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HOUSE ARMED SERVICES COMMITTEE

STATEMENT OF

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INTRODUCTION

Chairman Langevin, Ranking Member Stefanik, and members of the subcommittee, I am honored to testify today regarding the Department of Defense's (DoD) efforts to counter weapons of mass destruction (CWMD). Our principal document guiding the Department's efforts remains the 2018 National Defense Strategy (NDS), which established as a key objective the need to dissuade, prevent, or deter State adversaries and non-State actors from acquiring, proliferating, or using WMD. Acting Secretary of Defense Patrick Shanahan issued guidance in February 2019 that reaffirmed the Department's NDS commitment to 1) restore military readiness as we build a more lethal force; 2) strengthen our alliances and build new partnerships; and, 3) drive business reform for innovation and modernization. Although the Department's Strategy for Countering WMD preceded the NDS, our CWMD Strategy provides the pivotal framework that guides our efforts to 1) prevent WMD acquisition; 2) contain and reduce threats of extant WMD; and 3) respond to crises involving WMD. To implement the NDS and CWMD strategy effectively, we must continue to leverage the full support of expertise resident within the Department, including the Department's research and development community, defense and combat support agencies, and the warfighters themselves.

OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR POLICY ROLE IN CWMD

The Office of the Under Secretary of Defense for Policy (OUSD(P)) is the principal staff element of the Secretary of Defense for all matters on the formulation of national security and defense policy and the integration and oversight of DoD policy and plans to achieve national security objectives. As the Principal Deputy Assistant Secretary of Defense for Homeland Defense and Global Security (ASD(HD&GS)), within OUSD(P), I support the ASD(HD&GS) in executing responsibilities for the Department's CWMD policy and strategy. Our staff develops and oversees the Department's policies and plans to protect and respond to a chemical, biological, radiological, nuclear (CBRN) attack and any type of destabilizing CBRN-related event to include natural, accidental, or intentional spread of dangerous pathogens and toxins that may threaten the U.S. Armed Forces, our homeland, and other U.S. interests. We represent DoD's interests in traditional counter-proliferation and non-proliferation policy matters; we coordinate the Department's assistance, through the Department of Homeland Security, to

Federal, State, and local officials, including responses to threats involving nuclear, radiological, biological, and chemical weapons, high-yield explosives, and related materials or technologies; and we coordinate assistance identifying, neutralizing, dismantling, and disposing of these weapons and materials. We develop priorities for, and advise the Secretary on, the Department's CWMD building partner capacity programs to counter WMD proliferation and use, including guidance for DoD's Cooperative Threat Reduction (CTR) Program, the Department's CWMD security cooperation and building partnership capacity activities under the authority of Section 333 of Title 10, U.S. Code, and the Department's Proliferation Security Initiative (PSI) engagements. We also work with Allies and partners to coordinate, de-conflict, and leverage our respective non-proliferation and threat reduction expertise.

OUSD(P) staff works closely with our colleagues across the Department to develop policy that guides these specialized programs, many of them implemented by the Defense Threat Reduction Agency (DTRA), to ensure cohesion as we support the three NDS lines of effort. We work closely with our partners in the office of the Under Secretary of Defense for Acquisition and Sustainment (OUSD(A&S)), specifically the Assistant Secretary of Defense for Nuclear, Chemical, and Biological (ASD(NCB)) Defense Programs, to ensure DoD has the capabilities and capacities necessary to protect our forces. Of course, all of these efforts take into account the priorities of our geographic Combatant Commands (CCMD), and seek to complement the activities of other Federal departments and agencies and our international partners. We work closely with the Chairman of the Joint Chiefs of Staff and the Combatant Commanders, particularly the Commander of U.S. Special Operations Command (USSOCOM) in his role as Coordinating Authority for CWMD, to ensure our CWMD efforts integrate with the CCMD regional activities while addressing the global nature of the CWMD threat. We also work closely with the Commanders of U.S. Northern Command (USNORTHCOM) and U.S. Indo-Pacific Command (USINDOPACOM), who are responsible for Homeland Defense and Defense Support of Civil Authorities (DSCA)

THREAT ENVIRONMENT

The Department's CWMD Enterprise is postured to address current and evolving CBRN threats. North Korea poses a near term risk across the WMD spectrum to the United States and to our allies and partners. The regime continues to advance its nuclear, missile, chemical, and

biological programs in violation of multiple United Nations Security Council Resolutions (UNSCRs). The Administration's diplomatic efforts to achieve the final, fully verified denuclearization of North Korea, combined with sustained pressure to enforce broad sanctions, led the North Korean regime to pause its nuclear and missile testing over the past year, and to dismantle elements of its missile and nuclear testing infrastructure. Nevertheless, the current breadth of North Korea's WMD and missile programs continues to undermine regional and international security as well as the broader nonproliferation architecture. The Department must remain postured to prevent WMD and missile-related proliferation to or from North Korea, counter and respond to WMD and missile attacks from North Korea, and continue to work with allies and partners to ensure they are postured to mitigate North Korea- CBRN threats.

