TRANSCRIPT


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2nd Floor, CSIS Headquarters, Washington, D.C.

FEATURING
SPEAKER
Representative Adam Smith, Chairman, Armed Services Committee

CSIS EXPERTS
John J. Hamre
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JOHN J. HAMRE: Gosh, there’s an eerie silence in the room, you know? (Laughter). Welcome everybody, delighted to have you here. And this is a real privilege that we have – I’ve got a little bit of ringing; I don’t know if you can hear that. Maybe we can change that a bit.

It’s a real privilege to welcome Chairman Smith with us today. Of course you know he is in the middle of markup, and markup is all-dominating. I remember my days working up on the Hill, and when you get into markup, it’s really unusual to have him have the time to break away and to be with us. And so it’s a real privilege that we can have him here.

So I want to say thank you – thank you to you, Chairman, for joining us today.

You know, if we have a little emergency, we don’t – we’ve not had one ever since we’ve been here, but if we do, either I or Kath Hicks is going to be responsible for your safety, so follow our instructions. The exits are right behind us. This one is the one that’s closest to the stairs. It will take us down to – down to the street level. We’ll take two left-hand turns and a right-hand turn, we’ll go over to National Geographic, and I’ll get tickets for everybody to attend the show of the “Queens of Egypt.” It’s really quite a – (laughs) – it’s quite a good show. You’ll enjoy it. But nothing is going to happen, don’t worry.

It really is a privilege to welcome Chairman Smith here. He is – of course he has been in the Congress a long time, and has been on the Armed Services Committee working his way up, and has had many ideas about the way that the Armed Services Committee can become stronger, more relevant, and shape the intellectual trajectory for the House as it thinks through defense challenges going forward. And we’re really very fortunate to have him with us today.

Kath Hicks is going to moderate our discussion. Chairman, I think you are going to say a few words in advance –

REPRESENTATIVE ADAM SMITH (D-WA): Yes.

MR. HAMRE: – that are really preparatory.

Would you please, with your applause, welcome warmly the chairman of the House – (applause) – Armed Services Committee, Adam Smith. (Applause.)

REP. SMITH: Well, I want to thank John, not just for that introduction, but for his great
leadership here at CSIS during my time in Congress. They have done a great job of helping educate me and a lot of other members on a number of very important issues.

Yes, this is my first time as chairman of the committee with the defense markup coming up on Wednesday. Now the good news is, actually, the Armed Services Committee is already very relevant, having passed the defense bill 58 straight years. It is an obligation to continue that. And I think that’s the two most important things I want to say. And there are lot of specific issues, obviously, which we’ll get into, within the bill, but I think there are two broad, overarching issues in terms of how we approach this.

Number one is with an absolute commitment to getting it done. Congress having a say in the policy that governs the Department of Defense, and trying to make sure that – most importantly – our troops get the support and help they need to carry out the missions that they are asked to do is an enormously important bipartisan undertaking. It is really important that we pass this bill and implement the policy that is necessary to help move forward the Department of Defense.

At a very basic level, it funds the pay raise for the people who serve in the military and also funds a great deal – a great many military construction projects. But then, below that, there are hundreds of other different small-policy items which we are able to influence to hopefully build a stronger national security apparatus. So getting the bill done is incredibly important, and that’s why – that’s why we’ve done it for 58 straight years, and in some years, I think we’re the only significant piece of legislation that makes it all the way through the process. So I’m committed to that.

And the second very important part of this is the process itself; that it is a bipartisan legislative process, and really, we don’t see as much of that in Congress as I think we should. Increasingly over the years, leadership has taken a more and more central role. You have bills that are either plucked out of committee and put on the floor according to the leadership or are fundamentally changed in the rules committee so that the markup isn’t really relevant.

In our committee, we do this in a bipartisan way – you know, just as the old “School House Rock” thing, “How a Bill Becomes a Law” – introduce it in the House, we have the debate, we mark it up in committee on the floor, Senate does the same, we go to conference, produce a product, and – knock on wood – the president signs it. And the importance of that being bipartisan cannot be overstated. And the predecessors who have been chairmen of this committee – Democrats and Republicans alike – during my time here have really taken that bipartisan piece very seriously. We are not trying to score political points with this bill; we’re trying to produce the best possible product, and as such, the bill that we’ve introduced, the subcommittee marks and the full committee mark, reflect as many priorities that came from minority party members as majority party members. We want to work together to produce this product, which is not to say that we won’t have differences, and certainly, you know, I’ve been in the minority for 18 out of the 23 years that I’ve served on this committee, and I have
learned that when you are in the minority you are more likely to lose on the amendments that you debate, so there certainly is a shift in the balance this year with Democrats moving into the majority. But overall, it is still a bipartisan product. And Mr. Thornberry, who’s the current ranking member and past chairman now, I’m the current chairman and past ranking member, both of us work very hard to make sure we maintain that bipartisanship, as did our predecessors. Buck McKeon, Ike Skelton, Duncan Hunter, a whole lot of people who came before us really emphasized: We work together to produce a product. This year I would say the most important issue actually is somewhat out of our control, and that is getting a caps deal, because I think the biggest problem that the Pentagon has had over the course of the last eight years is the unpredictability of the budget process. We have had, and forgive me I’ve lost count, I can’t remember if it’s three or four government shutdowns, I think it’s four government shutdowns. We’ve had continuing resolutions. We’ve had threatened government shutdowns. From one month to the next, the Pentagon has not known how much money they’re going to have. And that makes it extraordinarily difficult to plan and implement any sort of coherent policy.

It was really good, that a little over a year ago we got a caps deal for fiscal year 2018 and 2019. It was a bit problematic that that deal came over halfway into the fiscal year at FY ’18. So that year was a little awkward, in that they had a lot more money than they expected and didn’t necessarily spend it well. But for FY ’19, on October 1 they had a defense bill with appropriations and authorizing. And you can see that reflected in the significant improvements in readiness throughout the military, because they had that predictable funding. We are now, I think, in a position to get a caps deal for the last two years of the Budget Control Act.

