## DOS CP

### Internal NB---CP Boosts DoS Leadership

#### The CP solves rebalancing. DoS assistance and resource expansion strengthens oversight of DoD.

Serafino 16 [Nina M. Serafino, Specialist in International Security Affairs; "Security Assistance and Cooperation: Shared Responsibility of the Departments of State and Defense"; Congressional Research Service; Published: 5-26-2016; Accessed: 6-20-2022; https://sgp.fas.org/crs/natsec/R44444.pdf; KL]

On one hand are concerns that the expansion of DOD authority has rendered the State Department unable to carry out its 1961 FAA Section 622(c) oversight responsibility of security assistance and cooperation activities to ensure a coherent foreign policy. Since 9/11, some analysts have perceived DOD as acting with growing autonomy, increasingly independent of State Department direction and supervision. The proliferation of DOD security cooperation authorities is viewed by some analysts as an element of the militarization of foreign policy, with GCCs disproportionately influencing the tenor of relations with countries in their theaters of operations.36 This viewpoint reflects a broader perception that DOD’s overwhelming advantage in personnel and funds allows it to evade State Department direction and oversight and to conduct activities better carried out by civilians, which may be to the detriment of long-term U.S. interests.

As a result, some analysts and practitioners argue that Congress should “rebalance” the State Department-DOD division of labor by strengthening State Department input into and oversight of DOD security cooperation. One way to do so might be to streamline the modes of State Department-DOD cooperation, an effort that Administration officials state is underway. Another would be to expand State Department oversight resources, including new posts in State’s Bureau of Political-Military Affairs, which oversees security assistance, and at U.S. embassies. Still another might be to reform the statutory framework, placing some or most DOD security assistance activities under existing or expanded Title 22 authority or conducting such activities under an existing or new State Department-DOD “joint formulation” authority.37

### NB---Avoids Politics

#### Another military assistance policy after Ukraine will drain PC.

Desiderio et al. 22 [Andrew Desiderio, Lara Seligman, Connor O’Brien; "Pentagon vs. Congress tension builds over monitoring billions in Ukraine aid"; POLITICO; Published: 6-2-2022; Accessed: 6-21-2022; https://www.politico.com/news/2022/06/02/congress-pentagon-ukraine-aid-oversight-00036463; KL]

The Pentagon was already struggling to keep up with Congress’ demands for oversight of its spending. Then, lawmakers earmarked an extra $40 billion for Ukraine.

Concerns are mounting on Capitol Hill about the Biden administration’s ability to properly account for the unprecedented wave of cash and to track the thousands of U.S. weapons heading to Ukraine for its war with Russia. And given the Pentagon’s recent track record concerning congressional oversight, it’s coming under increased scrutiny from members of both parties — from progressive Elizabeth Warren to libertarian Rand Paul.

Some lawmakers are already warning the Biden administration that a future aid package could lose the overwhelming congressional support that has been a hallmark of the previous efforts. A key barometer will be the Pentagon’s handling and complete accounting of the funds, which has lagged in other areas, sparking scrutiny from congressional committees.

Sen. Warren (D-Mass.), a member of the Armed Services Committee, said in an email that a full accounting of the already-appropriated funding will be “critically important for both past and future funding requests.”

“The U.S. government is sending billions in humanitarian, economic, and military assistance to help the Ukrainian people overcome Putin’s brutal war, and the American people expect strong oversight by Congress and full accounting from the Department of Defense,” she added.

Pentagon spokesperson Marine Corps Lt. Col. Anton Semelroth said the department is “committed” to transparency with the public and with Congress about the security assistance funds. But he stressed that war involves risk, and called on Russia to end the conflict.

“Risk of diversion is one of many considerations that we routinely assess when evaluating any potential arms transfer,” Semelroth said. “In this case, risk would be considerably minimized by the full withdrawal from Ukraine by Russian forces.”

While all Democrats and most Republicans voted for the aid package in May, it’s unclear whether that coalition can stick together if President Joe Biden asks Congress for more money before the end of the fiscal year, as many on the Hill predict will be the case. The Pentagon already owes Congress a backlog of reports on its spending for European security, and progressives and conservatives alike have said they’ll be looking for more cooperation before approving another cash infusion.

Amid the Pentagon-Hill squabbling, Biden announced on Wednesday the first tranche of military assistance from the massive funding bill that cleared both chambers last month. And oversight concerns are at the forefront, as the newly announced $700 million package for the first time includes a more advanced, precision-guided rocket system that will allow Ukraine to strike targets even further away — potentially in Russia.

The Biden administration deliberated for weeks over whether to send the High Mobility Artillery Rocket System, known as HIMARS, and medium or long-range munitions. Officials worried that providing longer-range rockets could provoke Russian President Vladimir Putin into escalating the conflict. They ultimately decided to send the shorter-range rockets, which can reach 48 miles, instead of the longer-range munitions, which can fly 190 miles.

Officials worry about the department’s ability to keep track of all the weapons the U.S. is providing, including the HIMARS, as well as ensuring they are being used effectively. Kyiv has given Washington “assurances” that it will only use the rockets on the battlefield in Ukraine, and not to strike targets in Russia, senior administration officials said. But they did not detail those assurances, and there is concern that the Pentagon has no way to monitor the use of the weapons.

Semelroth said the department is “confident in the Ukrainian government’s ability to appropriately safeguard and account for transferred U.S.-origin defense equipment,” noting that Defense Secretary Lloyd Austin has underscored the importance of “accountability” to his Ukrainian counterpart, Oleksii Reznikov.

“Ukrainian leadership have assured us that they understand the importance of accountability, and we are committed to working with them to further enhance accountability in the future,” Semelroth said.

A senior congressional official familiar with the oversight process described it as “quite robust” and said the administration has been briefing Hill committees regularly.

“In most cases, it’s munitions going out of our stocks and into the hands of Ukraine. One Howitzer out for us, one in for them,” the official said, granted anonymity to speak about sensitive briefings.

The $40 billion legislation includes several measures aimed at beefing up oversight of the cash. It requires the Pentagon inspector general’s office to review how the Defense Department spends the emergency funding. It also requires the Pentagon, in coordination with the State Department, to report to Congress on how weapons and equipment sent to Ukraine are being accounted for.

Rep. Ruben Gallego (D-Ariz.), a member of the Armed Services Committee, acknowledged that U.S. weapons sent to war zones have often gone missing or unused, but said “Ukraine is a different story” because its forces are well-trained and have been using the weapons for several years already.

“Obviously, we always have to be on the lookout, but this is not the same scenario that we have in the past,” Gallego said. “There have been agreements between our governments about [some of the weapons’] usage. And I believe so far Ukraine has abided by all of them.”

The Biden administration is using several metrics to determine how best to allocate the money, including the selection of systems that will help beat back Russia, but not fuel a wider conflict. Another consideration is not sending Ukrainians cutting-edge technology, given U.S. concerns the weapons could fall into Russian hands. If that happened, the Russians could reverse-engineer those systems and create new weapons for its military, according to an official with knowledge of the discussions who was not authorized to speak on the record.

“We in the administration have to very prudently measure those risks … and to think very carefully about how can we best … give the Ukrainian military what they need,” Army Secretary Christine Wormuth told the Atlantic Council on Tuesday.

The White House is hoping the latest emergency funding measure is enough to sustain Ukraine through the next several months of the conflict, but Congress is already bracing for the next cash fight.

At a confirmation hearing last week, Gen. Christopher Cavoli, Biden’s nominee to lead U.S. European Command, indicated that he believed that Americans are owed “a thoughtful application of those funds and a full accounting of them.”

That’s going to be a heavy lift for the Pentagon, which already owes the Senate Armed Services Committee “several years” worth of reports, according to Warren. That includes billions of dollars already allocated for the European Deterrence Initiative, a program aimed at bolstering U.S. presence on the continent following Russia’s 2014 seizure of Crimea. Warren said she was “getting sick of the run-around here” and said the Pentagon “has not complied with the law.”

In a recent letter to the Pentagon’s finance chief obtained by POLITICO, Warren wrote that “tracking this spending is a key part of how we protect American interests and support of our allies.”

Although every Democrat in both the Senate and House voted for the $40 billion aid package last month, several progressives were reluctant to support it given their existing concerns about a bloated Pentagon, as well as their general opposition to flooding a war zone with new weapons. Congressional leaders significantly boosted the humanitarian assistance portion, mollifying lawmakers who had considered voting against the bill.

Sen. Paul (R-Ky.), who held up the $40 billion aid package amid his demands that Congress tap a special inspector general to monitor the spending of the Ukraine funds, has raised similar concerns.

A fiscal hawk, Paul joined 10 other GOP senators and 57 House Republicans in voting against the aid bill, with several arguing that there wasn’t stringent enough oversight of the money. Sen. Josh Hawley (R-Mo.) argued the money “comes [with] no meaningful oversight.”

The latest round of emergency funding dwarfs an earlier $14 billion package enacted by Congress in March and supersizes several programs to aid Ukraine’s military, including $6 billion for the Ukraine Security Assistance Initiative, a Pentagon program that helps arm the Ukrainian military. In a government-wide funding deal passed in March, by contrast, lawmakers allocated $300 million for the account.

The package also raises the total authority to ship weapons to Ukraine from U.S. military inventories to $11 billion. Additionally, the Pentagon was granted nearly $9 billion in new funding to replace weapons that have been sent into the fight.