Russia and China continue to advance their strategic and nonstrategic arsenals, forcing the DoD CWMD community to continue to assess risks and capabilities in a traditional combat sense. We must ensure that our policies focus on meeting requirements to enable our forces to fight and win in a contaminated environment, in part, so our adversaries see that our preparedness will deny them the advantages they seek. Chemical weapons (CW) use is one of our top concerns: Russia in the United Kingdom in 2018, the Syrian regime against its citizens, North Korean agents in a Malaysian airport in 2017, and ISIS in Syria and Iraq. This continued use of CW, including increasingly advanced agents, erodes long-standing established global norms against CW use and threatens global security.

The United States remains committed to denying Iran all paths to a nuclear weapon. Iran's potential intent to pursue WMD capabilities remains poorly understood and, consequently, worrisome. The intelligence community assesses that Iran needs at least one year to develop a nuclear weapon from a decision to do so, though that timeline assumes Iran would continue to adhere to all current restrictions on its nuclear program. Additionally, the U.S. remains concerned Iran is developing chemical weapons (CW) agents intended to incapacitate for offensive purposes and did not declare all of its traditional CW agent capabilities when it ratified the Chemical Weapons Convention. Iran's uncertain WMD pursuits heighten the WMD risk in an already-volatile region of the globe.

Rapid technological advancements, such as those mentioned in the Worldwide Threat Assessment, combined with increased access to dual-use materials and expertise, further complicates the WMD threat environment thus compelling us to expand our focus beyond the

“traditional” threats to those posed by novel and emerging technologies. Looking forward, we are increasingly concerned about advances in cyber technology, unmanned aircraft systems, and other technologies, which threaten to create a new set of weapons with potential WMD-like impacts. Biotechnology in particular remains an area of keen focus for the DoD CWMD Enterprise, both because of the benefits that biotechnology advancements can lend to the broader Department, and because of the risks that may come from the misuse – by State and non-State actors – of emerging capabilities. The potential for wholly novel bio-agents to challenge the Department’s detection and countermeasure capabilities means we must ensure that our experts are pursuing agile approaches to protecting our personnel, the U.S. homeland, and our nation’s interests. Working closely with its partners, DoD strives to understand and anticipate both the promise and the peril of cutting-edge biotechnologies. We want to improve our forces’ ability to fight effectively against the most likely threats they could confront today, while developing the policy and guidance necessary to ensure our forces in the future will be similarly able to deter and if necessary defeat any adversary.

DEPARTMENT CWMD PRIORITIES

Our four priority CWMD objectives are to 1) reduce incentives to pursue, possess, and employ WMD; 2) increase the barriers to WMD acquisition, proliferation, and use; 3) manage WMD risks emanating from hostile, fragile, or failed states and safe havens; and 4) deny the effects of current and emerging WMD Threats through layered, integrated defenses. As the DoD official responsible for the Department’s CWMD policy and strategy, we must respond to these CWMD objectives efficiently and effectively in support of our National Defense Strategy. Close cooperation with our partners within the Department and with other Federal departments and agencies enables DoD to prioritize efforts to identify risks and counter WMD threats when and where appropriate.

Restore Military Readiness, Build Lethal Force

To prevent adversaries from acquiring WMD or delivery system-related capabilities, DoD supports a broader interagency approach to prevent the proliferation of WMD and related materials. The threat of interdiction can serve as a deterrent to point-to-point transfer of WMD. In particular, when other U.S. government or foreign partners are unable to prevent the point-to-

point transfer of WMD-related or dual-use materials, DoD retains the capability to interdict materials. This capability is not often required but is crucial to a layered approach to increasingly adaptable adversaries who are constantly searching for new ways to transfer materials outside of the reach of the nonproliferation architecture.

