



PROJECT on Middle East Democracy

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**“Libya: Defining U.S. National Security Interests”
House Committee on Foreign Affairs
Rayburn House Office Building, Room 2172
Thursday, March 31st, 10am**

On Thursday, the House Committee on Foreign Affairs held a [hearing](#) to discuss the current situation in Libya and U.S. involvement. The committee—chaired by Congresswoman **Ileana Ros-Lehtinen** (R-FL), with ranking member **Howard Berman** (D-CA) in attendance—, requested the testimony of Deputy Secretary **James B. Steinberg**.

Rep. **Ileana Ros-Lehtinen** [opened](#) by stating that the President’s address to the nation on Monday was a welcome development, but left many questions unanswered. She stated that many concerns have been raised about the “implied future obligations under the ‘Responsibility to Protect,’” a vague concept articulated in a U.N. General Assembly Resolution. The case for intervention can be applied to the Ivory Coast, Sudan, or Syria then she stated. She also raised concerns that Senior Director of Multilateral Affairs on the National Security Council, **Samantha Power**, “helped lead the charge to intervene in Libya based upon this principle and over the objection of military planners.” Additionally, the congresswoman addressed concerns over “the scope, duration, and objectives” of the NATO-led operation given the conflicting statements from the President over whether the mission includes the removal of **Muammar Gadhafi** from power. She also questioned what the U.S.’s contingency plans are if Gadhafi remains in power and the implications of a stalemate. Lastly, she questioned who the Libyan opposition is and statements by Secretary of State **Hillary Clinton** on the possibility of U.N. members arming the rebel groups.

Ranking member, **Howard Berman** (D-CA) [opened](#) by commending President **Barack Obama**’s decision to take military action in response to the humanitarian crisis in Libya and his multilateral approach. He stated that while it may provoke questions “that are not fully answerable at this time,” he believes that it was the right policy as the “alternative – acquiescence in the face of mass murder – was untenable.” **He states that the policy saved many lives, and he hopes that “other dictatorial regimes to think twice before they use unbridled violence against peaceful protesters.”** He also iterated his belief that the President has clearly stated that U.S. military goals are limited to “implementing a no-fly-zone to stop the regime’s attacks from the air and to take other measures necessary to protect the Libyan people.” **Berman also noted the importance the intervention played in helping prevent instability of the country from pouring over the borders to Egypt and Tunisia, which are undergoing democratic transitions.**

Berman also discussed the importance of ensuring Gadhafi leaves given the fact that he will likely enact brutal revenge on the Libyan people if he remains in power. **“Whether voluntarily, by the hand of his own people, or as a result of coalition action, it is essential that Qadhafi go,” he said.** Berman questioned what the implications of the transition of operations to NATO are and questioned on what the post-Gadhafi era is. In particular, Berman asked, if the administration believes that the Libyan National Transitional Council is the “likely heir to power,” why we are hesitating in recognizing it and questioned whether our recognition wouldn’t “increase the Qadhafi regime’s sense of isolation and deepen the international community’s sense that his departure is inevitable.”

In their opening remarks, Representatives **Dan Burton** (R-IN), **Brad Sherman** (D-CA), **Steve Chabot** (R-OH), **Ron Paul** (R-TX), **Mike Pence** (R-IN), **Ted Poe** (R-TX), **Bill Johnson** (R-OH), and **Ann Marie Buerkle** expressed their disappointment that the administration did not seek congressional approval prior to engaging in military action and believes that they should have been consulted along with the United Nations and the Arab

