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Deadly Garage Sales: Using the Excess Defense Articles Program Strategically

By Andrew Jarocki

EXECUTIVE SUMMARY

The Excess Defense Articles (EDA) program is the Department of Defense's mechanism for getting rid of unneeded military equipment by providing it to other nations on a grant or sale basis.

EDA transfers can have both financial and strategic benefits for the United States. However, this report uses the cases of Iraq, Afghanistan, and Lebanon to show that transfers in the past decade to obviously fragile partners resulted in outcomes that were counterproductive to American strategic aims.

Transfers should still be used to strengthen reliable partners and reduce the need for direct American intervention around the globe. However, to avoid repeating the mistake of inadvertently equipping foes like ISIS, the Taliban and Hizballah, more careful consideration of a recipient's fragility is required when the military decides to "clean out its garage."

EDA Is a Cost-Effective Way to Clean Out the Military's Garage

What to Do With Unneeded Equipment? Demilitarization vs. Transferring

From war ships and heavy artillery to boots and even dental tools, the Pentagon is constantly trying to figure out what to do with billions of dollars' worth of military equipment that is no longer needed. When the American military officially decides it doesn't have a use for an item, there are two main options for removing that item from its inventory: demilitarize it or transfer it. This is an important decision, as both choices come with different kinds of potential costs.

In demilitarization, an item is stripped of all potentially dangerous capabilities. The process "is required to prevent [Department of Defense material] from being used for its originally intended purpose and to prevent the release of inherent design information that could be used against the United States."¹ A good example of this process is the High Mobility Multipurpose Wheeled Vehicle. A "Humvee" no longer needed by the military must have its armor and sensitive communication systems removed. It can then be offered to other federal agencies, donated to state governments, sold as surplus or destroyed for scrap.

However, this process can take time and incur costs. A single Humvee can take anywhere between 7 and 60 hours of specialized labor to demilitarize, depending on the model.² The Army alone currently operates about 110,000 Humvees that will all need to be retired eventually.³ The other option is to designate the Humvee an "excess defense article" and offer it to the armed forces of another country.

The EDA Transfer Process: Not a Spontaneous Affair

After a branch of the military has identified an excess article, it shares its recommendation for transfer eligibility with a committee of key defense stakeholders. This committee is chaired by the Defense Security Cooperation Agency (DSCA) and includes representatives from the Joint Chiefs of Staff, Office of the Secretary of Defense, the State Department, and the Commerce Department. EDA transfers can either be

requested by foreign governments through the corresponding defense and diplomatic channels or initiated by the President.

In both cases, Congress is required to be notified 30 days prior to the EDA transfer if the articles are categorized as Significant Military Equipment or valued at \$7 million or more in original acquisition cost.⁴ Pending final approval from Congress, the military can then offer the EDA transfer as either a sale or a grant. In many cases, the recipient is offered articles on a "as is, where is basis" in which they are only responsible for transportation and repair costs of the items.⁵ When EDAs are sold, prices are usually very generous: discounts range from 50% to 95% of the item's original acquisition value.⁶

EDA Transfers Save Money

The financial benefit for American taxpayers of EDA transfers is hard to dispute. For example, the Army transferred 9,800 tons of excess assets to foreign governments through the program and saved \$11.4 million in demilitarization costs for Fiscal Year 2016.⁷



Kiowa helicopters are prepared for EDA transfer. Courtesy Photo/U.S. Army Acquisition Support Center. Defense Visual Information Distribution Service. 28 July 2015. <https://www.dvidshub.net/image/5709534/bird-hand>

However, military leaders claim that these transfers are much more significant than simple penny-pinching maneuvers for "cleaning out the garage" of articles in storage.⁸ EDAs can also be a means of strengthening strategic partners.