We were, I think, pretty close to getting that done, between the House and the Senate, Republicans and Democrats, before we had the last government shutdown over the border wall, which blew all that up. And then the administration, you know, introduced their budget that said we’re going to cut nondefense discretionary, we’re going to abuse the hell out of the OCO in order to prop up the defense budget, and claim that we maintained the budget caps. And at the time, I said I was very worried about that approach because everyone will tell you that is not going to happen. The Congress is not going to accept that deal. We’re not going to have anything remotely resembling the president’s budget in the final analysis.

So how does the White House work its way back from that? How do they come back to something more sensible on a caps deal on both defense and non-defense? And now we’re in the middle of June and we’re still not there yet. So we need to fix that. In our mark, we marked to $733 billion. And I think that’s a really important number, because that is the number that, when we got that two-years caps deal, the Pentagon said they would request for FY ’20. And as Chairman Dunford testified before our committee earlier this year, they have been building their budget based on that $733 billion number. They feel it is more than adequate to meet their needs.
And now we came along at the last second in February and said, no, it’s got to be 750 billion (dollars). I’m very worried that that additional 17 billion (dollars), much like that money that I just described back in FY ’18, will not be particularly well spent. You throw $17 billion at people at the last minute they’ll spend it. Whether or not they spend it well I think is highly debatable. And I, you know, believe strongly – the two anecdotes I have for you to drive home this point is a venture capitalist friend of mine from Seattle who once said he has not yet met the organization that doesn’t get better when you cut it by 10 percent. Basically, if you incentivize being fiscally responsible and having to deal with a tight budget, people make better, smarter decisions. If you keep throwing money at them, they don’t.

Another one is just – I say this just because I love this quote from Winston Churchill: “Gentlemen, we are out of money. Now we have to think.” And that, I think, is a very important maxim. So I don’t want the Pentagon over there going, gosh, we got more money than we know what to do with. I think we need to be fiscally responsible about the money we give them, so they make smart choices. And that’s why we emphasize the $733 billion. There are a whole bunch of other provisions in the bill, obviously. But I want to give a chance for Q&A. And I’ll answer those questions, first from the moderator and then from all of you, about what we’re doing.

But again, I really want to emphasize the importance of the process. I think the most important thing in getting people to get a little bit of confidence back in government is thinking that it runs in a way where there’s a clear set of rules and it’s fair. Basically, in a – democracy doesn’t mean that you win all the time, but it does mean that you have an opportunity to offer your ideas, debate them, and have a fair vote on it. That’s what we’re going to do in committee. That’s what we’re going to do on the floor, and then we’ll work it out in conference – all mindful of the fact that we have to get this done. It is important for the national security of this country for us to do our work, and therefore we will do it.

Thank you very much. I appreciate the chance to be here today. (Applause.)

KATHLEEN H. HICKS: And give you a chance to mic here.

REP. SMITH: You can go ahead.

MS. HICKS: OK. (Laughs.)

So let’s start at the broadest level and maybe more on the process side first, and then we’ll get to where DOD is headed. You are, as you pointed out, now chairman. You know, thusly, the Democrats are in the majority. You have a series of new members. HASC is a very large committee. You’ve brought on a number of members, many of them veterans of public service, whether military or otherwise. Can you talk a little bit about what you have seen as the threads coming into this year and what you’ve seen through the hearing season of continuity for the committee and how they think about defense and DOD, and any areas of notable change that we should be keeping in mind?
REP. SMITH: That’s kind of a hard question to answer because we’ve got 18 new members out of 57.

MS. HICKS: Right.

REP. SMITH: Eighteen of them are freshmen, almost all Democrats. There are two Republican new members. But so – and they come from a wide variety of backgrounds. And frankly, that’s a question you should ask me on Thursday morning.

MS. HICKS: (Laughs.)

REP. SMITH: I’ll have a much better answer then.

No, the only overarching theme, I think, is on the accountability side, that I think we’ve got a lot of really smart people who have backgrounds either – you know, we have some from the State Department, from the CIA, military veterans, successful businesspeople, and they want to know that the money’s being well-spent and spent in the right direction. And there’s been a very strong focus on that. The audit, getting to the point where we can better say what money the Pentagon is spending and on what, I think is an important focus for folks. And beyond that it’s really hard to sort of say, OK, these are the three things that people care about.

You know, I just read through – well, I read through most of it, anyway – but the briefing my staff gave me. There is at least a thousand provisions in this that reflect a wide variety of issues and priorities. So a lot of it has to do with regional interests. So it runs the gamut.

MS. HICKS: So let’s pick up on that accountability piece. You’ve been through posture season. You’ve heard from the department at least in one sort of major go around from a lot of leadership of the department. Are there areas that strike you where you’re comfortable that they’re spending wisely? You mentioned readiness recovery, for instance. Would that perhaps fit in that category? And areas where you have more concern.

REP. SMITH: Well, we still have concern. Now, the committee has done basically not all, but most of what it can do on acquisition and procurement reform. And Mr. Thornberry has been a tremendous leader on this. He has a patience for the details and a knowledge of the details here that I think has been a real asset for the committee in terms of what he’s put together. And now, as Mac and I have talked about, it’s more a matter of getting the Pentagon to do what we asked them to do in the way we asked them to do it. So, you know, I don’t know there’s a lot more to do on acquisition reform.

Now it’s about the culture of the Pentagon and how they approach these issues, and how they, you know, make investments. And we’ve got some new programs getting started here, and we hope we have learned lessons from the F-35 and other programs that wound up being much more expensive, and that they’re implementing our reforms in a way that’ll get us more cost-effective systems going forward.
MS. HICKS: Yeah. So jumping up, then, to the point you raised I think very centrally and you’ve phrased before in terms of the caps – trying to prevent the caps from coming back into effect, we’ve been around this block. What do you think is the most promising pathway – maybe I’ll put it that way – for success of lifting the caps in these – in these final two years?

REP. SMITH: Is the budget director planning on retiring and no one told me – or the chief of staff, I should say, planning on retiring and nobody told me?
No, look, I mean, this is a very frustrating issue for me because we talk about it so much and we don’t really address the problem. And the problem is that, due to the way we promise things during the course of campaigns and the way interest groups divide and conquer the country, we have gotten to the point where the American people expect a balanced budget while getting their taxes cut and their favorite programs increased. That’s not possible.

