

## Battle Brewing Over Five-Sided Diplomacy

By John M. Donnelly, CQ Staff

In late May, the Bush administration told congressional leaders that it planned to transfer \$31 million from its operations budget to send trucks, ammunition, body armor and other material to the Lebanese army, which has been locked in a fierce fight with militants, believed to be linked with al Qaeda, who are barricaded in a refugee camp in Tripoli.

The transfer of funds was miniscule in relation to the billions of dollars the United States spends each month fighting the wars in Iraq and Afghanistan.

But the shift in money exemplified how the Defense Department is increasingly coordinating military aid, a role traditionally assigned to the State Department. The military's growing presence in the field also is seen in reconstruction, humanitarian aid and public information campaigns in the Middle East and other sensitive regions.

It's a trend that worries human rights groups and some members of Congress, who are concerned that military planners might be using the aid to tip the balance in short-term conflicts without a careful examination of whether it will further the United States' long-term strategic interests. Some critics believe it is giving military leaders excessive sway to make foreign policy, in the process undercutting career diplomats.

"Expanding the role of the Department of Defense is not a substitute for adequately supporting strong civilian foreign policy institutions and programs," a coalition of liberal-leaning human rights groups, including Amnesty International USA and Oxfam America, wrote in a letter to Congress last month, noting that the burgeoning role of the military in these programs was a "dangerous trend."

"It is just a question of our overall diplomatic mission," said Richard G. Lugar of Indiana, the top Republican on the Senate Foreign Relations Committee, who has publicly questioned the Pentagon's new role.

### Section 1206

In December, when Lugar was in his final days as chairman before the Democratic takeover of the Senate, Foreign Relations issued a highly critical report warning that "bleeding of civilian responsibilities ... to military agencies risks weakening the secretary of State's primacy in setting the agenda for U.S. relations with foreign countries and the secretary of Defense's focus on warfighting." The report recommended that U.S. ambassadors have the final say regarding military aid, including approving, monitoring and, if necessary, terminating any mission.

The concerns, which until now have been largely confined to foreign policy and human rights circles, are likely to come into public view later this year when Congress takes up fiscal 2008 military spending bills. Democrats, upset about the handling of the war in Iraq, are intent on blocking administration requests to give the Pentagon more authority in doling out military aid and already are insisting that the administration explain how decisions are being made.

A particular focus of concern is the so-called Section 1206 program - named for the portion of the fiscal 2006 defense authorization law that created it - which allows the Pentagon to direct \$300 million annually to train and equip foreign militaries such as Lebanon's. The program, which also has been used to direct military aid to the Caribbean Basin, Trans-Saharan nations and Pakistan, is set to expire in September 2008. However, Defense Secretary Robert M. Gates is pressing Congress to make it permanent and increase its budget to more than \$1 billion a year.

The Defense Department's general counsel last month also requested that Congress enact a series of statutes making it easier for Pentagon planners to provide military, economic and humanitarian aid overseas.

Funding and managing such aid has traditionally fallen to the State Department because of the widely held belief that diplomats are best-equipped to incorporate the aid into the larger aims of U.S. foreign policy.

But military leaders maintain that the program has become an essential component in the war on terrorism, providing resources so U.S. allies can attack insurgent groups or cut off their supplies by securing borders or strategic sea lanes.

Last week, Gates announced that Marine Gen. Peter Pace would not be nominated for another term running the Joint Chiefs of Staff. But last month, the two wrote to the defense authorization and appropriations committees warning that failing to build up friendly nations' militaries "would result in increased risk to our national security interests."

State Department officials have publicly said they welcome the help. But human rights groups and congressional aides say diplomats privately have expressed concerns that the militarization of U.S. aid could lead to a perception that the Pentagon is dominating U.S. policy in these countries. That, in turn, could cause or exacerbate a backlash against the United States among local populations. Lugar's committee report, which was based on interviews with U.S. embassy staff in 20 countries around the world, alluded to similar concerns.

#### Departmental Rivalry

The friction over the foreign aid is a byproduct of the intense rivalry between the Defense and State departments that emerged after the Sept. 11, 2001, terrorist attacks. Administration officials, unwilling to spend traditional diplomacy to address a new, shadowy threat, opted to spend heavily on military aid to key nations in the hope of snuffing out extremists and winning over local populations. The approach, first seen in Iraq and Afghanistan, has been applied more recently to other incubators of radical Islam, such as Pakistan, Indonesia, Lebanon and the Trans-Sahara region.

Nowhere is the shift, and the conflicts it creates between the agencies, more apparent than in Iraq. Billions of dollars of reconstruction work is being handled by the Army Corps of Engineers instead of the U.S. Agency for International Development or State. Another pilot program, the Commander's Emergency Response Program, has put generals in charge of civilian projects, such as rebuilding roads and schools. The Pentagon is asking Congress for \$1 billion in fiscal 2008 to continue the effort and to make it permanent too.

"The tension is manifesting itself over in Iraq," said Joseph Christoff, an international affairs analyst for the Government

Accountability Office. The Defense Department, Christoff said, "is delving into areas that are the traditional responsibility of civilian agencies."

The Pentagon is making an intense press to expand the Section 1206 program. Gates and Pace say the initiative is one of the most important tools the military has in fighting terrorism. But Congress did not originally intend for the military to be making the final spending decisions.

The fiscal 2006 defense authorization law gave the president authority over the initiative and capped the amount the Pentagon could shift from its operations accounts at \$200 million. But a year later, Congress allowed the secretary of Defense to take over running the initiative. The fiscal 2007 defense authorization law also increased the program's maximum reallocation figure to \$300 million.

Now, the Bush administration wants Congress to more than double the amount that can be diverted to \$750 million, and to make the program permanent. The Pentagon also has tried unsuccessfully to obtain more money for the initiative in various defense bills, for example requesting \$300 million in fiscal 2007 and \$500 million for fiscal 2008.

Beyond funding levels, the Pentagon wants added discretion to fund local police and other non-military forces. And military planners want Congress to exempt the program and the Commander's Emergency Response Program from any and all laws that might constrain them, including international human rights treaties.

The request alarms human rights groups, who believe efforts to gain exemptions for U.S. troops and officials undermine international law and potentially place U.S. forces in jeopardy.

"I'm sure the Pentagon says, 'Don't worry, trust us,' " said Tom Malinowski, Washington advocacy director for Human Rights Watch. "But there are reasons for these laws. They are there because the U.S. Congress decided after years of hard experience it was in the U.S. national interest to place these kinds of restrictions on foreign aid."

So far, Congress has rebuffed the administration's requests for extra funding. The House and Senate also appear unwilling to make the 1206 program permanent, noting that the administration has yet to provide a progress report that was due in January.

"In the last two years, Congress has clearly and strongly discouraged further legislative proposals to expand or make permanent DoD's 'train and equip' authorities in the absence of this required report and an established track record of success," said the House Armed Services Committee's May report accompanying this year's defense authorization bill.

Congress is expected to turn down the administration again. Yet the Pentagon is not likely to lose any of its power, because the House and Senate remain reluctant to cut defense spending or gut existing initiatives.

As a result, diplomats worry they will come out on the losing end. And signs are that leaders in foreign nations expect the same. Some U.S. ambassadors told the Foreign Relations Committee staff that host nations had started "following the money," heeding the demands of the military's special operations and intelligence personnel more than the wishes of career diplomats.