Strengthening Stable Partners Is a Good Idea, Strengthening Fragile Partners Is a Dangerous Folly

Officials Claim Strategic Benefits From EDA Transfers

The military often argues it “provides capabilities to allies and partners” through the use of EDA transfers.⁹ This concept is certainly attractive. Cost-effective strengthening of foreign forces would allow the United States to offshore balance, a strategy where a more capable regional partner reduces the need for direct American intervention in a crisis. For example, the Army claimed that a recent transfer of 930 Mine Resistant Ambush Protected (MRAP) vehicles to Egypt “improves the security and readiness of a major non-NATO ally, which has consistently been an important force for the political stability and economic progress in Africa and the Middle East.”¹⁰

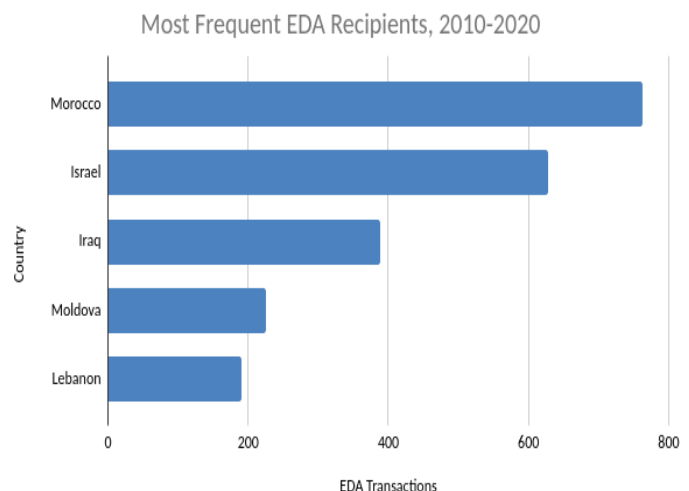
This is not unique to any one service. The Navy has provided 231 ships to 43 countries in the past 20 years through EDA transfers in order to help with “strengthening coalitions, aiding in multilateral peacekeeping efforts” and other aims.¹¹ The Coast Guard described the Philippines as “an important ally, as a trading partner, and as a compatriot in the struggle to preserve freedom of the sea” during an EDA transfer of three high-endurance cutters.¹²

Who’s Actually Getting These Transfers? Recently, Some Questionable Partners

Recipients of EDA transfers are often characterized as stable and trustworthy partners. Aforementioned examples Egypt and the Philippines both hold Major Non-NATO Ally (MNNA) status, a designation by the U.S. Congress that is “a powerful symbol of the close relationship the United States shares with those countries.”¹³ This status is often used as a shorthand to indicate the level of trust and respect a country merits from policymakers in Washington. American officials also reassure that “the State Department carefully evaluates all proposed [EDA] cases to ensure they support U.S. national security and foreign policy goals.”¹⁴ However, some of the top EDA recipients of the recent decade are neither NATO allies, Major

Non-NATO countries or even particularly trustworthy partners. This tests the idea that the transfers always go to carefully vetted and clearly strategic partners.

From 2010 to 2020, the Defense Security Cooperation Agency recorded 4,116 unique EDA transactions.¹⁵ The items identified to be transferred over that decade totaled approximately \$26.5 billion in original acquisition value, or how much the United States government initially paid for the item. Items designated as “excess” and eligible for transfer can range from the most mundane (dental equipment and shirts) to the most lethal (tanks, frigates, and guided missile launchers). The top five most common recipients are shown in the accompanying graphic. These totals include EDA’s at various steps in the process, from still awaiting a congressional authorization decision to actually delivered.



Defense Security Cooperation Agency 2010-2020 EDA Database. DSCA EDA Database. <https://www.dsca.mil/programs/excess-defense-articles-eda> Accessed 1 May 2022.

There are 30 NATO countries and 17 MNNA countries. Of these 47 total countries that are considered to be thoroughly vetted security partners of the United States, only two make it on to the list of the five most frequent EDA recipients from the past decade. These two are Israel and Morocco. This report uses Iraq and Lebanon, two other top five EDA recipients of the past decade, to show notable instances of transfers to obviously fragile countries that were clear strategic liabilities even at the time of transfer. The report also uses the high-profile case of Afghanistan to demon-

strate the same phenomenon. In all three cases, EDA transfers ultimately contributed to a less favorable security outlook for both the region and the United States once the partner had a predictable crisis and the articles fell into unintended hands.

Iraq: Equipping a Consistently and Predictably Fragile Partner Resulted in Disaster

Post-invasion Iraqi Forces Show Plenty of Warning Signs Despite Extensive Training

Iraq is the poster-boy example of how ignoring consistent warning signs of fragility can result in EDA equipment becoming gifts for an adversary. After a quick victory over Saddam Hussein's forces during the 2003 invasion, American forces attempted to build the Iraqi military and government into a security partner. This included both extensive training and EDA transfers. However, warning signs of fundamental fragility remained clear throughout this years-long effort.