And that’s really what led to the Budget Control Act and led to all these problems, is – members of Congress are not stupid. I know people think otherwise, but we’re really not. We’re very practical, and we know what our constituents want. And by about 2010 and 2011 it was fairly obvious that the constituents wanted a budget and appropriations bills that balanced the budget, didn’t cut anything important, and didn’t raise taxes. Well, that was impossible. So most members of Congress decided, OK, let’s figure out how we can not vote for this, because anything that I vote for is going to be politically unpalatable. Which is why we stumbled into the Budget Control Act and a whole bunch of CRs. Nobody wanted to vote for the appropriations bills, because it was politically impossible to vote for something that worked.

Now what happened a year ago was, if you will, if you can imagine sort of like, OK, here’s like the negative opinion about voting for an appropriations bill, slowly rising up on the outside here was the negative opinion about CRs and government shutdowns and dysfunction, and this column finally got just slightly above that column and people said, well, hell, we better do a deal, because we look bad if we don’t.

But that other problem is still extant, still causing problems, which is why, over at the White House, they decided that they wanted to not raise the caps, because they think, you know, the public thinks raising the caps is fiscally irresponsible. They want to look fiscally responsible, putting aside for the moment that this is only one-quarter of the overall budget and doesn’t count revenue at all, which is why they came up with their convoluted plan to you know just – I love the fact that they – OK, this is the OCO that actually is OCO, and then we’ve got this other OCO that we know is not OCO, but we’re going to call it OCO because that way we don’t have to pay attention to the caps. We decided to call it FOCO, fake OCO.

And that was enshrined in the budget to the tune of – I forget, 80 billion? – some unbelievable amount of money. And it was all a convoluted away to get around reality, you know, to try to convince the American people that we can in fact give them something for nothing. How do they walk back? How do they come back to a more realistic position? I don’t know.
I mean, don’t forget that that caps deal that I talked about, I’ll never forget waking up the morning we passed it and I was catching a plane that afternoon. The president was going to sign it. And the first story I see: “The president says he is going to veto budget deal.” I was like, well, I’ve been doing this for 28 years. That’s a first for me. We all meet together, we all agree. And it’s not a small little thing, OK? This is like a trillion-plus dollars, and the president wakes up one morning and throws a fit and says – well, I think he was being criticized on Fox News for lifting the budget caps. So it’s like, well, I don’t want to be criticized. I’m not going to do this. Which his staff had to patiently explain to him, no, you really can’t blow up the entire government over sort of a morning feeling. We agreed to this. So he did sign it. But from the moment he signed, he was like thinking he doesn’t want to sign that again. And that’s the trap we’re in.

How do we get him out of that? And I like Mick Mulvaney. I served with him in the Congress. Nice guy. I’ve talked with him in the gym. But I don’t have an enormous amount of faith that he understands a lot of what I just said or understands the importance of finding a way out of it so that we don’t screw up a good chunk of the federal government, including the Department of Defense, which I mean if we talk about we’ll go back down to the caps, which I think is 570-something, 576 base. I’m not counting OCO. But we’ve got to pass that to get to that. You know, we’ve got to fund something, or it’s just a CR, which is disastrous.

So we need to have some pretty serious – I understand the Senate Republicans were supposed to go over to the White House – I think it was today – and talk to the president about this. So I hope that conversation went well. But right now, we’re in trouble.

MS. HICKS: So 750 versus 733 seems to be the major issue that gets reported on. This town likes to talk about budget levels. I’m not going to personally be able to stop that singlehandedly, but I’d like to focus a little bit of time today on the for what: What are the priorities for Defense? Do you think the department’s operating under the right strategy, or a reasonable strategy, and if you think there should be some notable changes from what they’ve put out in the Nuclear Posture Review – of course, you’re already on record on a piece of that – and on the defense strategy and the Missile Defense Review? Welcome your thoughts on where you think it’s tracking in the right direction for the challenges we’re facing, and where they’ve gone on a course that you don’t agree with.

REP. SMITH: Sure. Just one final word on the levels. I worry that no matter what the amount is, there’s always going to be a group of people who say that it ought to be more.

MS. HICKS: Yes, I can assure you that’s true.

REP. SMITH: Right. The Defense Department is the one area of government where Republicans are in favor of throwing money at the problem, basically. And the thing is, I think if we’d come out and said 750, they’d have said 775. So that’s why I think it’s really important that the 733 is an informed number. It was a number that was built towards over the course of a year. The 750 was, well, here’s another 17 billion. Where would you like to spend it? So I think having specific reasons for why you’re spending the money is important.
In terms of where the priorities are, my overall concern is that we are embracing more projects than we’re ultimately going to have money to fund. And if you take it – and we got into this whole, you know, you have to be able to fight two major regional contingencies, then we backed off of that. To have enough money to fight all of our adversaries would be, I think, statistically impossible because the adversaries, as I’m sure we all know now, were Russia, China, North Korea, Iran, transnational terrorist groups. That’s basically the National Security Strategy.

But what are we trying to do with those five entities and countries? Mostly we are trying to deter them from doing things we don’t want them to do. Now, certainly part of deterring them is to have the military might to make it clear that they can’t force us past a certain point, but there are a lot of other tools in the toolbox to deter those groups. And one of the most important ones is allies – you know, building alliances so we have other people that are helping us in that deterrence. So I worry that, you know, we’re wargaming, well, how do we win a three-year war with China and how do we fund it? Eww, you don’t, not in any sort of realistic way. I mean, that’s a heck of a lot of money. So I worry about that aspect of the strategy. I’d like to see it be more whole of government and more focused on deterring our adversaries going forward. And yes, broadly speaking, in terms of the amount of money that we spent I think we’re going to – we’re planning on spending too much money on nuclear deterrence.

Now, you know, I can count, and I don’t think I have the votes to change that policy. But I – what I’ve tried to do this year is to force that debate, to have a discussion, well, why do we need, you know, 4,000 nuclear weapons and every aspect of the triad and all this stuff? What are we trying to accomplish?

And then the other piece of it is embracing new technologies and making sure that we have enough money to fund things like AI and hypersonics and cyber, which is really the future of warfare. I mentioned, you know, we budget for, OK, what if we have to go to war with China. Well, odds are we’re not going to go to war with China, which is not to say that we shouldn’t try to deter that possibility. But we are going to be engaged in a cyber fight with Russia and China and a lot of other places. That’s what’s really going to happen. So how are we funding that? You know, how are we going to use artificial intelligence?