#### Oversight-avoidance causes extreme Congressional backlash

**Berger 19** Rick Berger, 7-16-2019, "The Pentagon should treat Congress as a partner, not an obstacle," Defense News, <https://www.defensenews.com/opinion/commentary/2019/07/16/the-pentagon-should-treat-congress-as-a-partner-not-an-obstacle/> *Rick Berger is a research fellow with the American Enterprise Institute. He previously served as a staff member on the Senate Budget Committee.*

A strong U.S. military rests upon broad, bipartisan support among the American people translated through their representatives in Congress. Yet, amid the onset of great power competition and a generational conflict against jihadis, the Pentagon’s atrophied outreach to Congress has undermined support for the U.S. military. Although the Pentagon’s “[Year Without a Briefing](https://thehill.com/policy/defense/446363-pentagon-reaches-one-year-without-on-camera-briefing-from-top-spokesperson)” has rightly garnered a great deal of attention, the American public isn’t the only audience getting the cold shoulder from the Department of Defense. The Pentagon has failed to treat Congress as a partner in executing America’s defense strategy. In explanations both of budget choices and policy decisions, senior defense leaders have repeatedly neglected to invest in relationship building with Capitol Hill or to provide sufficient information to lawmakers and senior staff. This administration’s penchant for secrecy at the Pentagon further strains an already dysfunctional relationship based on mutual distrust. If Congress believes it hasn’t received sufficient answers to its oversight questions, it responds with public excoriations, punishments and regulatory actions that levy inefficiency on the daily operations of the Pentagon. The building, fearing such outcomes, refuses to share adequate information with Congress, hoping that such information can be kept secret, or that congressional complaints will blow over in time. If nothing else, the silence emanating from the building engenders mistrust and cynicism about the choices the military makes. Clearly, Congress understands that some of these strategic messaging and outreach snafus stem from the White House. In particular, anemic information flow about the president’s decision to [launder](https://www.realcleardefense.com/articles/2019/05/15/in_building_the_wall_white_house_digs_deeper_hole_for_the_military_114427.html) border wall funding through the military or the Office of Management and Budget’s abuse of the overseas contingency operations account cannot be laid at the Pentagon’s feet. But Capitol Hill has proven much less forgiving of the Pentagon’s failures of communication and lack of outreach. The department [struggled](https://warontherocks.com/2019/05/hard-choices-and-strategic-insolvency-where-the-national-defense-strategy-falls-short/) even to provide a basic account of how the 2020 military budget request matched the new defense strategy. This year’s congressional defense legislation is [filled with pages and pages](https://www.defensenews.com/opinion/commentary/2019/05/28/a-flat-budget-will-prove-fatal-for-military-transformation/) expressing severe bipartisan displeasure over the Pentagon’s lack of documentation and insufficient justifications for important acquisition decisions. In early March, Congress learned of the plan to decommission the aircraft carrier Harry S. Truman from the press, and the rationale behind the decision remained opaque for weeks.

## MINI-NB’S TO MILITARY AID

### Russian Encirclement

#### Ukraine has not encircled Russia. They’ll win

Davis 6-22 [Daniel Davis, Senior Fellow for Defense Priorities and a former Lt. Col. in the U.S. Army; Published: 6-22-2022; Accessed: 6-25-2022; <https://www.19fortyfive.com/2022/06/russia-may-win-the-war-in-ukraine/>; KL]

On Sunday, NATO Secretary-General Jens Stoltenberg said “nobody knows” how long the Russian war in Ukraine might last, but, he added, “we need to be prepared for it to last years.” Retired Army General Jack Keane told a Fox & Friends audience on Monday that Ukraine had the ability, will, and troops to win the war. All they lacked, he claimed, “is the weapons to do it.”

The historical record and a growing mountain of evidence, however, suggest that such claims are unrealistically optimistic, as there is a growing possibility that the Ukrainian Army may be months away from losing the ability to defend the country.

If the two sides do not end the war through negotiations in the coming months, it is likely – not just possible – that Ukraine will lose the war.

It is time to strip off the rose-colored glasses much of the West has worn when looking at Russia’s war of aggression against Ukraine and acknowledge the cold, hard truth: the Russians are on course to win. The longer we traffic in the fiction that Ukraine still has a chance, the more Ukrainian civilians will be killed, the more cities will be destroyed, and the higher the probability that Russia seizes yet more territory before a negotiated settlement can end the fighting – potentially including Kyiv. You’d never know that, however, listening to high-ranking current and former officials in the West.

Secretary of Defense Lloyd Austin, hosting a 50-nation Ukraine Defense Contact Group in Brussels, told his fellow defense secretaries last week that the West “can’t afford to let up,” in supplying Ukraine with heavy weapons in its war against Russia. Implied was the expectation that supplying heavy weapons to Ukraine will turn the tide of war and allow Kyiv to win. A study of military history, my own combat experience, and an honest assessment of the current state of play in the Russia-Ukraine War all point to the likelihood that Secretary Austin is wrong.

One of the biggest reasons the Allies defeated Nazi Germany in both North Africa in 1943 and in Normandy after the D-Day landings were because the Allies had a clear advantage in air power. Field In July 1944, German Marshal Guenther A. F. von Kluge complained to Hitler that “in the face of the total enemy air superiority, we can adopt no tactics to compensate for the annihilating power of air except to retire from the battlefield.” Germany still had considerable numbers of infantry and panzer divisions, but virtually nothing could move on the ground that wasn’t destroyed from the air. Once the Allies had air superiority, it was only a matter of time before Germany lost.

I was part of the U.S. VII Corps armored force that drove north from Saudi Arabia in early 1991 to attack Iraqi Republican Guard armored divisions. Prior to starting our ground attack, the Allied force conducted 38 straight days of a massive air attack. The U.S. Air Force took out the majority of Baghdad’s air defense capacity in the first hours, and subsequently made it nearly impossible for their ground forces to maneuver without getting bombed from the air.

When my unit attacked the Republican Guard forces in the north of Kuwait, we were free of any concern of enemy air strikes and obliterated our enemy. The advantages U.S. Forces had in the air against the Germans in 1944 and against Iraq in 1991 are similar to the advantages Russia currently possesses over Ukraine. After recovering from their opening phase disasters, Russian air forces operate with near-impunity in the air and constrain any movement from Ukrainian troops on the ground. The UAF’s troubles, however, are far from limited to the air.

In just the last few weeks, a number of Ukrainian officials have begun conceding publicly that the casualties to its troops are far greater than had previously been admitted. They are also unsustainably high. Ukrainian Presidential Advisor David Arakhamia said that the UAF was suffering up to 1,000 casualties per day, sometimes losing as many as 500 killed in a 24 hour period. Adding to Kyiv’s woes, the losses in military kit are even more dire.

Ukrainian Brig. Gen. Volodymyr Karpenko, the Land Forces Logistics Commander of the UAF, publicly acknowledged that through nearly four months of fighting, his troops had lost “approximately 50%” of their pre-war stocks of heavy weapons, claiming that “1,300 infantry fighting vehicles have been lost, 400 tanks, 700 artillery systems.”

Those numbers of personnel and equipment losses are not surprising in light of the fact that Russia has a 20-1 advantage over Ukraine in artillery, 40-1 advantage in artillery and rocket ammunition, and a daily air sortie rate of approximately 300 to five. If every heavy weapon committed to Ukraine by the West were delivered immediately, it would not represent one tenth of the UAF losses – and that they continue to lose on a daily basis, including the 155mm howitzers provided by the United States.

In every measurable metric that has historically determined the winner and loser on the battlefield, Ukraine is at a major deficit. As should be painfully obvious, there is no rational basis to hope that Ukraine will stop its bleeding of personnel and equipment and win the war against Russia. To continue giving emotional support to Ukrainian leaders and people, encouraging them to keep fighting, is to set them up for bitter – and potentially catastrophic – failure.

#### Security cooperation, without oversight, causes Russian miscalculation. The DoS CP avoids.

Bergmann and Schmitt 21 [Max Bergmann, a senior fellow at the Center for American Progress, where he focuses on European security and U.S.-Russia policy. From 2011 to 2017, he served in the U.S. Department of State in a number of different positions, including as a member of the secretary of state’s policy planning staff, where he focused on political-military affairs and nonproliferation; special assistant to the undersecretary for arms control and international security; speechwriter to then-Secretary of State John Kerry; and senior adviser to the assistant secretary of state for political-military affairs. Prior to serving in the State Department, he worked at CAP as a military and nonproliferation policy analyst and at the National Security Network as the deputy policy director. Bergmann received his master’s degree from the London School of Economics in comparative politics and his bachelor’s degree from Bates College; Alexandra Schmitt, a senior policy analyst on the National Security and International Policy team at the Center. She previously worked on U.S. foreign policy advocacy at Human Rights Watch and received her Master in Public Policy from the Harvard Kennedy School; "A Plan To Reform U.S. Security Assistance"; Center for American Progress; Published: 4-22-2015; Accessed: 6-20-2022; https://www.americanprogress.org/article/plan-reform-u-s-security-assistance/; KL]

Security assistance in a tense era of great power competition is extremely sensitive and can increase tension and lead to miscalculation. The risk in today’s geopolitical environment is that providing sensitive and potentially provocative assistance will not receive the same scrutiny from policymakers and will become the norm for the administering agency, the DOD. In the last era of great power competition, the Cold War, security assistance often stoked tension between the United States and the Soviet Union and led to spiraling commitments. For instance, Soviet provision of nuclear missiles to Cuba led to a nuclear standoff, while U.S. military support for Vietnam led to deepening U.S. engagement.

