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## COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515-6035

ONE HUNDRED TWELFTH CONGRESS

May 19, 2011

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ROBERT L. SIMMONS, II, STAFF DIRECTOR

President Barack Obama  
1600 Pennsylvania Avenue  
Washington, D.C. 20500

Dear Mr. President:

As the United States military's involvement in Libya approaches 60 days without congressional authorization, I must reiterate concerns expressed at the outset of this operation regarding our strategic objectives, the length of America's commitment, the funding mechanism for this operation, and the potential effect of this operation on other more vital interests.

There continues to be an apparent disconnect between our stated political objectives and the military mission. Although United Nations Security Council Resolution 1973 authorized member states "to take all necessary measures" to "protect civilians and civilian populated areas under threat of attack" in Libya, you have stated clearly that Gaddafi must be removed from power. Although this may be necessary and strategically desirable, it is not clear that the means chosen to achieve this outcome are adequate. History has demonstrated that an entrenched enemy like the Libyan regime can be resilient to air power. Moreover, by targeting command and control sites not directly threatening civilian populated areas, NATO operations may have prompted Gaddafi to use civilian shields as a countermeasure to our air superiority. This may put NATO and U.S. pilots in the paradoxical position of firing on civilians in order to save civilians. Consequently, I believe the Administration should present a fuller explanation to Congress of the connection between strategic ends and operational means.

This disparity between means and ends suggests the conflict is heading toward a protracted stalemate, as neither Gaddafi nor the opposition appears capable of gaining the upper hand in the near term. Moreover, the recent indictment of Gaddafi and senior Libyan regime officials for "crimes against humanity" – although likely justified from a legal standpoint – removes any incentive those individuals would have had to abdicate power short of a complete military defeat, an outcome that appears far from imminent. Thus, the Administration should explain how long the United States intends to pursue the current strategy, and whether the intention is to engage in a prolonged conflict over Libya similar to Operations Northern Watch and Southern Watch over Iraq.

Furthermore, greater clarity needs to be provided to Congress regarding the role of U.S. forces within NATO operations. Although Administration officials have provided Congress with some data regarding the percentage of sorties flown by U.S. pilots in Operation Unified Protector, the

specific nature of our role in NATO operations remains unclear. Do U.S. forces continue to be engaging in hostilities, or are they merely playing a supporting role? Congress must receive additional information regarding the extent to which U.S. assets – whether manned or unmanned – deliver munitions on Libyan targets in order to exercise appropriate oversight of these operations.

Fortunately, we have not lost any of our brave fighting men or women thus far. Yet, these operations will likely impose other costs that could adversely affect our national security. According to Department of Defense figures, by April 24<sup>th</sup> the actual cost of Libya operations had already exceeded projections, and Secretary of Defense Gates recently estimated that the total cost of operations in Libya is approaching one billion dollars. No comprehensive explanation regarding the escalating costs has been provided by the Administration and there has been no supplemental appropriations request to fund these operations. Consequently, the Department of Defense has been forced to fund operations within the base budget for fiscal year 2011, diverting resources from planned training, maintenance, and modernization efforts. In the absence of an appropriations request, there is increasing pressure in Congress to fund the military services' unfunded requirements within the fiscal year 2012 Overseas and Contingency Operations accounts, to mitigate service shortfalls. However, such proposals would reduce the amounts spent on Iraq, Afghanistan, and Pakistan, which are critical to our national interest. The American people and Congress deserve a detailed description of what vital U.S. interests justify a continued commitment to Libya, whether the Administration has made any attempt to prioritize amongst our various strategic interests in the region, and how the Administration proposes to fund these operations at a time when the Department of Defense is being asked to make \$400 billion in additional cuts.

With America's armed forces in harm's way, it is not my intention to second-guess or undermine your authority as Commander in Chief. However, the War Powers Resolution requires that, within sixty calendar days after a notification is submitted to Congress regarding the introduction of U.S. forces into hostilities, the President terminate any use of U.S. forces unless the Congress has acted. As you are aware, we are approaching this critical juncture, since your notification pursuant to the War Powers Resolution was submitted to Congress on March 21, 2011. To date, no explanation has been offered regarding the Administration's legal rationale for not seeking congressional authorization for the use of military force in Libya. Unfortunately, absent answers to these many questions, I would have serious reservations regarding support for any future request for authorization of operations in Libya.

I appreciate your cooperation in providing more detailed information to Congress, to allow this body to fulfill its constitutionally mandated role of oversight on military affairs. More importantly, the American people and the troops deployed as part of this operation deserve an explanation of the issues that I have raised here.

Sincerely,

A handwritten signature in black ink, reading "Howard P. 'Buck' McKeon". The signature is written in a cursive, slightly slanted style.

Howard P. "Buck" McKeon  
Chairman