I think that’s the other thing about these new technologies that’s important, is I want to see more out of the Pentagon not just about how they’re going to invest in these technologies, but towards what end. What are they hoping to use these technologies for? How do they help them accomplish their goals? What’s the application of the technology? Instead of just think, hey, this would be neat, you know, actually figuring out how to make it work. And I’m – sorry, I’m thinking of an analogy to the littoral combat ship, which is capable of doing a lot of things but none of them altogether that well, and it turned out to be not a great investment because it didn’t meet the missions we wanted. So I have an analogy for this. Well, it’s like – it’s a like a spork.

MS. HICKS: Yeah. Yeah, yeah.

REP. SMITH: You know, a few – Kentucky Fried Chicken there. Sorry, KFC. (Laughter.) You
know, it’s not a very good spoon and it’s not a very good fork. So what you’d really rather do is buy a bunch of forks and a bunch of spoons and actually make them work. So making decisions that actually show how we’re going to apply these new technologies in a way that are going to meet our national security needs.

MS. HICKS: And so in the mark, as I recall looking at it, from yesterday to today there is some language in there right now about getting earlier policy development, more communication with the Hill. Is that the kind of thing you’re thinking to –

REP. SMITH: Absolutely.

MS. HICKS: Yeah.

REP. SMITH: And applying it. Instead of this idea of concurrency – which is to say that, you know, we’ll test it on a computer and that way we can start building it while we’re testing it. That’s what they tried with the F-35; didn’t work too well, and there’s a big reason for that. And I remember this when I was on the Intel Committee and they were – they were debating which satellite to buy, and they had this satellite and it was a new one. And I was looking at the computer and I was saying, wow, I mean, that new one looks really good. You know, I said, yeah, understand something: a computer model will beat an actual piece of equipment every single day. And do you know why? Because it’s a computer model. It doesn’t actually exist, OK? You know, it’s CG graphics. It’s like – you know, it’s like saying I’d like to have a bunch of dinosaurs because I saw them in a movie. You know, it actually – the real is more important than what you can sort of show on a computer. How do you actually make it work and apply it?

MS. HICKS: I want to just get specific on the one piece on Nuclear Posture Review that I know you all marked on, which was the low-yield –

REP. SMITH: Low, yeah.

MS. HICKS: Yeah. Do you want to talk a little bit about that decision?

REP. SMITH: Sure. Yeah, we’re going to have a couple of fights. I mean, I think for the most part the mark is relatively bipartisan. I mean, without question, you know, it has some Democratic tilt to it, but the only two sort of broad areas where we’re going to have more sort of Democrat versus Republican fights, Guantanamo and nukes. And even on nukes, I mean, we fully fund, you know, B-21, Columbia-class, LRSO, a number of different aspects of it.

The one area where we have disagreement is we don’t think we should build a low-yield submarine-based nuclear weapon. And understand that we have low-yield nuclear weapons, all right? The debate here is not whether or not we should have them. And also, as a constituent of mine pointed out this weekend, referring to something as low yield that’s a nuclear weapon is, you know, like jumbo shrimp. It’s a little bit of a misnomer. It’s a nuclear weapon. It’s going to destroy a whole lot of stuff if it goes off. So we just think it’s a destabilizing move to put these things on submarines. And so we’re going to have that argument. And I don’t know how it’s going to come out in committee, but we’ll live with the result and move forward.
MS. HICKS: And because you already mentioned Guantanamo, let’s talk a little bit about that. You include in the mark several provisions, actually, related to health and welfare, if you will, of those who are detainees at Guantanamo. You include provisions relating to countries – you know, extending the inability to return to certain countries. And then, you know, there are a couple other pieces related to whether you could – prohibiting further detainees coming to Guantanamo. I may have missed a few things in there, but can you talk a little bit about the conversations that led to that mark? What’s the animating, you know, interest in Guantanamo coming I’m assuming largely from the Democratic side.

REP. SMITH: Well, number one, I don’t want to see it expanded. I don’t want to see more people going to Guantanamo. There wasn’t, I don’t think, ever any need for it. We’ve done a very effective job in this country of capturing terrorists and trying them in Article 3 courts and convicting them. We’ve been doing it for – the current terrorists – for about 25 years now. And quite effectively. It hasn’t proven as effective to try them in military tribunals or to go through, you know, Law of War detention. It’s been messy and difficult. So I think we should do what was working and not add to the problems in Guantanamo.

There’s also problems in terms of medical care. I think the Senate actually has a provision allowing for emergency medical care to be done in the U.S. for Guantanamo Bay. And we’re down to about 40 inmates down there. But it’s not a good situation. Ultimately I still think we ought to build facilities in the U.S. and transfer them here. You know, we house some of the most dangerous criminals in the world – including, by the way, a lot of terrorists – right here in the U.S. I don’t think there’s any need to have an incredibly expensive facility down at Guantanamo housing, you know, 40 people. So ultimately I think they should be transferred here.

I think the Republicans are a little bit more flexible about it because they trust President Trump to uphold their policies on this, because this is all discretionary. We don’t mandate shutting down Guantanamo. We just remove the restriction if you wanted to do it. And we remove the restriction on transfers to U.S. facilities.

MS. HICKS: All right. Space Force. The mark does not include anything on Space Force. You are on record as not being highly supportive of how the Air Force has managed space. Where should we look for how the House Armed Services Committee is going to come out on Space Force issues?

REP. SMITH: Yeah, that’s a bit misleading. We are going to have elements of a Space Force, space corps. We just didn’t – we didn’t have an agreement on before the mark came out, so we’ve got an amendment that’s going to add it. And my basic position is, yes, I think we need to place greater emphasis on space. I think the proposal from the administration is too expensive. It has too much bureaucracy and undermines – and moves personnel around in a way that could undermine some other agencies and services unnecessarily. But, yes, we should – we should have a separate space corps or Space Force. That’s part of what we’re debating. We’re going to have an amendment that puts that in our bill, and we’ll work out the details in conference.
MS. HICKS: Great. I want to talk, before I turn it to the audience, a little about just how we’re approaching China at this point in time. It’s not entirely within the jurisdiction of the House, but as you pointed out before a lot of these challenges are cross-jurisdictional. They’re whole of society, if you will. They’re about the balance of capability across our national security enterprise. Would love to get your view on how the U.S. is approaching the challenge of China right now, if in fact on the defense side you believe it to be a significant competitor or challenge, and views on where the policy is today.