As competition with China and Russia increases, security assistance could once again prove a major source of tension and cause miscalculation. Providing aid in this environment is not a mere technical military matter, but ultimately a political and diplomatic concern that is highly sensitive. Yet today, it is the DOD that is driving assistance to countries such as Ukraine and regions such as Southeast Asia.13 When Russia invaded Ukraine in 2014, the National Security Council became significantly involved in policymaking and limited types of assistance that could be provided, including lethal aid.14 Such unique scrutiny was warranted because there was a crisis involving a U.S. partner and a nuclear-armed state. But the nature of White House intervention was necessary in large part because the security assistance process—for both decision-making and for providing assistance—was broken.

A military-led response can overprioritize military engagement and could unintentionally steer American engagements into high-risk confrontations. Without careful calibration and understanding of broader political context, there is real concern that the DOD could get ahead of U.S. policy or drive it in a more military-centric direction. For example, China could interpret the DOD’s provision of some security assistance through the agency’s Southeast Asia Maritime Security Initiative as an act of aggression if it is not carefully and effectively calibrated against broader political concerns in the region.15 Given the political sensitivities of great power competition, responsibility and oversight for security assistance decisions should rest with the agency most in tune with broader U.S. foreign policy concerns and diplomatic developments: the State Department.

#### Increased NATO military assistance causes Ukraine war to go nuclear.

Chivvis 22 [Christopher S. Chivvis, senior fellow and director of the American Statecraft Program at the Carnegie Endowment. He has more than two decades of experience working on U.S. foreign policy and national security challenges. He most recently served as the U.S. national intelligence officer for Europe. At Carnegie, Chivvis leads policy-focused research aimed at developing realistic U.S. strategy for an era of great power competition and building a foreign policy that serves the needs of the American people. Chivvis’ experience with U.S. foreign policy spans government, academia, and the think tank world. Before joining the National Intelligence Council, he was the deputy head of the RAND Corporation’s international security program and worked in the Defense Department. He also has held positions at multiple universities and think tanks in the United States and Europe. Chivvis is also the author of three scholarly books and several monographs and articles. His commentary has appeared in the New York Times, Foreign Affairs, Foreign Policy, the National Interest, National Public Radio, and several other outlets. Chris holds a PhD from Johns Hopkins, where he teaches courses on international history and U.S. foreign policy; "How Does This End?"; Carnegie Endowment for International Peace; Published: 3-3-2022; Accessed: 6-25-2022; https://carnegieendowment.org/2022/03/03/how-does-this-end-pub-86570; KL]

Wars sometimes start easily, but it is a tenet of strategy that they are always unpredictable and extremely hard to end. Putin’s war of choice in Ukraine is already escalating faster than most experts would have imagined just a week ago. He has now encircled major Ukrainian cities with his army and threatens to flatten them with thermobaric weapons, cluster munitions, and guided missiles. This will terrorize the civilian population and could demoralize the budding Ukrainian resistance. He could escalate the conflict to another region, such as the Balkans, where long-standing conflicts fester and Russia has an extensive network of intelligence and security services. He may turn the lights off in a major U.S. city with a cyber attack. Most frighteningly, he has raised the alert level of Russian nuclear forces and may be considering introducing martial law.

Meanwhile, NATO, the G7, and a host of other countries have turned the dial of economic punishment up to unprecedented levels. Several European nations that had previously hesitated to involve themselves militarily in the conflict have now done so, sending weapons and financing Ukraine’s resistance. A growing number of voices in Washington are clamoring for a more aggressive approach from the United States and NATO, pressuring the White House to support a Ukrainian insurgency with a broad menu of weaponry or even calling for NATO to impose a no-fly zone over Ukraine.

Amid this escalation, experts can spin out an infinite number of branching scenarios on how this might end. But scores of war games conducted for the U.S. and allied governments and my own experience as the U.S. national intelligence officer for Europe suggest that if we boil it down, there are really only two paths toward ending the war: one, continued escalation, potentially across the nuclear threshold; the other, a bitter peace imposed on a defeated Ukraine that will be extremely hard for the United States and many European allies to swallow.

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Putin deliberately frames his operation in Ukraine in the same way that the United States has framed its own regime-change operations in Kosovo, Iraq, and Libya, charging that Ukraine has committed human rights violations and is a terrorist state. For good measure, Putin throws in the ludicrous assertion that Ukraine is fascist. These are transparent fig leaves for what is nothing more than a war of brute imperialism.

Judging from how things stand now, Putin, having invested so much in this war already, seems unlikely to settle for anything less than the complete subjugation of the Ukrainian government. If the current uneven pace of Russian military progress doesn’t accomplish the job, the most likely strategy for doing this is to make an example of a city like Kharkiv, leveling it as if it were Grozny or Aleppo, both cities that Russia has brutally destroyed in the recent past, and then threatening to burn Kyiv to the ground. He can accompany this with special forces attacks in the capital to disrupt the civilian population and sow further confusion and discontent. Ultimately, he needs at least to force the ouster of President Volodymyr Zelensky and his government.

In this case, Russia will install a puppet government in Kyiv, which will sign terms of surrender highly favorable to Russia. The terms will almost certainly include a pledge of Ukrainian neutrality, and might go further by committing Ukraine formally to Russia’s sphere of influence with a membership in Russia’s Collective Security Treaty Organization or its Eurasian Economic Union.

At this juncture, the United States and its allies would face an extraordinarily difficult policy choice. Disgust with Putin’s war has greatly increased the chances that Washington and some of its allies would seek to fight on, for instance by supporting a Ukrainian insurgency. This would roughly mirror the strategy that the United States used to assist French resistance against Nazi Germany in World War II. The more effective NATO support to the insurgency is, the more the Kremlin would likely be willing to risk attacks on safe havens in NATO territory—most likely employing irregular forces or even the infamous Wagner Group, a private organization that operates globally as a quasi-special force of the Kremlin. These operations could lead to a massive escalation that would open the door to a much wider war between NATO and Russia—exactly the war that U.S. President Joe Biden has been trying to avoid.

Alternatively, the insurgency might greatly weaken Russian forces. The Ukrainian insurgent army could impose heavy damages on Russian forces and erode Putin’s position among Russian elites, on whose support he depends for power. Ukrainian forces would have major incentives to take their fight inside Russian territory, attacking Russia’s rearguard in Belarus and Russia itself.

There are possible other paths toward further escalation, but they all eventually lead toward the nuclear threshold. Scores of war games carried out by the United States and its allies in the wake of Russia’s 2014 invasion of Ukraine make it clear that Putin would probably use a nuclear weapon if he concludes that his regime is threatened. It is hard to know exactly what turn of events would scare him enough to cross the nuclear threshold. Certainly a large NATO army entering Russian territory would be enough. But what if events in Ukraine loosened his grip on power at home? Indeed, achieving regime change in Russia indirectly by making Putin lose in Ukraine seems to be the logic behind some of those who are pushing for escalation today.

Moving across the nuclear threshold wouldn’t necessarily mean an immediate, full-force nuclear exchange—in other words, global thermonuclear war. But it would be an extremely dangerous, watershed event in world history.

The nuclear option that has been most frequently discussed in the past few days involves Russia using a small nuclear weapon (a “non-strategic nuclear weapon”) against a specific military target in Ukraine. Such a strike might have a military purpose, such as destroying an airfield or other military target, but it would mainly be aimed at demonstrating the will to use nuclear weapons, or “escalating to de-escalate,” and scaring the West into backing down.

Some analysts have questioned Russia’s ability to actually carry out such an operation, given its lack of practice. Unfortunately, this isn’t the only or even the most likely option available to the Kremlin. Based on war games I ran in the wake of Putin’s 2014 invasion, a more likely option would be a sudden nuclear test or a high-altitude nuclear detonation that damages the electrical grid over a major Ukrainian or even NATO city. Think of an explosion that makes the lights go out over Oslo.

Those war games indicated that the best U.S. response to this kind of attack would be first to demonstrate U.S. resolve with a response in kind, aimed at a target of similar value, followed by restraint and diplomatic efforts to de-escalate. In most games, Russia still responds with a second nuclear attack, but in the games that go “well,” the United States and Russia manage to de-escalate after that, although only in circumstances where both sides have clear political off-ramps and lines of communication between Moscow and Washington have remained open. In all the other games, the world is basically destroyed.

Even in the better case where both sides take their fingers off the triggers, the nuclear taboo has been broken, and we are in an entirely new era: two nuclear superpowers have used their nuclear weapons in a war. The proliferation consequences alone would be far-reaching, as other countries accelerate their nuclear weapons programs. The very fact that the nuclear taboo had been broken increases the odds that the nuclear threshold is crossed again in future conflicts, not just between Russia and America, but also with China, between India and Pakistan, in the Middle East, or elsewhere. Even this outcome in which the world is “saved,” the United States is far worse off than it was before the war in Ukraine broke out last month.

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What is the alternative? Once again, infinite scenarios and branches are possible, but there is a single basic one that helps to simplify thinking. It begins with an effort to avoid further escalation today. So far, the Biden administration has wisely restrained direct U.S. military involvement in the conflict, but holding off against the rising chorus of voices pushing for escalation may be hard in the coming days if Russian forces brutally devastate Ukraine’s cities. But the most difficult challenge lies a little further down the road with the scenario described above: how to respond if Russia imposes a puppet regime in Ukraine. This would put the United States in the near-impossible position of having to choose between further escalation and compromising on the very principles that drove it toward the war in the first place—the right of a nation like Ukraine to be free and independent of subjugation to foreign rule.