In line with the NDS objectives, the Department remains prepared, with unique and flexible capabilities, to respond to and resolve CBRN crises rapidly and decisively, whether at home in support of civil authorities, or abroad. Our overall approach to countering WMD threats emphasizes efforts to contain and reduce risks, and if those efforts fall short, to emphasize deterrence. A Joint Force that is prepared to prevail in a CBRN environment both reinforces our deterrence and alternatively, should deterrence fail, ensures the nation is postured to address any threat. To guarantee our warfighting capabilities, we take deliberate action to protect the force and manage the consequences of CBRN use through identifying indications and warnings of use or anticipated use, coordinating with our Allies and partners, resolving acute CBRN hazards, recovering casualties rapidly, and decontaminating personnel, equipment, and logistics nodes.

One of our top military CBRN defense priorities is to target the source of a CBRN attack to prevent ongoing or future threats. For instance, at the direction of the President in April of 2018, the Department, along with our UK and French Allies, struck the Assad regime's chemical weapons targets in response to the regime's use of chemical weapons in Douma killing and injuring its civilians. Prior to the Syrian regime's use of chemical weapons last year, we advised on the development of a framework that would inform DoD's recommendations and response options should the regime again employ chemical weapons. In the immediate aftermath of the Syrian regime's use of chemical weapons, staff from Policy's regional and functional offices were able to advise the Secretary of Defense on specific implications with regard to the response options under consideration.

Our staff also works to identify opportunities with partner nations to ensure they have the capability and capacity to respond to and mitigate the effects of CBRN incidents, as well as to scope CWMD engagements with those partners. Building partner capacity promotes regional security cooperation and interoperability, reduces the potential for a large U.S. Government requirement to support international CBRN incident-response operations, and maximizes the effectiveness of a combined response to enhance the Department's capabilities. Following the use of 'novichok' nerve agent by Russia in its failed attempted to assassinate two individuals in

the United Kingdom, DoD's policy, technical, operational, and intelligence experts worked closely with North Atlantic Treaty Organization (NATO) allies to enhance understanding of the threat and strengthen NATO's posture to counter threats posed by Russia's chemical weapons program.

DoD, supported by other U.S. departments and agencies, works closely with Republic of Korea and Japanese counterparts to prepare regional alliances to respond to WMD contingencies on, or emanating from, the Korean Peninsula. Our staff organizes bilateral fora for operations, intelligence, policy, and research and development communities of experts to identify weaknesses and deficiencies in U.S. and bilateral contingency plans. These fora enable us to forge bilateral consensus on priorities, and to provide policy guidance enabling effective CBRN defense operations with our partners and allies. This year, members of our staff and ASD(NCB) staff began implementing a significant program to enhance the Republic of Korea's capability to support allied CBRN defense missions in a contingency operation, bolstering our interoperability and strengthening our alliance. The CBRN engagements have succeeded in bringing together stakeholders to face a common problem set and encourage future planning and interoperability.

From the homeland perspective, in accordance with Section 2313 of Title 50, U.S. Code, Mr. Rapuano is the DoD official responsible for coordinating the Department's assistance, through the Department of Homeland Security (DHS), to Federal, State, and local officials in responding to threats involving CBRN weapons or high-yield explosives, including assistance in identifying, neutralizing, dismantling, and disposing of such weapons and explosives. We work closely with USNORTHCOM and USINDOPACOM to ensure that DoD forces remain ready to deter, defend against, and, when required, defeat and respond to nation-State or terrorist WMD attacks on the homeland in the air, maritime, and land domains. DoD's primary objective is to prevent or counter WMD attacks militarily to preclude further attacks; however, DoD may also be called upon to provide additional CBRN response capacity and capabilities in support of the national response system.

DoD supports the efforts of its Federal- and State-partners to prepare to respond to CBRN incidents in the homeland, through integrated regional planning, training, and exercises conducted in coordination with DHS, the Federal Emergency Management Agency, the Department of Health and Human Services (HHS), the Federal Bureau of Investigation (FBI), and other Federal partners. DoD assists civil authorities' efforts to detect, identify, neutralize,

dismantle, and dispose of CBRN threats before they reach our nation's borders and if they succeed in penetrating our borders, DoD leverages its capabilities to prevent employment against our nation and its population. DoD has developed a wide range of CBRN-response capabilities and continuously plans, trains, and exercises so that DoD is prepared to employ these capabilities rapidly in support of civil authorities to help save and sustain lives in the aftermath of a CBRN incident.