REP. SMITH: Yeah. And, you know, one of the things – because our bill passes every year, we carry a lot of items that are in other areas, jurisdictions. You know, the Foreign Affairs Committee has had difficulty passing their authorizing bill for a while, so a lot of those issues sort of migrate into our bill. I think the biggest thing is how do we combat China’s, you know, sort of lawless behavior in terms of stealing IP and spying on us. And that’s the big concern about Huawei. And it’s important that we develop our own 5G abilities, not relying on Huawei and ZTE. So we’ve got some provisions in the mark on, you know, blocking them from participating.

And more broadly, on China, it’s about – it’s about deterrence. We want to, you know, push China into following the rules-based order. And a lot of that is about finding allies in Asia. I was just in Singapore for the Shangri-La Dialogues. We got a lot of friends over there, and China really doesn’t. That’s one of the things I was most impressed by was that – I mean, I’m not saying that most of the countries in Asia necessarily love us, but they like us more than China, because China’s kind of a bully in the neighborhood right now, so they want us to be present. And, you know, that’s part of, you know, funding 11 more ships for the Navy, to make sure that we can be present in that region. And that presence matters to South Korea, and India, and Vietnam, and the Philippines, and other allies in the region, so that they know that they don’t necessarily have to knuckle under to the bully, that, you know, we will be there to try to enforce the international order. So.

MS. HICKS: And you do have language in the mark on sort of preventing the pull out of forces, for instance, for South Korea. You have some new burden sharing reporting language. So would love to hear, just to close that thought out, with regard to China or with regard to Russia, how you’re thinking about the defense aspects of alliances and the role of U.S. forces overseas.

REP. SMITH: Yeah. Well, what I hope for is sort of a force multiplier approach. And the bulk of the work that I did on the committee was when I was the subcommittee chair on terrorism, which had jurisdiction on the Special Operations Command. So I spent a lot of time going to Africa, the Middle East, South Asia, and sort of visiting places where we were trying to contain terrorism. In some cases it had already popped up. And the most important part of this, from the special operations standpoint, is they say by, through and with local partners. And I was struck by the fact that in the Horn of Africa – you know, we’ve got significant problems in Somalia and then right across the Red Sea in Yemen with AQAP and other – al-Shabaab, other terrorist elements.

But in that region, we have a very small footprint, but we work with Kenya, and Ethiopia, and Uganda, and Rwanda. We have allies in that region that we partner with. And therefore, with that small footprint we have been able to been – we have been able
to be reasonably effective. Where, you know, in Iraq and Afghanistan, look at the sheer volume of troops we’ve plopped down there, we had a much, much tougher fight. And, you know, in the recent campaign against ISIS, again, we relied on local partners. I think local partners are a key to maintaining our effectiveness and add to our credibility and our ability to be successful in those parts of the world.

MS. HICKS: Great. OK. We’re going to have mics come around. When I call on you, you will stand, please, tell us your name and your affiliation if you have one, and you will ask a singular question that ends in a question mark. Those are all the rules. So as we send the mics around I’m going to ask one last question on the issue of reprogramming, and the border wall, and all that goes with that. So as people put their hands up, can you give us a sense of where you think that conversation is, between Congress and the executive branch, on how to deal with military construction funds being moved for the wall, and how you are going to deal with that institutionally?

REP. SMITH: Well, it’s a problem. And it’s also going back to that budgeting question. I mean, if the Pentagon is saying they have to have all this money but, you know, the president wants $5, $6, $7, $10 billion for a wall, boom, they find it no problem, it sort of undercuts their argument that they have to spend every last dollar because they don’t have the money. So that’s hard. And then, yeah, the relationship is damaged between the executive branch and the legislative branch. Reprogramming is important, but now we have to limit it because they’re going to move it without our OK.

I will say that I have a very positive relationship with Secretary Shanahan. I don’t really have a problem with the Department of Defense. But they’re taking their orders from the White House in this one. And the White House has shown a fairly high level of contempt for Congress. And I will say, you know, every executive branch, in their honest moments, would view Congress as something of a pain in the ass. I get that. But I think this president has taken that to a level that is constitutionally troubling. And this is but one aspect of that.

MS. HICKS: Great. Go ahead.

Q: Mr. Chairman, my name is Chuck Feldmayer. I’m the executive director of the Munitions Industrial Taskforce.

In order to move resources to better equip the Army to meet the demands of the National Security Strategy, they held night court. That night court terminated or reduced 180 munition items. That list has not been made available to industry. I can figure that out once I see the ’21 and ’22 budget by laying it out, but in the meantime industry is trying to make decisions of where to keep and improve lines and which ones not to. Would your committee consider publishing that list in your markup?

REP. SMITH: Umm, at this point no, just because we’ve already done the markup and we haven’t done that. And that’s the first I’ve heard of this issue, so we would have to look into it and talk to the Pentagon. But certainly transparency is something we would be in favor of. But I got to understand more about that issue because I don’t – I don’t really have a grasp on it.
Q: Hi. Tony Capaccio with Bloomberg.

Another Army question. One of the major initiatives the Army had this year was to terminate the CH-47F line. It caused a big uproar with Boeing constituencies, including about four members of your committee. What did you end up doing? Did you end up following the Army’s initiative, or did you continue funding the F model?

REP. SMITH: Well, we sort of split the baby on that one because they’re not actually asking for money in FY ’20 for the – for the Block II. They’re looking for just the – it’s like $28 million, a small amount of money to sort of keep open the possibility. The real money for that comes later.

Now, the Defense Appropriations Committee put language in basically mandating that the Pentagon go forward in the FY ’21 and ’22 budgets with money for those Block II helicopters. We don’t do that, and I don’t think we should. I mean – and this is always a very difficult argument because it’s the industrial base argument. And it’s basically, OK, you say you don’t want the helicopters or the tanks or whatever now, but you’re going to want them three years from now. Well, three years from now our workforce is going to be gone and we’re not going to be able to make them. There is some legitimacy to that argument, OK? On the other hand, I am 100 – sorry, I’m really tired. I’ve been traveling a lot. (Laughter.) I am 100 percent convinced that industry – what’s the right way to put this – is I think the word when you’re trying to say lie but you don’t want to say it publicly is “disingenuous.” (Laughter.) They will exaggerate the industrial base argument.