#### Encirclement goes nuclear.

Rawat 22 [Vidya Bhushan Rawat, Human rights defender; "It's not Moscow-Kyiv war, but between Russia and NATO; tremors felt globally"; Counterview; Published: 2-26-2022; Accessed: 6-25-2022; https://www.counterview.net/2022/02/its-not-moscow-kyiv-war-but-between.html; KL]

After the 2014 intervention in Crimea, NATO and western allies started arming Ukraine. Given by any standard, Ukraine has fairly big armed forces and NATO provided it with all the big equipment yet it’s leadership rarely showed the strength of a matured nation while dealing with a country it belonged to once upon a time.

It was clear that Ukraine was clearly divided between ethnicities on the issue of joining the EU as the Russian origin people were happier with Russia. It is not the issue of mere sovereignty of Ukraine but also the survival question for Russia which feels threatened if NATO expands towards the Eastern Europe.

Underestimating Russian sentiments

Russia is world’s biggest country with a 36,000 kilometres long coast and 17 million square kilometres of land area. It has 11 time zones, the highest in the world. Whatever may be the differences of governance, Russia undoubtedly a great power where architecture and literature thrived.

During the second world war, it is the Red Army of the Soviet Union who defeated Hitler’s fascist forces but it is also a fact that immediately after world war II, the western block decided to join hand against the mighty Communist Soviet Union. The cold war started by then though ended by 1990 when Soviet Union disintegrated but the mighty empire doesn’t go away that easily.

To underestimate Russia and its power was a miscalculation on the part of the Ukrainian president who now feels that Europe and the United States have abandoned him and that he was ready for a negotiation with Moscow but it looks the matter is over. Whatever be the outcome, the massive bombardment at Ukraine has destroyed his infrastructure as the war is basically inside Ukraine and Russia has significantly destroyed its defence infrastructure and captured the Chernobyl Nuclear Power plant.

The Ukrainian crisis should not escalate but for that western world must sit together with other nations. Each big country has its share of problems and exploitation of the other countries. Europe’s colonial powers have their own track record of colonising the world while Americans have taken it to themselves as the sole spokesperson of the world. Russia, China are new power places and will definitely not like to get economically isolated.

China has already challenged the Western monopoly on economy but Russia was also building up in the last one decade. The new Russia under Vladimir Putin is assertive, economically strong and militarily stronger who have shown much better diplomacy than his western counterparts on various occasions.

Now, the call for negotiations will not work as Russia will only stop once the regime change is done and a pro-Russian government is installed in Kyiv and Russians are not alone in doing so, for they have many examples in recent pasts when the western world followed the same pattern elsewhere.

The things are clear that Russia will not allow NATO to move towards its border as it is a life and death for the powerful country as it knows well that Western World never want a strong Russia but will ensure it is weakened or broken. By invading Ukraine, Putin has sent a strong message to all his neighbours in Europe and CIS countries to not cross the Red line of inviting the western world and NATO to its border as it will be a no tolerance zone for Russia.

One should not look for big moral questions in the Ukraine crisis as every country has to work according to its territorial integrity and what Putin did was perhaps important to protect Russia from encircling by NATO. No self-respecting powerful nation would allow its border to be surrounded by the adversaries.

Ukraine could have avoided the crisis by not becoming a pawn in the hands of adversaries of Russia but it looks it deliberately allowed itself to be used and now paying the price for the same. It is time all the global power sits together, introspect and strengthen mechanisms so that rights of all countries whether small or big are protected but at the same point of time it is also essential that countries do not become pawns in the hands of powerful countries and their international chess board.

The war is not between Moscow and Kyiv but between Russia and NATO whose tremors are being felt globally and must not escalate further as any miscalculation on any part might begin a chain of event which could be worse than World War III.

### Foreign Oversight/CMR

#### Absent Congressional oversight and democratic NATO norms, wars ensue. Say no, disunity/distrust, Russian aggression turns case.

More quals (TLDR, these people are overqualified :D)

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Katz and Taussig 18 [Jonathan Katz, Senior Fellow and Director, Democracy Initiatives - German Marshall Fund of the United States; Torrey Taussig, Former Brookings Expert; "An inconvenient truth: Addressing democratic backsliding within NATO"; Brookings; Published: 7-10-2018; Accessed: 6-24-2022; https://www.brookings.edu/blog/order-from-chaos/2018/07/10/an-inconvenient-truth-addressing-democratic-backsliding-within-nato/; KL]

The overriding concern of this week’s NATO Summit will be cohesion, with the security alliance facing crises of disunity on multiple fronts. In the West, President Donald Trump repeatedly calls into question NATO’s strategic value and berates America’s closest allies. Already, he has sent hostile letters to the leaders of several NATO member-states demanding they do more to pay their own way. In the East, an aggressive Russia has used conventional and nonconventional weapons to invade sovereign states and undermine European and American security. In continental Europe, migrant and refugee flows not seen since World War II are roiling internal politics within frontline and destination states.

There is also significant democratic backsliding among NATO member states. The cast of illiberal characters—who are leading the charge in the wrong direction—includes the recently reelected and empowered Turkish President Recep Tayyip Erdoğan and his Justice and Development Party (AKP), Jaroslaw Kaczynski’s Law and Justice (PiS) Party in Poland, and Hungarian Prime Minister Viktor Orbán and the ruling Fidesz Party. Each has proven more than willing to repress free media, dismantle checks and balances, demonize political opposition, clamp down on civil society, and diminish the rule of law. America’s democratic system and norms under President Trump are also under duress; as a result, Freedom House downgraded the country’s score on the basis of weakening political rights and civil liberties.

Despite these alarming developments, NATO leaders have relegated democratic backsliding to the backburner. Opponents of making the case for democracy within NATO might argue that pushing Ankara, Warsaw, and Budapest too hard on their commitments to good governance will exacerbate already tense divisions in the alliance. Others might say that Russia would be the prime beneficiary of a contentious democracy discussion at NATO. Yet this is a counterproductive approach with current and potential costs to NATO’s future. Here are three security-based reasons why the United States and NATO should care about democratic backsliding, and actions the alliance can take to address them.

1 Russia is already benefiting from and effectively leveraging its relationships with Hungary and Turkey to exacerbate discord within Europe and NATO. Viktor Orbán and Vladimir Putin see one another as allies in their disdain for the European Union and Orbán has courted Russian financial and political support as he builds an illiberal democracy in Hungary. Russian propaganda also finds fertile ground in Hungarian media. A 2018 Senate Foreign Relations Committee report noted that Russian state-owned media content “by Sputnik and RT is widely referenced by pro-government news sources in Hungary.” The report cited Orbán as the EU and NATO’s most supportive leader of Putin’s worldview and leadership. Acting as the Russian “camel’s nose under the tent,” Orbán is thwarting Ukraine and NATO’s partnership efforts by blocking the Ukraine-NATO Commission from meeting at the upcoming summit.

In Turkey, Erdoğan has rattled the NATO alliance by pursuing a deal to purchase the S-400 missile system from Russia. In addition to hurting NATO’s ability to cooperate on security, the system is also not compatible with NATO’s defenses. Through arms and energy deals, Putin uses Turkey as a wedge to divide NATO. Similarly, Erdoğan might see his deals with Putin as a way to free Turkey from Western leverage, particularly as European states push back on his brand of authoritarian politics by cutting EU pre-accession funds. After winning the recent twin parliamentary and presidential elections, an emboldened Erdoğan will likely become an even more problematic partner for NATO.

President Putin is building ties with illiberal leaders across Europe while attacking fundamental elements of Western democracies.

Other illiberal and populist governments, including Italy’s new anti-establishment government, could follow suit in enhancing their partnerships with Russia, creating future intelligence-sharing and cohesion problems for the alliance. President Putin is building ties with illiberal leaders across Europe while attacking fundamental elements of Western democracies, including electoral process and open information spaces.

2 There is a strong link between democratic governance and security gains. Liberal democracies have historically been less likely to experience intra- and interstate conflict, generate refugees, and harbor violent extremists. They are also better at maintaining transparent institutions, civilian control of the military and intelligence services, and working together on confidence-building measures, all of which are core features of NATO’s ability to collectively defend its members. On the other hand, corruption and insecurity grow under politicized institutions and poor rule of law. This hurts NATO’s renewed efforts to combat terrorism, as military and security communities have long acknowledged the connection between corruption and the existence of criminal networks, traffickers, and terrorists within state borders.

Corruption also opens space for Russian kleptocratic networks close to Putin to operate and gain influence. For example, in 2014 Orbán awarded Rosatom, a Russian state-owned nuclear company, the sole contract to build two nuclear plants in Hungary in exchange for a 10 billion euro loan from Moscow. The Hungarian parliament, dominated by Orbán’s Fidesz Party, then passed a rushed vote to keep data from the nuclear deal confidential for 30 years in the name of “national security.” The deal diminished transparent economic competition within the European Union and solidified Hungary and Russia’s energy ties.