League. Meanwhile, Reps. **Gary Ackerman** (D-NY), **Donald Payne** (D-NJ), **Gregory Meeks** (D-NY), **Dennis Cardoza** (D-CA), and **Frederica Wilson** expressed support for President Obama's actions which were in concert with our allies and also discussed their frustrations with congressional members vitriolic comments on Obama, especially given that some of his most earnest critics had previously called for a no-fly-zone to be implemented. Reps. **Allyson Schwartz** (D-PA), **Theodore Deutch** (D-FL), **Jeff Fortenberry** (R-NE), and **Albio Sires** (D-NJ) lauded the president for ensuring that this was a multi-lateral effort while Reps. **Gerald Connolly** (D-VA) and **Brian Higgins** (D-NY) discussed how the situation is radically different from that in Egypt and that in Bahrain and Yemen. Connolly also noted the importance of Arab League support. Rep. **Dana Rohrabacher** (R-CA) expressed strong support for the Obama Administration's handling of the situation thus far, stating **that if the U.S. and our allies had not been involved, it is likely that the rebels would have turned to radical Islamist groups such as al-Qaeda.** He also discussed how Obama's actions reflect the Reagan doctrine and noted that the Libyan opposition has made statements that they will repay the U.S. for their assistance. Many congressmen also expressed their concern for what a post-Gadhafi Libya will look like given the continued uncertainty of the Libyan opposition as well as concerns on how long the U.S. will be engaged in this mission.

Deputy Secretary of State **James Steinberg** began his [testimony](#) by stating that in his speech on Monday, President Obama laid out our goals and strategy in Libya and the broader Middle East. **He stated that the U.S. military intervention is part of a multilateral humanitarian response that came as a result of Gadhafi's failure to respond to two U.N. Security Council resolutions calling for an end to the violence.** Instead of discontinuing violence, Gadhafi declared, "We will have no mercy and no pity" and given his history of brutality the international community had "little choice but to take him at his word." Steinberg stated that this mission has been undertaken in line with Obama's pledge that our military role would be limited and that there will be no ground troops in Libya. He asserted his confidence that the NATO coalition will "keep the pressure on Qadhafi's remaining forces until he fully complies with the terms of Resolution 1973."

Steinberg also discussed the U.S. strategic interests in Libya and concerns that the crisis would put "enormous strains" on the fragile transitions in Tunisia and Egypt and that failure to address the situation would "undercut democratic aspirations across the region and embolden leaders to believe that violence is the best strategy to cling to power." He also stated that failure to act would have undermined the U.N. Security Council and "its ability to uphold global peace and security." Steinberg discussed the non-military actions such as assisting refugees, pressuring and isolating Gadhafi and his associates— a tactic which found success during U.S. intervention in Kosovo—, and supporting the legitimate aspirations of the Libyan people. He stated that Secretary Clinton was meeting with a senior representative to the Transitional National Council to discuss how we can support the process. Steinberg also noted the Council's public statements declaring commitment to democratic ideas and its rejection of terrorism and extremist organizations like al-Qaeda.

In response to questions by Reps. **Ros-Lehtinen** and **Buerkle** over the investigation of Gadhafi's involvement in the Lockerbie bombing, especially given the recent defection of the Libyan Foreign Minister, Steinberg stated that the Department of Justice is currently investigating the case and it is one of the topics being addressed as the international community pressures the Gadhafi regime and attempts to isolate it.

Rep. **Berman**, in response to his fellow congressmen's opening remarks stated that Obama had not violated the War Powers Act, but rather his actions were consistent with the act. Whether he violates the constitution will be seen in 60 days, after the start of intervention, at which time he must seek congressional approval. Berman also stated that this is not the first time a President has engaged in military action prior to seeking Congressional approval, pointing to intervention in Lebanon and Panama under President Ronald Reagan. Rep. **Ackerman** also acknowledged the purposely vague nature of the war powers act and questioned why his fellow congressmen did not question the clarity of the Iraq War with the same vigilance that they are questioning intervention in Libya. He also pointed out the vital importance of Arab League's calls for a no-fly-zone, as did Rep. **Donald Payne.**