And I – you know, not to pick on Boeing, but I always remember the whole tanker debacle, speaking of procurement projects that are just an utter nightmare. So way back in 2003/2004, when we were getting ready to rebid the tanker, Boeing said, you know, we got this great platform, 767, but we got to have it now, OK, because we’re closing the line. You know, if we don’t get the bid now, we won’t be able to do it. So under primarily the leadership of my predecessor or my former colleague, Mr. Dicks, we came up with this lease deal to buy them. You know, but it turned out there was a couple of illegal things that happened along that way and that deal got blown up. So Airbus then won the next bid process and that was protested. Long story short, somehow magically the 767 line was still operational seven years later when they finally got the contract.

So I don’t necessarily believe defense companies when they say, oh, you got to buy more of these or we’ll shut it down. I think they kind of want the money and they’re going to make whatever argument they have to make in order to make it happen. That’s not to say that sometimes they don’t have a point, so we’re balancing it out.

In this particular case, I think we can maintain that industrial base with foreign military sales and we don’t need to buy. And I want to tip my hat to Mark Esper because the secretary of the Army, they’ve done a deep dive on all of their programs. They’ve figured out what – where their excess capacity is, and they don’t want to buy excess capacity because they know they’ve got needs. And when it comes to these helicopters,
they’ve got more of them than they need right now. And OK, maybe four or five years from now they’ll need more, but buying a bunch in the – in the meantime is a questionable decision. So we’re going to try to honor the Army’s request here and not force them to buy helicopters that they don’t think they need. But that’s more of an FY ’21 battle than an FY ’20 battle.

MS. HICKS: And let’s see, right here. Right there.

Q: Chairman, thank you for being here. Connie Kim, a reporter from Voice of America.

I quickly wanted to ask you on your assessment on North Korea’s threat. And I noticed that the National Defense Authorization Act does not deal with preventing the number of U.S. military forces on the Korean Peninsula to go below –

REP. SMITH: I’m sorry, you’re talking really fast. I’m really tired and I’m trying to pick it up, but – I was with you until you said you noticed in the defense mark and then I – then I didn’t catch that part. (Laughter.)

Q: Ah, OK. So I noticed that the National Defense Authorization Act does not deal with preventing the number of U.S. military personnel to go below 28,000. I was wondering if there was going to be any amendment on that. So –

REP. SMITH: It does, actually. Our mark sets I think it’s 28,500, that you cannot go below that without congressional authorization.

Q: Mmm hmm.

And quickly, your assessment on North Korea’s threat.

REP. SMITH: By the way, if you happen to see – whenever I look like that, it’s like I know what I – I know what the answer is but I’m trying to figure out if I can say it in front of this audience. (Laughter.)

MS. HICKS: Of course you can!

REP. SMITH: Yes, I know. That’s what they – (laughter) – that’s what they all say.

North Korea is a threat, but of all the threats we have out there I find the North Korean threat to be relatively straightforward. And that is that Kim Jong-un is not going to give up his nuclear weapons. He sees it – you know, in North Korea, you know, whatever he may personally believe, they have done such a good job of convincing the North Korean people – in North Korea right now they pretty much all think that we’re attacking tomorrow, and they’ve felt that way for 54 years, and he’s – or, sorry, longer than that now; doing my math wrong. But anyway, he, you know, has sold his people on the notion that we’ve got to be ready because the Americans, they’re going to come destroy us. And the nuclear weapons are the way he’s going to stop us from doing that.

Now, he’d love to be able to keep his nuclear weapons and be let back into the good graces of the international community so that they can get out from under the economic
sanctions. We should not let that happen. I mean, that’s more on the economic side, but we should definitely continue to sanction them.

So then how do we – how do we deal with the North Korean nuclear threat? We have to deter it. And the best way to deter it is to make absolutely clear to them that, you know, we don’t want you to have nuclear weapons, we don’t want you to develop ballistic missile technology, and we’re going to sanction you; but we understand that at the end of the day, short of a kinetic activity, we can’t stop you from building these things. We think it’s dumb for you to build them because you’re, you know, basically confining yourself to an economic backwater status forever, and we’ll try to prevent you. But if you do it, understand this: If you ever use them, you’re done. We have – you know, and I’m sorry, in this case I actually think President Trump, not necessarily the way I would have put it, but yes, we do have a bigger button than they do, and whatever harm they think they can cause, if they cause it we have allies. You will cease to exist. So that’s the deterrent that I think we ought to use in North Korea.

And in the meantime, if we want to talk to them in order – I don’t mind – you know I wish that President Trump wasn’t so full of praise for Kim Jong-un, but you know, if they want to meet, they want to talk, South Korea wants to talk, whatever we can to sort of keep tensions down is good. But in the long term we have to convince Kim Jong-un that, you know, possessing these weapons is not really going to get him where he wants to be. And again, maintain the deterrent. That’s why having a strong force in South Korea, having strong allies in the region, and making sure that we have the military capability to meet that threat, that’s the most important message that we can send to North Korea.

MS. HICKS: Great. Next question. I’ve got one second row right here.

Q: Hi. So my name’s Patrick Maris. I am a student at Harvard College.

And I was wondering, so your stance on low-yield nuclear weapons seems to me to be that if the adversary uses low-yield nuclear weapons we could deter that or we could deter that credibly with our current strategic nuclear weapons.

REP. SMITH: Whole bunch of different options, yes.

Q: Yeah, but a whole – but so my question is that considering that, you know, we don’t use this we deter you from going one rung up by going a couple rungs up the escalation ladder in other, lower parts of the escalation – for example, we don’t say if you launch a conventional war we’ll nuke you – what about that tactical nuclear weapon rung puts – allows us to use that sort of logic, that deterrence logic? Yeah.