3 Distrust among allies hurts alliance interoperability. The PiS Party’s assault on independent media and the Constitutional Court, including efforts last week to summarily force out 27 Polish Supreme Court justices, have isolated Poland from France and Germany, diminishing trust among the European nations. This could make it increasingly difficult for Washington to gain consensus on joint decisions, communications, and operations. If NATO is dedicated to building resiliency along Russia’s periphery by placing multi-national battalions in Poland, then it should not ignore the accountable institutions that would strengthen this joint effort.

NEXT STEPS FOR THE ALLIANCE

What can NATO do to counter democratic backsliding within its ranks? After a troubling G-7 meeting in Canada, the upcoming NATO summit in Brussels may be a hair twisting exercise in alliance management. Muted cohesion, however, is not enough to address the anti-democratic trends tearing apart the fabric of Europe and NATO. Strong actions and words are needed to counter this democratic crisis.

First, in fighting for the relevance of NATO’s Article V promise of collective defense, we should not forget about NATO’s other founding articles, including Article II: states’ promise to strengthen free institutions within their borders. We should also recall the central governance requirements that states needed to meet in order to join the alliance, including rules around civilian control of the military, legislative monitoring, and transparency of arms procurements—all democratic foundations that make the alliance stronger.

In practice, NATO needs a new mechanism to hold members accountable when there is democratic backsliding and when the principles of the Washington Treaty, NATO’s founding document, are violated. Celeste Wallender, President Obama’s special assistant to the president and senior director for Russian and Eurasian affairs at the National Security Council, argues persuasively for several measures here. As she and others have noted, NATO currently has no options to suspend, expel, or penalize a NATO member, for example Hungary, for violating a core tenet of the alliance’s democratic values. There is not even a proper venue at NATO—for example the North Atlantic Council (NAC), NATO’s main decisionmaking body—to raise matters that some consider a direct threat to the alliance’s core principles. The NAC already has over a dozen committees, but none deal directly with democratic backsliding and human rights violations in the alliance.

To fill the void, members at the NATO summit and after should consider forming a new governance committee that addresses these issues, established under the chairmanship of NATO’s assistant secretary general for political affairs and security policy. Another idea would be for the alliance to establish a new role of special ombudsperson to raise concerns of violations to the Washington treaty.

NATO Secretary General Jens Stoltenberg and NATO member states also have a key role to play. Stoltenberg should be as ardent at the Summit as he was at the May 28 NATO Parliamentary Assembly where he reiterated that “NATO is an alliance of 29 democracies… based on the rule of law, individual liberty and democracy.”

Beyond the NATO Summit, Stoltenberg must elevate NATO’s commitment to democracy and core values by using his authority as secretary general to propose democracy-related items for discussion in the NAC. Stoltenberg should also make certain that NATO launches a new strategic concept as it celebrates its 70th anniversary in 2019. The current NATO strategic concept, adopted in 2010, is out of date and does not reflect the state of NATO-Russia relations or address democratic backsliding in the alliance. A new strategy is essential to address new global security challenges, including Russian hybrid efforts to undermine democracy and threats from some NATO members themselves to the stability and security of the United States and Europe.

At minimum, member states should ensure that language from the 2016 Warsaw Communiqué on democratic institutions (NATO’s mission is to “ensure that the Alliance remains an unparalleled community of freedom, peace, security, and shared values, including individual liberty, human rights, democracy, and the rule of law”) is strengthened and goes further in this year’s communiqué. Anything less than a reaffirmation of these principles, coupled with a mechanism to enforce them, would look like NATO backtracking on its commitment to democracy, emboldening the likes of Orbán and Putin.

In developing the communiqué’s language, the United States and its NATO allies should use momentum from Assistant Secretary for Europe and Eurasia Wess Mitchell’s recent remarks at the Heritage Foundation, where he reaffirmed that when it comes to NATO, “[w]e have to be clear that we stand for strong democracy as the foundation of our security and prosperity.” Based on this positioning, Washington would likely support NATO allies if they insist that democracy, human rights, and rule of law be a focus of the NATO summit and its communiqué.

Regardless of U.S. leadership or support, other NATO states such as the Nordic countries, Canada, Germany, France, the United Kingdom and other members must play a role in prioritizing NATO’s core values at the Brussels Summit and strengthening democratic institutions. In speaking to diplomats from several member states, it is clear that they recognize the growing democracy deficit in the alliance, and that the United States will likely not lead the charge on championing democratic institutions. In response, officials from such member states can use bilateral meetings and sideline conversations with the Hungarians, Poles, and Turks to raise concerns. Already the European Union is pressing Poland on its violation of EU democratic principles with the threat of sanctions and suspension of voting privileges. The security implications of their transgressions give NATO a role in maintaining this pressure, too.

ON THE HOME FRONT

The U.S. Congress has shown its mettle to play a greater foreign policy leadership role through sanctions legislation, hearings, democracy assistance, and blocking arms sales—at times in direct contradiction to Trump. Last year, Congress almost unanimously sought to calm the fears of European allies over Trump’s commitment to NATO by affirming U.S. congressional support for Article V. As Trump aims to cut funding for democracy assistance globally, Congress is ensuring that democracy assistance funding levels meets needs, including in Europe and Eurasia. In April, Senators James Lankford (R-Okla.), Jeanne Shaheen (D-N.H.), and Thom Tillis (R-N.C.) introduced a bill to prevent the transfer of F-35 Joint Strike Fighter aircraft to Turkey, citing Turkey’s “reckless governance and disregard for the rule of law.” Congress also passed the Global Magnitsky Act, which authorized sanctions on Russia and other human rights violators.

Moving forward, Congress can continue to make progress on human rights by pressuring the administration to advance three causes. First, to urge the administration to widen and make additional sanctions designations under the Global Magnitsky authority. The administration should encourage allies to adopt their own Global Magnitsky Act targeting international human rights violators, using the NATO summit to rally European partners on this issue. Second, for the administration to use its power to issue visa restrictions on individuals involved in undermining democratic standards or sanction individuals who commit human rights abuses. Finally, to stand up for NATO values of good governance and democracy, and to support critical allies at this week’s summit and beyond. We are already seeing this: Just last week, a bipartisan group of senators emphasized the importance of NATO and democratic values.

HOLD THE CENTER DESPITE THE RISKS

Holding NATO’s democratic backsliders to account is not without risk or consequence, and the effort is even more complicated amid growing competition between the West and authoritarian states including Russia and China. The United States and NATO allies must carefully navigate internal NATO challenges and avoid pushing some members further from the alliance and closer to Russia. Calling for the defense of democracy could deepen fissures between democratic and illiberal states that are not going away anytime soon.

An even greater risk than Russian short-term exploitation, however, is a possibility that in 10 years’ time the NATO alliance becomes unrecognizable—a hybrid club of autocratic, illiberal, and liberal democratic states that, devoid of shared values, do not agree on security threats or areas for cooperation. In the long term, dictators tend to maintain their power and legitimacy through strongmen power plays at home and sometimes abroad. And almost always, they leave a legacy of destruction, chaos, human rights violations, social strife, and other grievances. They rarely contribute to international peace, stability, and prosperity, which are the central objectives of an effective security alliance.

The alliance should be a clear-eyed about this risk. Like a cancer, illiberal practices can metastasize if not addressed. Deepening autocracy among member states would be a death knell for NATO as an alliance that has provided protection for the Euro-Atlantic community over the last 69 years.

Concerns over democratic backsliding can be raised without grandstanding or high-minded appeals that overly chastise members. Appeals for democratic institutions and good governance should be investments in new security initiatives and efforts that address the challenges all member states face in the fields of cyber, terrorism, and hybrid warfare. All members should be continuously convinced that their security and economic prosperity lies most assuredly in the West. Making appeals for strong democratic institutions and investing in security-based initiatives do not have to be either-or efforts. Rather, NATO’s best hope of succeeding in a world of great power competition is as a security alliance of democracies with transparent institutions, strong rule of law, and leaders accountable to their citizens.

#### SC devastates partner-nation governance. Triggers elite control.

PN = partner nation

Bushley 17 [U.S. Army Capt. Adam Bushley, Rule of Law attorney for Task Force Wolverine, 86th Infantry Brigade Combat Team; "Governance: The Missing Ingredient in Security Cooperation"; U.S. Army Command and General Staff College; Published: 2017; Accessed: 6-18-2022; https://apps.dtic.mil/sti/pdfs/AD1038564.pdf; KL]

This paper explores whether DOS can more systematically incorporate U.S. good governance strategic objectives into the oversight of DOD’s SC/SA programs. Both elements of the fifth secondary questions (existing trends within the SC/SA context and whether SA/SC programs support the foreign assistance principle of “do no harm.”) are below.

Although the transparency of whether good governance exists has increased due to a proliferation in measurement indices, the presence of good governance around the world is declining. The Freedom of the World report, published in 1973, was one of the first of more than fifty different indices that measure the effectiveness of government institutions. 131 Since 2006, for the ninth consecutive year, the index reported that the world has seen an overall decline in political rights and civil liberties. It states that the good governance is under great threat. 132

Again, good governance occurs when the ROL and human rights are respected, and the state is responsive, transparent, and accountable to the people without corruption or abuse of power. Both Great Britain and the U.S. hold the position that good governance is fundamental to peace and security, and “is the foundation on which a society is built.”133 According to an anticorruption guide commissioned by USAID, good governance is a prerequisite to sustainable international aid. 134 The NSS and others hold the position that authoritarian abuse is often a prime cause of crises (e.g., Syria, South Sudan).135 The country context in which the U.S. operates is of critical importance.