Strengthen Alliances and Building Partnerships

DoD's Cooperative Threat Reduction Program is a powerful tool for CWMD. As Mr. Roberts and Mr. Oxford will describe further, the DoD CTR Program continues to be the Department's, most comprehensive and most effective strategic-level tool for working cooperatively with international and interagency partners to mitigate WMD-related threats, before an incident or crisis occurs. Title 50, Chapter 48, of the U.S. Code provides authorities for the DoD CTR Program to carry out activities in a uniquely flexible way with its own appropriation, to reduce the threats posed by WMD and related materials. The ability to obligate and expend appropriated funds over three years, the authority to accept foreign contributions, and the authority to work directly with our partners' civilian and military establishments allow the DoD CTR Program to address emerging WMD threats rapidly with our new and existing partners.

In recent years, the DoD CTR Program's authorities, along with its established capabilities and expertise in reducing the WMD threat, have allowed Germany, Canada, and the United Kingdom, to provide funding to the DoD CTR Program for activities that achieve common CWMD objectives. Our office is responsible for providing the DoD CTR Program with strategic policy guidance and for representing the Program on policy matters to interagency and international partners. We continue to engage with our international Allies and partners in the CWMD space to coordinate and de-conflict our programs with an eye toward burden-sharing, enhancing capabilities, promoting interoperability and leveraging regional strengths for the DoD CTR Program's future. The DoD CTR Program uniquely fills a strategic void that traditional DoD Security Cooperation programs cannot address. It also aligns global strategic priorities with our authorities to enable the program to work with host nation institutions beyond traditional security entities, enabling a whole-of-government approach to threat reduction efforts

in our partner nations. Together with DTRA, OUSD(A&S), and USSOCOM, we are able to leverage the CTR Program as a policy-driven CWMD tool where and when partnerships are the best and most efficient avenue for mitigating WMD threats. Additionally, we are able to align the CTR Program with traditional security cooperation authorities, security cooperation programs, and with CCMD priorities for maximum effectiveness. Our interagency and international cooperation has enabled the DoD CTR Program to carry out CWMD activities in South Asia & Southeast Asia, Sub-Saharan and North Africa, and throughout the Middle East.

Section 333 of Title 10, U.S. Code, provides DoD with a consolidated authority to build partner nation capability. For the CWMD mission, Section 333 enables DoD to train and equip foreign national security forces to conduct CWMD operations. In Fiscal Year 2019, DoD is helping nearly two dozen countries in Europe, the Middle East, and Southeast Asia to develop CBRN incident-response capacity. The Department is optimizing this authority to mitigate the potential consequences of a CBRN crisis and to ensure our partners contain the threat. Our engagements supported by Section 333 funding enable our partners to enhance their support to common regional and international counter-proliferation objectives.

One of our priority efforts to contain and reduce threats is the multinational effort to enforce North Korea-related UNSCRs. The United States, via USINDOPACOM, is coordinating partners through an UNSCR Enforcement Coordination Cell embarked on the USS Blue Ridge. The cell is charged with disrupting and ending illicit ship-to-ship transfers of refined petroleum in contravention of UNSCR 2375 and preventing deliveries of refined petroleum beyond the UNSCR 2397-permitted 500,000 barrels per year. The intelligence community assesses that this petroleum is available to both the WMD and missile programs, and that disrupting these transfers will likely be one of the key efforts to spur the North Korean regime to engage in meaningful denuclearization negotiations. Australia, Canada, France, Japan, New Zealand, the Republic of Korea, and the United Kingdom have all contributed personnel or assets (aircraft or surface vessels to take images of illicit transfers) in support of diplomatic and intelligence efforts to disrupt networks and, where possible, to prevent transfers from occurring. This effort continues, even as North Korea works to adapt to our enhanced surveillance efforts, and our CWMD policy role is to ensure that our enforcement actions are producing the desired effect.

Multilateral arms control, particularly through the Nuclear Nonproliferation Treaty (NPT), remains the primary means for the international system to contain and reduce extant

nuclear threats. The NPT remains the cornerstone of the nuclear nonproliferation regime. It enables international cooperation in the peaceful uses of nuclear energy in conformity with the nonproliferation requirements of the Treaty, and spurs the development of measures that may be effective in enabling nuclear disarmament when security conditions allow. OUSD(P) will represent DoD in supporting the Department of State at the April NPT Preparatory Committee, the last before the 2020 NPT Review Conference, which will also mark the NPT's 50th anniversary. As part of these efforts, DoD will continue to engage partners as required to make clear that the Nuclear Weapons Ban Treaty is an extremely problematic document that takes no account of the prevailing security environment, risks undermining the NPT regime because of language in the treaty, and will not result in the elimination of a single nuclear weapon.