REP. SMITH: Nuclear weapons are different from everything else, and I think that’s pretty clear. And whether it’s low-yield, whatever it is, it is a total game-changer. And I think it’s incredibly important that we make it clear in our policy that a nuclear weapons is unlike anything else, and if you use it you have opened up Pandora’s Box and we have no choice but to engage.
And I think it’s a mistake to start talking about a proportional response to a nuclear weapon. What the hell is a proportional response to that type of attack? We need to make it clear that we have our nuclear weapons to deter you from using yours. If you use them, I don’t care what your analysis is, we will hit you back.

And also, I will point out we have low-yield response options now. We have I think at least a thousand more, relatively speaking, low-yield nuclear bombs that we can drop on adversaries if we choose to take that approach. But I also think we should make it clear that if you use a nuclear weapon, a proportional response is not going to be an issue for us. And the reason this is important is because if you start talking about a proportional response, then nuclear war becomes something that you can contemplate, OK? You know, and this is what the Russians were trying to do – you know, well, we think we can hit them with this and they won’t respond. Similarly, if we have a low-yield nuclear weapon, it allows somewhat – people who are somewhat limited in their thinking to start contemplating, well, I think we can use these nuclear weapons and it won’t get out of control. That is dangerous, OK.

So building a low-yield nuke weapon does not enhance our deterrence, in my view, and it does increase the likelihood that some – sorry, I was going to say nitwit over at the Pentagon, so I may as well – (laughter) – you know, decides, hey, I think we can win this, you know. And never underestimate there’s a lot of different ways of thinking. So I don’t want to go down that road.

And two final arguments, if I can remember them. Number one, what people come back at me with on this is, OK, well, Russia doesn’t believe that we would do a disproportional response. It’s like, well, have you told them that? Yeah, you know, we emphasized that if they use this we’ll use nuclear weapons, you know, but they don’t – that’s why we need the low-yield nuclear weapons. So let me get this straight: They believe that we would respond with our nuclear-based low-yield nuclear weapon, but they don’t believe you when you say you’d respond with our larger weapon? Look, if the adversary doesn’t believe us, you know, we’re kind of screwed anyway. Deliver a better message, all right? It’s not an excuse to build more complicated nuclear weapons that we somehow aren’t adequately informing them. And I really do think Russia ought to understand nuclear weapons, absolute red line and we will respond. So I don’t buy the argument that, well, they’ll think they can launch a low-yield nuke because even though we will respond with a disproportionate response, they won’t think that we will. That’s where diplomacy and clearly articulating our policy comes in, and I think we ought to be able to do that.

And second, on the low-yield nuclear weapons – I throw in this last argument just because I like movie analogies and I’ve been here for 45 minutes and I haven’t used one yet – (laughter) – it’s – you know, it’s “War Games.” You can’t win a nuclear war, all right? You’re a little young for that reference. I apologize. (Laughter.) But at any rate, you know, it’s just a computer learns, oh, there’s no way to win this so let’s not start it. That needs to be our nuclear deterrent policy: Do not launch a single solitary nuclear weapon because it inevitably leads to a catastrophic result. That message we need to communicate. I think dancing the down the road of a low-yield nuke on a submarine puts us more down the path of trying to figure out how to have a tactical nuclear
exchange, and I think you cannot have that. Thinking that you can is enormously dangerous.

MS. HICKS: OK, let’s come to the middle here. Just wait for the microphone here.

Q: Hi. Chia Chang with United News Group, Taiwan.

Mr. Chairman, so the Senate version of NDAA advocates to enhance U.S.-Taiwan defense relations. Will the House version have similar language?

REP. SMITH: I’m sorry, I can’t hear.

MS. HICKS: She said the Senate version has –

Q: The Senate version of NDAA advocates to enhance U.S.-Taiwan defense relations. Will the House version have the similar language?

REP. SMITH: I don’t think so.

Q: And do you support – do you support U.S. should sell tanks and advanced fighter jets to Taiwan?

REP. SMITH: Do I support what? Sorry, did you –

MS. HICKS: Yes.

Q: Do you support U.S. should sell tanks and –

REP. SMITH: Should tell tanks to – yeah.

Q: Tanks and –

MS. HICKS: And advanced –

Q: – F-16V to Taiwan?

MS. HICKS: Thank you.

REP. SMITH: I do. I think we should sell weapons that enable Taiwan to adequately defend itself. I don’t know if we have language in our bill specifically on protecting Taiwan. That’s not technically our jurisdiction; that’s Foreign Affairs, and they were a little persnickety in giving us waivers this year. But yeah, I’m all in favor of that because, again, on the deterrence message, the best thing on Taiwan is to make China know that if they – any sort of military attempt to subjugate Taiwan back into China is going to carry too high a cost. We have to make sure that they perceive that that cost is high and, therefore, they don’t want to go down that path. So I don’t have any trouble whatsoever selling weapons to Taiwan to put them in a position to defend themselves, you know, making it once again clear that the U.S. will defend and support Taiwan in as many ways as is humanly possible.
MS. HICKS: OK, we have time for two more questions. I’m going to group them, if that’s OK with you, and let you answer.

REP. SMITH: I don’t like grouped questions, actually. So I’ll take them one at a time.

MS. HICKS: OK, then. We won’t group. We’ll take two more questions. So let’s do right over here, you in the front row, sir. Right over here. And then we’ll come eventually over to the woman in the middle there. I’m sorry. We’ll get to you.

Q: Hi. James Siebens with the Stimson Center.

Mr. Chairman, the Yemen resolution did not pass. And so there was a –

REP. SMITH: Well, it passed. (Laughs.)

Q: Well, there was a potential Constitutional crisis perhaps averted there. I want to ask for your perspective on war powers, and whether you think that wall funding, for example, is an indication that the executive branch is willing to find ways around the Congress’ constitutional powers to allocate funds, OCO being another good example of that.

REP. SMITH: Well, sort of two separate things there. On the one hand, I am disturbed that this administration has done so much to circumvent legislative authority. They have used emergency powers in ways that when the legislature passed those emergency powers acts were never contemplated. All these tariffs are supposedly under, I think it’s a 1961 or ’62 emergency declaration. There’s no emergency. He’s just implementing a policy that he wants to implement, and he knows Congress won’t let him so he’s declaring an emergency to do that.