By definition, good governance incorporates human rights; the “support for universal rights is both fundamental to American leadership and a source of our strength in the world.”136 In 2009, DoD co-published an interagency guideline that stated that their “implementation of current foreign assistance approaches to security and development [including] traditional security assistance . . . equipment and training” programs should incorporate the “do no harm” guiding principle.137 In adherence to the basic “do no harm” assistance principle, SC/SA programs should ensure that they protect, or at least do not disproportionately harm the fifth of fourteen DOS strategic SC/SA objectives: 5) Adherence to Norms of Human Rights.138

The establishment of the ROL is a necessary component of good governance. According to USAID’s Guide to Rule of Law Country Analysis, “The underlying malady [of weak ROL institutions] is the power of entrenched political and economic elites who benefit” from the status quo.139 Throughout the guide, it is emphasized that “ROL reform must establish a respected and fair relationship between the state and society through balanced powers, proper oversight, checks and balances, and a cultural norm that supports ROL.”140 USAID has done significant work in reducing corruption in scores of countries around the globe, some of which is outlined in the “Guide for Legal Empowerment of the Poor.” The guide highlights that changing legal text is not enough to establish good governance. In order to change behavior to build the ROL to support good governance, there must also be a change in enforcement and incentives through appeal processes, audits, and limiting discretion, to name a few examples.141

As indicated previously, SC/SA programs are often most successful when they are conducted in permissive environments where there is an established ROL, and the recipient government is legitimate and is trusted by its people and has a relatively effective form of governance.142 Unfortunately, many of the countries the U.S. is assisting have extremely low levels of transparency, oversight, accountability, adherence to the ROL, and checks and balances. In 65 percent of the countries Transparency International (TI) studied in Asia, public trust in the military’s ability and will to address internal corruption was very low.143 Citizens are rightfully concerned. According to TI’s Government Defense Anticorruption Index, all states in the Middle East and North Africa (MENA) are at high risk of corruption in the defense sector. The U.S. supports the UN position that the lack of trust and risk of corruption both pose a grave threat to regional security and stability by giving fodder to extremist groups, who use citizen dissatisfaction as a means to question a government’s legitimacy. 144

A large percentage of the SC/SA recipients score in the bottom tier of the World Justice Project’s Rule of Law Index.145 For example, using expert surveys, of fifteen countries studied in Asia, only Japan and South Korea have parliamentary defense committees that can influence defense ministry decisions and budgets. According to USAID’s “Methodological and Substantive Analysis of USAID Legislative Strengthening Evaluations, 2003-2015,” parliaments are an “essential” oversight mechanism to help prevent misconduct, abuse, or the exploitation of power by the military. 146 In Myanmar, the military funds a significant part of its operations through the “selling of state resources, the large-scale cultivation and sale of opium poppies, [and] uncontrolled exploitation of natural resources.”147 Yemen’s military participates in organized crime that smuggles oil and drugs, illegally trades arms, and engages in human trafficking.148

Governance experts, such as TI, Perry Cammack and Yezid Sayigh with the Carnegie Endowment, contend that the security of the MENA region and the world depend upon using the military as an instrument of national power in a way that upholds “accountability to citizens and basic transparency through which effective independent oversight of policy, budgets, and military behavior can be exercised.”149 When a single MOD cannot control its personnel or account for its materiel, the world is less safe. For example, a United Nation Security Council report found that ISIS seized conventional military assets including vehicles, weapons, and ammunition, sufficient to arm and equip three divisions—including new and unused surplus materiel.150 Further, in the MENA region, military materiel acquisition is procured on an ad hoc basis with desires of certain individuals overriding technical security needs.151 Placating the desires of powerful and potentially corrupt generals can leave gaps unfilled in the security apparatus, potentially creating critical vulnerabilities within the Critical Capabilities (CC) (a means that is considered a crucial and essential to the accomplishment of a specified objective) or enablers that are necessary to accomplish long-term U.S. objectives.

Extent of Corruption in Partner Militaries and Its Effect on U.S. Security

Unethical behavior quickly destroys organizational morale and cohesion— it undermines the trust and confidence essential to teamwork and mission accomplishment. 152

U.S. strategic policy identifies the existence of corruption and poor governance in other nations to be destabilizing and a threat to U.S. national security. Case studies in and out of military institutions have found that corruption and a lack of checks and balances will “significantly inhibit” SC/SA effectiveness, and that corruption is a “pervasive threat” to military operations. 153 The need to combat corruption or its corrosive effects on U.S. strategic objectives is mentioned a dozen times in the twenty-eight page 2015 National Security Strategy. Mitigating corruption can support mission operations to reduce violent extremism, as well as increase government legitimacy and citizen confidence.

Corruption damages any DOD mission’s operational effectiveness and “erodes the legitimacy and efficacy of an international mission.”154 Corruption can be a source of conflict; twelve of the fifteen lowest ranked countries on Transparency International’s (TI) Corruption Perception Index (CPI) have issues with insurgents or international security.155 For example, in Indonesia, it is estimated that 30 percent of the military procurement costs are pilfered through corruption.156 Generally, if corruption is used to create stability in the short-term (e.g., using bribes to buy loyalty), it can create a system of impunity that lacks respect for the rules of law, which inherently undermines mission command, the mutual trust, understanding, and disciplined initiative that balances authority, control, and flexibility that is necessary in order to gain and maintain decisive action.

Many officers in DOD believe that corruption is simply part of some countries’ cultures, where citizens have attitudes of resignation to corruption, and, therefore, nothing can be done to address it. 157 However, citizens know that corruption undermines service delivery, decreases economic opportunity, and increases inequality. This is why ISIS propaganda in Iraq and Syria refutes the government as illegitimate, due in part to its corruption, in order to gain sympathizers for their cause to overthrow the government.158 The status quo does not have to be the end state. In fact, many anticorruption programs, which focus on changing the rules of the game, incentives, or illegal behaviors that undermine the ROL, have found significant success when effective in-depth assessments help develop programs that are tailored to specific objectives within a sector where political will exists. 159

Secondary Question 5B: Do No Harm

Well-intentioned SC/SA programming can harm partner nations in four ways. First, the U.S. could negatively affect the rights and protections of citizens within a country if there is a lack of transparency and checks and balances in the defense institutions. 160 For example, when DOD has ignored host nation corruption in the past, which has had detrimental results. As written in 2016 by Lieutenant General H. R. McMaster, current U.S. National Security Advisor, “Paradoxically, avoiding state building or sidestepping the political causes of state weakness in the hope of avoiding costly or protracted commitments often increases costs and extends efforts in time.”161 In fragile states, the government often does not have a monopoly on the legitimate use of force. Therefore, the default in fragile states is often self-protection forces and other powerbrokers providing security, distributing aid, delivering justice, and supplying jobs in lieu of government intervention. They operate along ethnic, religious, or tribal lines and are frequently under political protection.

While U.S. assistance to self-protection forces may secure short-term gains, such as in Afghanistan, these forces over the long run often exploit weaknesses in the political and economic systems, and “have a tendency to evolve into predatory groups, attacking external enemies while extorting or preying upon their own community.”162 Such extortion and corruption actually reinforce ethnic, religious, and other divisions that fuel cycles of violence, thereby making peace more difficult and prolonging the need for international forces. Instead, foreign assistance should be used to support the government in displacing these groups. While this thesis does not address conflict countries, it should be noted that in 2014, DOD concluded that the United States’ initial support of warlords in Afghanistan created an environment that exacerbated criminal patronage networks and fostered corruption, which ultimately had significant unintended consequences for U.S. strategy.163

Second, harm can be done by empowering a military that already has undue influence in a country without also strengthening oversight institutions. Unmatched military assistance to an already militarized society may tip the scales of power and permit the military to act as a tool to “suppress democratic opposition or movements.”164 In fact, “a coup or attempted coup occurred once every four months in Latin America (1945-1972), once every seven months in Asia (1947-1972), [and] once every three months in the Middle East (1949-1972).”165 There have been forty-four coups in West Africa alone over the last fifty years.166 Not all of these coups were antidemocratic, not all were successful, and not all of them were even against democratically elected regimes. Nonetheless, the point remains that if SC/SA programs followed the framework of other U.S. Government foreign assistance initiatives, security sector programs would be part of a multidimensional effort, and would incorporate systematic assessments and simultaneously address weak government policies, inadequate laws, or poorly functioning legislatures to counterbalance any assistance given to a military with a misbalance of power. It is USAID’s position that when legislative committee and bill drafter capacity is increased, additional checks and balances on overly powerful executives or corrupt ministries of defense can be established as an additional oversight body to safeguard against power-grabs.167

The importance of establishing oversight mechanisms is repeated forty-nine times in USAID’s Practitioner’s Guide for Anticorruption Programming, yet many of the United States’ partners often do not have these mechanisms in place. In the MENA region, for example, only two of seventeen countries studied, conduct external audits on the ministries of defense.168 The USAID Democracy, Human Rights and Governance (DRG) Strategy identifies Public Financial Management (PFM) strengthening interventions as a proven method of promoting a culture of lawfulness. PFM programs increase auditing and transparency in accounting, recording, and reporting processes. This USAID position is partly based on the recent meta-analysis evidence-based study of impact evaluations by the U4 Anti-Corruption Resource Center, one of the preeminent research institutions on corruption that receives substantial funding from multiple G7 countries, that also found that existing studies of PFM programs show that the program had a strong impact on reducing corruption and fraud by changing incentives and the rules of the game.169