Amid the chaos of 2003, looters ransacked Iraqi government buildings, stole munitions from military depots and provided weapons for insurgents.¹⁶ No American equipment was captured, but this was an early sign of the post-invasion Iraqi government's inability to steward military assets. A year later, "the disastrous performance of the Iraqi Security Forces in the April 2004 uprisings revealed that the Department of Defense had prematurely pushed security responsibilities onto Iraqi shoulders."¹⁷ One Lieutenant General noted that "at various times, the Department of Defense inflated the numbers of effective Iraqi forces," while ignoring the fact that "the enduring challenge was building capable and effective Iraqi forces rather than simply adding numbers."¹⁸

The incompetence of Iraqi forces remained unavoidable as the years passed. By 2007, an uncontained civil war resulted in bloodshed to the point that Ambassador Ryan Crocker stated after the fact that the U.S. "nearly lost Iraq."¹⁹ Military and diplomatic leaders noticed qualitative signs that "many of the elite forces created to fight the insurgency were increasingly infiltrated by sectarian elements and implicated in human rights abuses."²⁰ For many Iraqi soldiers, police and judges, "loyalties to sect or tribe

competed with their willingness to serve the Iraqi state."²¹ Quantitative signs of fragility also endured. For example, Special Inspector General for Iraq Reconstruction (SIGIR) reporting to Congress noted that the number of Iraqi troops showing up for duty in 2008 "continually fell below desired levels, with Absent Without Leave (AWOL) rates exceeding 3% per month."²² SIGIR also noted at that time that "senior non-commissioned officer and commissioned officer positions became difficult to fill, with vacancy rates of 30% or more persisting."²³

At the conclusion of Operation Iraqi Freedom and withdrawal of American troops, official reports in 2013 still noted that Iraq "lacked critical capabilities in logistics, intelligence, and operational sustainment" and showed "weaknesses in counterterrorism and intelligence capabilities at the tactical, operational, and cross-ministry levels."²⁴ In the background to military concerns, Iraq remained an obviously vulnerable state in general. Between 2006 and 2012, the Fund for Peace's Fragile States Index consistently ranked Iraq as one of the top ten most fragile nations.²⁵

Despite this, EDA transfers were still used to shore up the Iraqi government and offload the surplus of equipment the military had accumulated after nearly a decade of combat in Iraq. The Army was provided with congressional approval for an EDA transfer of 1,088 M60 machine guns to Baghdad in 2010. The Iraqi Armed Forces also received 440 M113 Armored Personnel Carriers, 54 M198 Howitzers, and 66 other artillery pieces through EDA transfers between 2010 and 2014.²⁶

ISIS Exposes Folly of Equipping Unreliable Iraqi Forces

A new terrorist group calling itself the Islamic State in Iraq and Syria (ISIS) swept to power in the summer of 2014. Iraqi forces dissolved in the face of the ISIS challenge, with some instances of Iraqi soldiers literally dropping their weapons to flee.²⁷ ISIS quickly seized the equipment previously provided to Iraq by the United States through EDA transfers.

Some advocates of EDA transfers may argue that equipment given by the United States through the program is often nonlethal, and even the lethal equipment is outdated to the point that it poses little threat if cap-

tured anyways. It certainly is the case that the territorial integrity of the United States is not threatened by whoever controls the twenty 9MM pistols sent to Iraq in 2015 or the 13,800 pairs of brown underwear briefs provided to Afghanistan in 2010. However, it is also true that sufficiently lethal equipment is transferred that especially motivated actors on the ground can use it to frustrate and influence America's strategic plans. ISIS forces modified American M113 Armored Personnel Carriers to become vehicle-based improvised explosive devices for use against Iraqi forces.²⁸ The terrorist group also used its dozens of newly captured American-made M198 howitzers to shell Iraqi cities.²⁹ ISIS was able to become enough of a nuisance using its new toys that America was forced to label it "a threat to international peace and security" and had to organize a global coalition to defeat it.³⁰



ISIS makes use of a captured American-made Humvee. Reuters. 30 June 2014.