And I’m pretty sure that this president has used that emergency power more than any other president. Well, I mean, we can argue about George W. Bush, but he kind of had an issue. It was an emergency. 9/11 happened and we didn’t know what was coming next. Here, the president is clearly trying to enhance executive power at the expense of the legislature in way that is highly questionable. Now, when it comes to war powers, this president isn’t doing anything that any other president hasn’t done over the course of 200-plus years. Every president who has wanted to, has used the military he wanted to. I would say he or she, but as we all know that’s not yet relevant, unfortunately. So they – you know, going back to Thomas Jefferson and the Barbary Coast and all that stuff.

And part of the problem here is that the Constitution is really vague. Yes, it gives the United States Congress the power to declare war. Nowhere does it say what war is. And the War Powers Resolution – presidents have kind of ignored that. My favorite example of that, just to be bipartisan, was in the Obama administration when they initiated military action in Libya. And under the War Powers Resolution, you can do that for 60 days if you declare something, but after 60 days if hostilities have not ceased you must get congressional approval, or you have to cease activity. So the Obama administration sent out a declaration that hostilities had ceased – prompting one of the all-time coolest exchanges in the Armed Services Committee.
I think it was then-Congressman Cline, who asked a defense department official: If someone were to lob 20 Tomahawk cruise missiles at New York City tomorrow, would you consider that a hostile act? (Laughter.) And of course, the guy knew he was trapped. So it’s like, well, it’s kind of unfriendly. I don’t know. Would you call it hostile? (Laughter.) Of course. You know, we were still bombing Libya. But, you know, we had to comply with the War Powers Resolution, so we kind of said that we weren’t.

So it’s not peculiar to the Trump administration. It is a problem in that the normal constitutional check, in the American people’s ability to have a say in when we engage in military activities is significantly degraded by the fact that the executive branch has refused to go to Congress to do this, which is why we have – we will be adding some provisions probably on the floor about Iran and Venezuela, that you can’t take military action without congressional approval, to make it specific, you know, on Kosovo. You know, we had a vote on the House floor, an amendment, I think, to appropriations bill, or maybe it was – you know, I think it was the bill itself saying: Do you approve of the bombing campaign in Kosovo. And it was actually a tie vote, which means it was defeated, didn’t pass. Clinton bombed Kosovo anyway.

So presidents by and large exercise their commander in chief authority very, very broadly. And Congress fights like mad to try to reduce that. And we’re going to keep fighting because it’s really important. But historically, we tend to lose. So, you know, it’s going to be a tug-of-war not just in this presidency but, I think, for a long time.

MS. HICKS: Good. OK, we have the final question. Go ahead.

Q: Hannah (sp) with ITC (sp).

I’m wondering if you could talk a little bit about the role that cybersecurity will play in this bill, especially in light of election interference.

REP. SMITH: Yeah. There’s a lot of stuff that goes on with cyber. And I’m sorry, cyber makes my eyes cross because it’s really confusing and really difficult, because it’s everywhere and it’s constant, and the points of vulnerability are not quite infinite but close. So it is a constant effort for us to protect ourselves, from a cyber standpoint. I think that the most important things in there are to try to make sure that we have a robust cyber capability. And, frankly, that’s all about people. It’s a little bit about organization, setting up the Cyber Command I think made sense. But it’s also making sure we can recruit the best people to understand how to fight those cyber battles every day. And we have a lot of provisions in the mark to make – to make sure that we do that. And this is primarily Mr. Langevin’s jurisdiction, the Emerging Threats Subcommittee.

As far as the interference issue is concerned, yeah, we’re trying to do stuff on it. The reason I’m looking like this is the challenge is that just about anything we’re doing, logically, would require executive branch cooperation. OK. You know, we don’t – the legislative branch isn’t out there trying to protect our elections. We’re empowering the Department of Homeland Security, the Department of Justice and others to do that. But they have to want to do it. And there is considerable concern that the president doesn’t
want to do it because he’s not stupid. The Russians are helping him. Even if he doesn’t want to admit it publicly, on a certain level he knows that. So is this administration going to do what it needs to do to protect democracy in this country? I am not confident that they are. And we’re going to keep banging away at them from every angle we can to try to force them too. But that’s a tough battle if the executive doesn’t want to do it.

And this – you know, election security in this country I think is an enormous problem. You know, one of the most important things that we can do is pass a law that Rush Holt, former member of Congress, had a long time ago, which requires a paper ballot. Because when you think about it, you know, well, you can always do a recount. Well, if they hack the computer, you’re simply recounting something that was already compromised. A paper ballot would give you the ability to actually – you know, people would vote. They’d say, OK, this is the way I’m voting, they’d turn them in. And if you had to have a recount, you could have an accurate recount that wasn’t relying on the computers. That law – I’m sorry – that bill has been in Congress for a long time. I think we ought to pass it.

And I also think that we need to take efforts to make sure that voter suppression is countered, because there are incredible efforts across this country – I mean, you’ve all in elections – you’ve seen these pictures of people waiting in line five hours to vote. What the hell? This is the United States of America. What do you mean people waiting in line five hours to vote? I mean, that is denying people the franchise, because a lot of people can’t wait in line five hours to vote.

In the state of Washington, we have an all mail-in ballot. It’s sent your house. Now, depressingly, a lot of people still don’t exercise their franchise, but it’s not because they don’t have the opportunity. You know, and you have an 18-day period in which you can either drop it in the mail, we now pay for the postage, and/or there’s drop boxes all over the county in different places where you can drop in. We need to make it easier for people to vote, not harder. And I’m worried about this administration’s commitment to that, all the way around.

So this – and there is bipartisan concern about this in Congress. There are many Republicans in Congress who want to protect the ballot box from Russian interference. I’m not sure we’re fully engaged on that. Nor do I think that we’re fully engaged in countering the overall information operations that the Russians are engaged in to try to undermine not just U.S. elections but democracy itself, because that is their long-term plan, is to convince people that democracy doesn’t work, autocracy is better. And they’ve got a variety of different ways to do that. And I don’t think we are thus far standing up and defending democracy the way we should.

MS. HICKS: Chairman Smith, I want to thank you for taking time out of an incredibly busy schedule this week to meet with us to explain a little bit about where your committee is going. And please join me in a round of applause to thank Chairman Smith.

REP. SMITH: Thank you. Thank you very much. I appreciate it.

(END)