Yemen is a good example of the failure to counterbalances to an overly powerful executive in relation to the other branches of government. According to a recent article in Foreign Affairs, former President Ali Abdullah Saleh used the military to consolidate power through a patronage-based system for his allies. Specifically, the article states, “eight years of Western training not only failed to build a military that could defend the state, but led to a myopic focus on counterterrorism that accelerated its implosion. The mistakes made in Yemen—where military trainers were deployed without consideration for local political dynamics—provide a clear demonstration of the unintended consequences of a military-centric approach” instead of one that is systems-based and multidimensional.170 According to International IDEA, although capable, for the last two years, the Yemen military has been unable to control the civil war, mostly because the loyalty of the elite military units is to their politically entrenched commanders, many of whom are supporting coup efforts. 171 That same year, the Combating Terrorism Center at West Point Sentinel published that “Saudi airstrikes, which are supported by U.S. intelligence, have destroyed much of the country’s infrastructure and decimated Yemen’s military and security services, including millions of dollars in equipment provided by the United States itself[,] . . . As a result, the constant warfare has opened up significant space for al-Qa`ida” and ISIS. 172

[FIGURE 4 EXCLUDED]

This myopic focus was evident in the budget. As seen in figure 4, military assistance made up more than 75 percent of the U.S. assistance to Yemen ($150 million in Section 1206 funding and $13 million in FMF). 173 Yet, according to CRS, such disproportionate funding was given to the military even though the “Yemeni government, economy, and tribal and military elites are intertwined in a patronage system that makes reform efforts difficult.”174 According to a CNN report in 2010, “Officials at the White House and State Department [were] concerned that increasing the size of military assistance might be counterproductive and not absolutely necessary [and] that Yemen President Ali Abdullah Saleh [would] use U.S. weapons against his political enemies and further destabilize the country.” However, the military assistance was approved anyway because the Yemeni government “reaffirmed its commitment to fighting militants.”175

Effective foreign assistance uses a systems-based approach that balances both governance and security because long term stability requires both. The counterterrorism assistance dwarfed humanitarian assistance, in a country that was: a) ranked 167 of 177 countries in Transparency International’s 2013 corruption perception index; and b) ranked 154 out of 187 countries in the United Nations 2014 Human Development Index, in this case partly due to the extreme water shortages in the country, and the fact that the country is dependent on food imports for up to 90 percent of basic staples.176 Had some of the U.S. military assistance been realigned to address issues of good governance and ROL starting in FY 2010, it is conceivable that the Houthi rebellion, which was provoked due to issues of perceived unfairness, may not have occurred or at least could have been withstood.177 The security assistance may have failed due to the lack of counterbalancing governance assistance.

Third, if arms sales are made without good strategic planning or a wellfunctioning force management system, haphazard arms deals can undermine the recipients’ security. This could occur by procuring equipment that is unsuitable to their needs that they cannot properly utilize, or by acquiring platforms that are too advanced for their needs or too similar to systems they already possess.178 This lack of sustainability occurs when SCO’s focus on getting the partner nation what they request instead of what they need.179 Inevitably, many countries have acquired overly technical and complex systems for their needs, or purchased “unaffordable fighter jets and buil[t a] pool of pilots when that is not appropriate for the security environment the partner nation faces or its budget.” These are questionable results for the U.S. to permit to occur to a partnered ally through a U.S. government controlled foreign military sales system. 180

For the last sixty-five years, claims have been made that U.S. military assistance has, at times, given modern weapons merely to placate the political feelings of the recipient, not because such weapons are deemed essential to the success of a regional security plan. Saudi Arabia’s arsenal includes the Typhoon jet and the F-15 fighter jet, which are duplicative systems, as well as duplicative tactical troop-carrying vehicles from Canada, Serbia, and Germany.181 If SC/SA programs were conducted similarly to other foreign assistance programs, they would be required to adhere to a rigorous sustainable aid model. For example, sustainable assistance mandates in USAID’s agriculture programs require the integration of environmental health, economic viability, and social equity to ensure long-term productivity and not cause subsequent problems, such as water scarcity. 182

Fourth, poorly synchronized SC/SA programs could harm a PN by wasting funds that could have been more responsibly allocated in a way that benefited the PN’s citizenry. Quoting DOD SC/SA professionals, RAND made the point that many of the existing train-and-equip SC/SA programs are often “episodic and generally not sustainable.”183 If SC/SA practitioners conducted SC/SA programs similar to other foreign assistance programs, they would familiarize themselves with the breadth of funds spent on military and non-military purposes to ensure that U.S. SC/SA programs are not weakening other U.S. strategic goals for the country. 184 While budget tradeoffs are inevitable, it is better to have these discussions and make informed decisions rather than to unknowingly be making decisions because an option was never discussed. Over the last ten years, India has increased its military spending by 147 percent, Bangladesh by 202 percent, Thailand by 207 percent, and Cambodia by 311 percent. 185 Over the same time period, military spending as a percentage of GDP in dropped by almost 25% in Turkey (from 2.8 to 2.1) Singapore (4.4 to 3.2), and Chile (2.5 to 1.9). 186

No U.S. government data could be found regarding the government’s position on whether this was too high, too low, or just right. However, if SC/SA practitioners conducted SC/SA programs similar to other foreign assistance programs, part of the SCO’s responsibility would be to understand the international and regional spending average for the security sector, as well as an objective assessment of the PN’s security needs, in order to help shape national budgetary decisions to align the nation’s spending to the citizen’s need for each of the different types of government services if the PN’s spending was severely misaligned with its own needs. While each PN rightfully has sovereignty to dictate its own budget, it is common practice in the foreign assistance community to influence what percentage of a PN’s national budget is allocated to other sectors (e.g. health and education) and the same could be done with the security sector. From a foreign assistance perspective, the issue is not necessarily how much military spending went up or down, but whether foreign assistance practitioners are having the discussion about budget priorities with their PN counterparts.

Putting It All Together

This paper explores whether DOS can more systematically incorporate U.S. good governance strategic objectives into the oversight of DOD’s SC/SA programs. To thoroughly discuss this question, five secondary questions were individually analyzed above. This section attempts to take those individual analyses and tie them together under sub-components of good governance: (1) accountability, ROL, and reforming military justice disciplinary rules; and (2) human rights protections.

In 2010, then Secretary of Defense Robert Gates unabashedly expressed that “[b]uilding the governance and security capacity of other countries was a critical element of our strategy in the Cold War. But it is even more urgent in a global security environment where, unlike the Cold War, the most likely and lethal threats . . . will likely emanate from fractured or failing states, rather than aggressor states.”187 However, building institutional capacity and supporting governance is a long, arduous process that takes time. DOD’s current SC/SA system of personnel assignment creates rapid turnover that lacks continuity and supports tactical level targets in lieu of creating a unified effort through a longer-term operational or strategic approach.188 Guidance is needed.

#### CMR solves extinction.

Golby and Feaver 21 [Jim Golby, senior fellow at the Clements Center for National Security at the University of Texas at Austin; Peter Feaver, professor of political science and public policy and director of the American Grand Strategy Program at Duke University; "Biden Inherits a Challenging Civil-Military Legacy"; War on the Rocks; Published: 1-1-2021; Accessed: 6-25-2022; https://warontherocks.com/2021/01/biden-inherits-a-challenging-civil-military-legacy/; KL]

Civil-military relationships are not an end in themselves. These relationships exist only to provide effective national security policies in a given geopolitical environment in the context of democratic accountability. Unfortunately, the environment is not benign. As they sort through the civil-military and institutional baggage — the items they bring with them and the items they inherit — Biden’s team must also navigate intensified great-power conflict, persistent instability in the broader Middle East, strained ties with key allies, and little progress on all of the other stubborn problems that have bedeviled leaders in the post-Cold War era, including: the proliferation of weapons of mass destruction, transnational networks of terrorism, failed states, and ethnic rivalries. And, of course, Biden must still lead the country out of the worst pandemic in a century while recovering from all of the associated economic upheaval. There will be no strategic holiday during which the Biden team can painstakingly sort through its civil-military affairs.

### Entrapment

#### Unchecked military aid breeds terrorism, emboldens allies, and causes global war. QPQ solves.

Helton 19 [Jonathan Helton, research assistant with John E. Talbott & Associates; "Military Aid: Financing Foreign Conflict"; Strategy Bridge; Published: 8-19-2019; Accessed: 6-25-2022; https://thestrategybridge.org/the-bridge/2019/8/19/military-aid-financing-foreign-conflict; KL]

As a concept, foreign aid has existed for centuries. One country helps another—usually to their mutual benefit. The Marshall Plan solidified foreign aid as policy in the United States. The idea was to bolster its war-ravaged allies in Europe against the rising tide of communism. In Fiscal Year 2017, the United States doled out roughly $50 billion in aid, assisting nearly every country.[1] The U.S. pursues a noble goal: To promote peace and prosperity and to give a helping hand to countries in need.

Sometimes that goal becomes obscured in light of the geopolitical conflicts in which the U.S. is commonly involved. During the American Revolutionary War, the French aided the fledgling United States because they opposed Great Britain.[2] For the French, aid was more of a weapon than a parcel of food or a life-saving vaccine.