America also responded to this threat--one enhanced with captured EDA material--by initiating more EDA transfers to Iraqi forces. State Department announcements noted that the United States had "provided Iraq multiple systems under the Excess Defense Articles program," including helicopters, howitzers, and body armor "which directly contributed to the fight against ISIS."³¹ Unfortunately, the demonstrated trend of Iraqi abandonment of American equipment would continue. In 2015, Iraqi forces repeatedly ceded vehicles and artillery to ISIS. American air support was forced to begin destroying assets left by retreating Iraqis before they could be captured.³²

Despite this consistent trend of fragility, just 20 of 388 EDA transactions for Iraq between 2010 and 2020 were canceled outright. The articles designated for transfer to Iraq during this period were cumulatively worth \$1.16 billion in original acquisition

value.³³ A Department of Defense Inspector General report to Congress in 2015 noted that "in some cases, even the Iraqi Army personnel did not know what supplies were present" in storage depots under Iraqi control.³⁴ The following year, an additional 48 M198 Howitzers and a C-130H aircraft were delivered anyways through EDA transfers to Iraq.³⁵

The American-made equipment captured by ISIS from Iraqi forces, including artillery and hand held anti-air capabilities, made the organization formidable enough that the United States was forced to begin new combat operations in the region just three years after drawing down from the war in Iraq.³⁶ Fighting the well-armed terrorists resulted in 107 American deaths and 272 wounded.³⁷ Operation Inherent Resolve to combat an empowered ISIS also exacted a cost of \$13.6 million dollars a day for 1,058 days of operation, including 24,566 total airstrikes.³⁸

Afghanistan: Transfers to an Obviously Fragile Partner Again Reward an Adversary

Attempts to Build a Reliable Afghan Security Force Prove Endlessly Frustrating

Similar to Iraq, EDA transfers to a weak and obviously fragile regime in Afghanistan was ultimately counterproductive to American aims. The U.S. quickly defeated the Taliban and associated Al Qaeda forces in Afghanistan during Operation Enduring Freedom in 2001. In two subsequent decades of occupation, the United States spent approximately \$1.15 trillion to provide the new Afghan government with security assistance and aid for development.³⁹ However, persistent warning signs continued throughout years of American effort to prop up the new Afghan institutions and forces.

In 2013, the Special Inspector General for Afghanistan Reconstruction (SIGAR) reported to Congress that it still was "concerned about the capabilities of the Afghan National Security Forces."⁴⁰ The Afghan National Army (ANA) monthly attrition rate reached as high as 4.1% in January 2013.⁴¹ Approximately 5.3% of the entire ANA was Absent Without Leave (AWOL) during a tally in August 2013.⁴² In 2016, SIGAR concluded that high attrition and casualty

rates made “the sustainability” of the Afghan National Defense and Security Forces “a major concern and priority for leadership.”⁴³

EDA transfers worth a total of \$649 million in original acquisition value still formed part of a larger strategy to shore up the Afghan government’s efforts to suppress the Taliban resistance without endless direct involvement of American troops. Between 2010 and 2020, only 5 of 69 EDA transactions for Afghanistan were rejected or canceled.⁴⁴ Some items transferred were as simple as thousands of pairs of combat boots and helmets. However, other articles were much more lethal: 75 MK19 machine guns with grenade launchers, 200 Mine Resistant Ambush Protected vehicles, 40 Wolfhound signal data interception systems and 357 M24 sniper rifles were all gifted to Kabul between 2010 and 2018.⁴⁵

Throughout this time, both Afghan forces and institutions remained fundamentally fragile. From 2006 to 2018, Afghanistan averaged a ranking of 8th most fragile state in the world on the Fragile States Index.⁴⁶ SIGAR reports in 2017 stated that planners had “consistently...overestimated” Afghan forces’ capabilities before a reduction in American troops.⁴⁷

SIGAR especially worried that the military’s assessments of Afghan forces were “often unable to evaluate the impact of intangible factors such as leadership, corruption, malign influence, and dependency, which can lead to an underappreciation of how such factors can undermine readiness and battlefield performance.”⁴⁸ SIGAR also warned of “other factors corroding the Afghan force” including “issues such as ghost soldiers, corruption, and high levels of attrition” during the timeframe of American EDA transfers.⁴⁹

