeating it at the cost of America, not at the cost of the Soviets. And just looking at what happened with their engagement in Afghanistan where we are—in a much longer war now, and with no end in sight, then where Russia was—weakening us economically, to be able to be an economic giant. And now you see China coming on, taking advantage, basically, of our vulnerability. I'm concerned, sir. I'm very much concerned. And that's why I thought it was so important for you to respond.

Chairman LEVIN. Thank you.

I just have one more question, and this has to do with the no-fly zone. General, let me ask you this question. Would the imposition of a no-fly zone in Libya—or any other country for that matter—which would require the use of military force to attack a country's air defense system, for instance, within its own sovereign territory without its consent, constitute an act of war?

Mr. CLAPPER. Well—

Chairman LEVIN. I have asked the General on this one, before we get to you. Well, yeah. I'm sorry. The, I was asking General Burgess, but I'll ask you, too. Either one.

I'll start with you if you'd like, Director Clapper.

Mr. CLAPPER. Well, sir, I guess I'd like to consult with counsel on that—

Chairman LEVIN. All right.

Mr. CLAPPER.—whether that fits that definition.

Chairman LEVIN. Okay. That's fair enough.

General Burgess, would that in normal usage constitute an act of war?

General BURGESS. Sir, I would probably take the same answer that General Clapper did. But, my general understanding—and you've got Mr. DeBobes, who's a good lawyer sitting there behind you, as well, in addition to yourself—

Chairman LEVIN. He prepared the question for me.

General BURGESS. Yes, sir. I'm sure Rick did. But it, my understanding is, I studied in my schools that would be considered an act of war.

Chairman LEVIN. Thank you.

Are we all set? Okay.

We will move directly to Hart 219 and stand adjourned.

And thank you for a lively session.

[Whereupon, at 11:36 a.m., the committee adjourned.]