Today, the U.S. provides a similar type of aid. Unlike the muskets and tents of the Revolutionary War, this aid is spent on U.S.-built military equipment. Since 1961 the Foreign Military Financing program has provided “grant assistance for the acquisition of U.S. defense equipment, services, and training.”[3] This program differs from Foreign Military Sales program in that Foreign Military Financing is grant assistance while Foreign Military Sales are purchased by the recipient countries.[4] The U.S. offers this type of aid to Israel, Egypt, Jordan, and roughly 30 other countries. A cumulative $6.1 billion was spent on the program in 2018.[5] The same year, the U.S. spent 84% of it in the Middle East.[6]

FIGURE EXCLUDED

Of course, aid structured in this way seems to be straight forward: American arms manufacturers benefit while its allies receive equipment. The U.S. keeps the production lines moving and—hypothetically—gains influence. American allies get weapons. Could this deal be any better? A more salient question would be: Could this deal get any worse?

One objective of Foreign Military Financing is to further U.S. interests. The Department of State says, “These grants enable key allies and friends to improve their defense capabilities, and foster closer military relationships between the United States and recipient nations.”[7] But Foreign Military Financing fails these ends. Instead, this program has often resulted in heightened conflict, friction between the U.S. and recipient governments, and missed opportunities for improving human rights and furthering U.S. interests.

Countries that receive Foreign Military Financing are less likely to work with the U.S. in its objectives. A study by Patricia Sullivan, Brock Tessman, and Xiaojun Li found that the more military aid a country receives, the more likely it is to be uncooperative with the United States. They stated, “There is a significant, negative correlation between levels of U.S. military aid and recipient state cooperation.” [8] Their reasoning was thus: Nations receiving military aid realized the U.S. needed them for geopolitical reasons. Using “reverse leverage” these countries could pursue their own agendas without fear of losing aid. And while there are other factors that determine whether or not a nation cooperates with the U.S., military aid “Appears to generate less cooperative behavior from recipient states overall.”[9]

COUNTRIES THAT RECEIVE FOREIGN MILITARY FINANCING ARE LESS LIKELY TO WORK WITH THE U.S. IN ITS OBJECTIVES.

Consider the case of Egypt. Egypt receives $1.3 billion in Foreign Military Financing yearly, but the U.S. receives belligerence in return.[10] The Government Accountability Office documented that Egypt’s compliance with State Department monitoring has been, “incomplete and slow” for certain pieces of equipment.[11] This limits America’s ability to determine whether Egypt is using the equipment in compliance with end-user requirements and if the underlying goals of providing Foreign Military Financing to Egypt—regional stability and counterterrorism—are being met.[12] Unfortunately, some of Egypt’s internal policies directly contradict these goals. Their harsh treatment of political prisoners can lead to radicalization, further damaging American foreign policy and the objectives of Foreign Military Financing. As Middle East scholar Elliot Abrams stated, “If you take thousands of young men, toss them into prison, beat and torture them, incarcerate them for lengthy periods with actual jihadis, what comes out at the end of the process is in fact more jihadis.”[13] Policies that create more terrorism are hardly in line with U.S. objectives.

[FIGURE EXCLUDED]

Thus, aiding states that do not cooperate with U.S. objectives can fail to quell violence in the recipient nation. In fact, Foreign Military Financing can lead to dissonance between recipient governments and their people. This dissonance has been proven to create more terrorism, not less.

A paper published by the Hoover Institution considered military aid to 106 countries. The authors found that “More U.S. military aid… is associated with poorer political-institutional conditions, which gives rise to grievances and anti-American terrorism in aid-receiving countries.”[14] The authors find military aid tends to corrupt governments, causing tension over poor governance which can lead to transnational terrorism. Seen as the supporter of the corrupt government, the United States is “Punished in the form of anti-American terrorism for the—ostensible or actual—facilitation of local grievances.”[15]

This effect is not limited to the Middle East. Columbia, for example, has received almost $850 million in Foreign Military Financing since 2000.[16] Research has shown in Columbia “increases in U.S. military aid increase paramilitary violence.”[17] The authors also stated that “our results suggest that…international military assistance can strengthen armed non-state actors.”[18] Thus, it may be that Foreign Military Financing both distances the U.S. from recipient governments and incentivizes non-state violence.

But what is the alternative? While Foreign Military Financing seems to be contrary to U.S. interests, the alternative is hardly more appealing. Indeed, without Foreign Military Financing, the U.S. may cede geopolitical ground to adversaries like China and Russia.

An argument in favor of military aid is that it provides a way to preserve the U.S. edge in the global arms market. While the U.S.—with 36% of the global arms market—leads Russia by fifteen percentage points, supporters believe that Foreign Military Financing should continue to buttress that dominance.[19] As a former Pentagon official said, “when American industry is forced to abandon these markets, the gap is filled by Russian and Chinese companies, and their presence inhibits future American defense industrial partnerships.”[20] This argument is backed up with simple logic: If the U.S. ends military aid, many nations will turn to other, less scrupulous suppliers.

Arms transfers from Russia or China tend to have similar corrupting effects to U.S. military aid. A writer with the Oxford Research Group stated, “Chinese small arms have been implicated in ethnic violence and war crimes in Sudan, South Sudan and the Democratic Republic of Congo.”[21] Clearly China takes little care to ensure its arms are not used improperly. Russia has also demonstrated its willingness to support corrupt regimes with arms transfers.[22] An end to Foreign Military Financing would simply channel money to America’s geopolitical rivals and possibly worsen conditions in already turbulent areas.

A middle ground ought to be used to manage both Foreign Military Financing’s havoc and the consequences of its reform. If strengthening U.S. alliances is the program’s aim, it ought to be revised to truly do so. The U.S. should leverage its military aid to ensure that it does the maximum possible good.

One tool the U.S. already has in its arsenal are Leahy Laws. These laws can prevent Foreign Military Financing from going to “units of foreign security forces” who have been credibly implicated “in the commission of gross violations of human rights.”[23] While these laws are not perfect, they may serve as a first step in combating human rights violations.[24]

Beyond Leahy Laws, this leverage could involve withholding aid if the recipient government takes military actions that are not in America’s favor, creates diplomatic agreements contrary to U.S. interests, violates international law, or is involved in large-scale corruption.

But, would such leverage work? There are in fact countries where the U.S. has applied pressure and received positive returns. As Jess Hunter-Brown wrote, Leahy Laws have “coerced accountability for human rights abusers in Indonesia, Honduras, Guatemala, Colombia, and Bangladesh.”[25]

There have also been times when leverage has returned mixed results. Again, consider Egypt. After then-Secretary of State Rex Tillerson withheld $195 million in Foreign Military Financing from Egypt in 2017, Secretary Mike Pompeo reversed his decision and released it in July of 2018.[26] Worse is the fact Egypt was making progress scaling back its repression of human rights. The Egyptian government was reevaluating its harsh regulations of non-government organizations and looking at retrying a 2013 jailing of 43 non-governmental organization workers.[27] Despite Secretary Pompeo’s decision, Egypt eventually acquitted the 43 individuals in December 2018.[28]

The U.S. should even use its leverage to vet closer allies. Israel, one of America’s closer in the Middle East, is rated by Freedom House as “Free”—a top-rated country in the Middle East-North Africa region.[29] But even their democracy is tainted with accusations of human rights violations. A 2016 letter from ten senators to then-Secretary of State John Kerry questioned whether Israel should be investigated for several extrajudicial killings.[30] In 2018, the U.S. ambassador to Israel, David Friedman, rejected increased scrutiny of Israeli military activities.[31] If the Israeli armed forces are innocent of human rights violations, Ambassador Friedman should have nothing to fear from further investigation. Either way, it would be beneficial for the U.S. to track its equipment and weapons—even to its allies—to ensure that they are being used ethically.

If the U.S. applies strict vetting requirements to military aid, there is some concern that China or Russia will take market share from the U.S. However, this concern may be rebutted in two ways. First, Foreign Military Financing would still come at no monetary cost to the country. Without it, foreign governments would likely have to spend their tax dollars to receive arms. Richard Sokolsky and Andrew Miller wrote that “neither Moscow nor Beijing offers grant assistance, which means they are not viable substitutes for countries that depend on U.S. financial help to buy equipment.”[32]

Second, U.S. military aid is technologically superior to Russian or Chinese arms in many ways. The U.S. commands a large lead in military technology. As Professor Jonathan Caverley said, “Clients join an American-dominated global supply chain in return for better value weapons, larger orders of subcomponents from local firms, and access to leading-edge weapons technology.”[33]

THE U.S. SHOULD NOT BE AFRAID TO END AID TO CERTAIN COUNTRIES, EVEN WITH THE RISK THAT ONE OF ITS RIVALS WOULD GAIN A FOOTHOLD.

Finally, if the U.S. cannot leverage aid to achieve its goals, it should consider ceasing it. Foreign Military Financing has tangible negatives—reduced cooperation and increased transnational terrorism. These negatives can be avoided via aid cuts. The U.S. should not be afraid to end aid to certain countries, even with the risk that one of its rivals would gain a foothold. Just because aid recipients might hold reverse leverage does not mean the U.S. has none of its own. Such a cut would likely be net beneficial to an at-risk recipient.

While the aim of Foreign Military Financing may be to strengthen U.S. geopolitical alliances, it has also caused grated nerves and violent conflict. The alternative—Russian and Chinese arms transfers—is likely worse for the U.S. Ultimately, there is no ideal option, but leveraging aid to improve human rights or protect U.S. objectives is the least the U.S. can do for a world where weapons can fuel resentment and strife.