The international community works together to prevent adversaries from acquiring CBRN and delivery-system related capabilities through diplomatic, law enforcement, customs, financial, military, and intelligence channels. One way DoD supports these efforts is through the Proliferation Security Initiative (PSI), which now has 107 endorsees worldwide, with Palau and the Federated State of Micronesia – two flag-of-convenience States – committing their support this past year. The Department of State is PSI's diplomatic lead, but DoD remains a primary force behind engagements, planning 9 events with 57 endorsing and non-endorsing countries last year alone, with another 9 events planned for 2019. Each of these engagements works to build the political will and capacity of States to interdict WMD, WMD-related materials, and delivery systems.

Business Reform

The DoD CWMD mission is extensive and complex, requiring expertise from across the Department's components to ensure the effective development and implementation of guidance, analysis, capabilities, and activities. In addition to OUSD(A&S), DTRA and SOCOM, here with me today, the Joint Staff, the Military Departments and Services, and the CCMDs, all play their unique role in developing policy, strategy, research, capabilities, intelligence and forces to address DoD CWMD mission requirements. The Department's existing organizational structure and processes enable the DoD CWMD Enterprise to provide both narrow technical expertise and a broad strategic approach to countering WMD threats.

The Department is committed to ensuring DoD CWMD stakeholders are organized, resourced, and energized to address CWMD challenges; that business processes are in place to ensure relevancy into and beyond 2019; and that a suitable mechanism exists to identify and resolve gaps and challenges in the CWMD mission. In 2018, we established the DoD CWMD-Unity of Effort (UoE) Council, which Mr. Rapuano co-Chairs with Lt. Gen David W. Allvin (Director for Strategy, Plans and Policy, Joint Staff) and for which Mr. Roberts (ASD(NCB)) is Vice Chair. In developing the UoE Council, we considered a number of approaches and models and ultimately drew from the cross-functional Special Operations Policy Oversight Council (SOPOC). The CWMD-UoE Council promotes unity of effort among DoD CWMD stakeholders by leveraging existing processes and systems across DoD to share information; improve cooperation; identify issues; generate solutions; and determine actions consistent with the NDS and CWMD Strategy objectives and lines of effort. The CWMD-UoE Council Charter gives the Council the ability to direct subcommittees to execute tasks to streamline coordination across the Enterprise and to raise unresolved issues and recommendations to the Secretary and Deputy Secretary of Defense when necessary. The Charter established the following three working-level fora: Strategy, Plans, Policy, Operations, and Doctrine; Capabilities; and Intelligence (led by the OUSD for Intelligence). Even prior to the Council's endorsement of the Charter in December 2018, the Council began tackling some long-standing issues such as developing operational decontamination guidance to determine how much residual hazard presents a risk and developing an assessment of additional risks that would occur to a non-combatant evacuation (NEO) from a CBRN-contaminated environment. In 2019, among other crosscutting issues we are addressing, we are developing a structured, repeatable approach to setting priorities within the CWMD Enterprise, leveraging the work USSOCOM conducted in developing the Functional Campaign Plan for CWMD, and aligning these plans with the NDS.

Implementation of the 2018 National Biodefense Strategy (NBS) required by Section 1086 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-238) has helped integrate and coordinate our biodefense efforts. The NBS directed a government-wide assessment mechanism that should help identify and correct gaps in government-wide capabilities. The first integrated review is underway now. The Biodefense Coordination Team led by HHS is gathering data to help assess government-wide information about capabilities and start the process of identifying gaps. DoD has provided a defense professional to work at HHS

to help pull together and assess all of the information to identify any gaps. We are confident that this process will yield important insights about DoD's capabilities and identify gaps, some of which our interagency partners may help with and others that will require a shared government effort, to include reform across Federal departments and agencies, to secure a solution.

CONCLUSION

The Department, the U.S. Government and the international community faced a number of WMD challenges in 2018, but with every challenge came opportunity. The Department leveraged those opportunities to increase lethality, build partnerships, and drive reform at every turn. Though we still face significant WMD threats, we remain structured, organized and postured to address any challenge 2019 brings. We thank the members of the HASC-IETC for their continued commitment to and support of this mission space, and your dedication to ensuring that we are identifying and addressing threats and gaps most effectively.

Chairman Langevin, Ranking Member Stefanik, and Members of the subcommittee: We value and appreciate your continued leadership and advocacy for the Department of Defense, within and beyond the CWMD arena. Thank you and I look forward to your questions.