Reps. **Dan Burton**, **Brad Sherman**, **Mike Pence**, and **Gerald Connolly** all further questioned Sherman on possible violations of the War Powers Act stating that they do not believe the president has the "unilateral authority" to take America to war without congressional approval and in the absence of a vital national security

interest. They pointed to the fact that the military leadership has stated that while there are some U.S. interests in Libya, none are vital to our national security. Rep. **Connolly** noted the inherent powers given to congress to approve all military intervention and Rep. **Burton** discussed how President **George W. Bush** sought congressional approval prior to engaging in Iraq. Steinberg responded by saying given the limited scope and duration of the mission the administration, in line with actions of its predecessors and pursuant to the War Powers Act, is allowed to engage in military action without formal approval of congress. Steinberg also pointed out that the administration had consulted with members of Congress on the situation prior to engagement. Addressing a question by Rep. **Anne-Marie Buerkle** on the possibility of ground troops, Steinberg stated that Obama has made clear that he will not authorize U.S. ground troops to enter Libya and that the U.S. is actually drawing down troops and focusing the mission on intelligence and support.

Rep. **Donald Payne** discussed how the leaders of the Transitional National Council are not strangers and that the United States is in touch with them. Rep. **Dana Rohrabacher** also discussed his contacts with the Council and statements they have made that they will repay the American people as they are grateful. He also discussed how important it is for the U.S. to support democratic movements in the region lest we lose out to Islamist groups also seeking to influence events. Rep. **Berman** asked Steinberg whether the U.S. should recognize the National Libyan Transitional Council as it would further isolate and delegitimize the Gadhafi regime, to which **Steinberg responded that U.S. officials are in constant contact with council members and that a special representative is to meet with the council in Eastern Libya in the coming days so we may understand better who they are and what their objectives truly are.** Addressing Rep. Rohrabacher's remarks, Steinberg stated that he had not heard of such an agreement but that the administration would welcome it.

Reps. **Brad Sherman, Edward Royce, and David Cicilline** (D-RI) discussed the costs of this intervention and called on the administration to consider using the \$30 billion in frozen Libyan assets to help offset the costs of war, give our current fiscal strains. They stated, while the frozen assets have been designated for "the benefit of the Libyan people," they believe this intervention falls under that mandate. Rep. **Royce** stated that it seems as though the State Department is not looking at cost-effective measures they could use and pointed to how long it took for them to jam Gadhafi's radio and communication signals, which he called for in a hearing a few weeks ago. He stated that he will be drafting resolution on this issue.

Reps. **Christopher Smith** (R-NJ), **Brad Sherman** (D-CA), **Jeff Duncan** (R-SC) and **David Cicilline** (D-RI) asked Steinberg what we know about the rebels. Rep. Sherman asked that our aid to the Libyan opposition be contingent on the arrest and extradition of rebels—especially Abdel-Hakim al-Hasidi—who fought against Americans in the Wars of Iraq and Afghanistan and expressed his concern that we know little about the opposition. Steinberg responded that the Transitional National Council will likely play a key role in the country's democratic transition and stated that they have discussed the need of the council to be more inclusive and representative of all the Libyan people. He also lauded recent statements from the group on democracy, human rights, and their rejection of Islamist groups. **Steinberg stated the more we engage with these groups, the more likely it is that they will uphold such values and ideals.** He stated also, in response to a question by Rep. **Karen Bass** (D-CA), that the U.S. must help them engage in building democratic institutions and to work with civil society and our allies to ensure a successful transition. He also discredited claims by Yemeni American Imam Anwar Al Awlaki that radical groups are bringing down regimes in the Middle East. Steinberg states that such statements show how little influence these groups really have and how scared they are.

Rep. **Jean Schmidt** (R-OH) discussed the need for Gadhafi to leave for regional stability reasons and Rep. **Gregory Meeks** asked Steinberg to elaborate on U.S. intervention in Kosovo and what lessons can be drawn from that conflict. Steinberg, in response, discussed on U.S. military involvement in Kosovo ended as soon as the humanitarian goals were achieved. Following the end of the military intervention the U.S., he says, continued to apply pressure on Milosevic's regime and continued to isolate him. Within one year, Steinberg notes, Milosevic left the country. He hopes a similar situation will occur in Libya if rebels aren't initially successful.