American-equipped Afghans Resulted in American-equipped Adversaries

During the final withdrawal of American forces from Afghanistan in 2021, the extensively documented concerns about Afghan forces were vindicated. The Afghan forces that the White House called “as well-equipped as any army in the world” were either routed by, surrendered to or simply fled the advancing Taliban.⁵⁰⁵¹ Nine days after capturing their first provincial capital, the group appeared to exercise control over nearly the entirety of the country.⁵²



Taliban forces parade captured American equipment and vehicles. Stringer/EPA-EFE/Shutterstock. 2 September 2021. <https://www.cnn.com/2021/09/01/asia/taliban-kandahar-captured-weapons-intl/index.html>

In the fall of 2021, the Taliban held a military parade to showcase a new collection of captured American-made armored vehicles, firearms, and equipment.⁵³ The material paraded included equipment that had unmistakably been transferred through the EDA program to the former Afghan government. U.S. National Security Advisor Jake Sullivan confirmed that while it remained unclear “where every article of defense materials has gone...certainly a fair amount of it has fallen into the hands of the Taliban.”⁵⁴ Additionally, fleeing Afghan military personnel reportedly took some military equipment and arms—including aircraft—with them to neighboring countries, including Iran, Uzbekistan, and Tajikistan.⁵⁵

Lebanon: Increasing Fragility Threatens Fate of American Equipment

Decades of Fragility Reach a Climax

Lebanon has been a top recipient of EDA transfers in the past decade, despite the long-running instability of the country’s institutions. The fragility of the state and army now cause transferred American equipment to be deeply vulnerable to undesirable end use.

Lebanon has suffered several tumultuous decades. The country was submerged into a bloody civil war beginning in 1975. The weakness of the state resulted in the rise of various militias, which prolonged fighting until 1990. Neighboring Israel and Syria both occupied parts of Lebanon due to security concerns

until 2000 and 2005, respectively. The situation has once again begun to seriously deteriorate. Lebanon experienced a 58.1% contraction in GDP over 2020 and 2021, the largest decline among 193 countries recorded in that time.⁵⁶ The World Bank described the economic situation in the country as a “deliberate depression” marked by a “collapse of the most basic public services; persistent and debilitating internal political discord; and mass brain drain.”⁵⁷ From 2010 to 2020, Lebanon’s Fragile States Index score remained among the top 50 most unstable countries. That score is now rising, with Lebanon currently as one of the top 35 most fragile states on the planet.⁵⁸ Since 2017, the Cato Institute’s Arms Sales Risk Index has ranked Lebanon as an above-average risk for arms sales.⁵⁹

However, these consistent indicators of liability have not stopped Lebanon from becoming one of the top five recipients of EDA transfers over the past decade. Between 2010 and 2020, only 31 of 191 transfers designated for Lebanon were either canceled or rejected. These approved transfers totaled \$459 million in original acquisition value.⁶⁰ Articles transferred to the Lebanese Armed Forces (LAF) have included 32 M198 Howitzers, 34 other field artillery vehicles, 800 M2 Machine Guns and 5,112 5.56MM rifles.⁶¹

American Equipment Where Hizballah Can Get It

The State Department argues that “the U.S.-LAF partnership builds the LAF’s capacity as the sole legitimate defender of Lebanon’s sovereignty” and counters “the presence of the terrorist group Hizballah.”⁶² Formed in 1982 in response to an Israeli invasion of Lebanon, the organization Hizballah (Hezbollah) boasts a military wing as disciplined and effective as any Arab state’s military.⁶³ However, Hizballah is far more sophisticated than a simple militia. The organization has participated in the government of Lebanon since 1992.⁶⁴ Hizballah and its immediate allies currently hold about two-thirds of the governing portfolios and exert increasing control as political institutions in the country grow dysfunctional.⁶⁵

Experts note that Hizballah “continues to coordinate on a regular basis with the Lebanese Armed Forces command to ensure synergy and facilitation of operations.”⁶⁶ Experts also observe that it has “infiltrated the state security apparatus” and “since July 2011, the

General Security has been under de facto Hezbollah oversight.”⁶⁷ A 2021 State Department fact sheet still claimed that “Lebanon has been a reliable recipient” of transfers “as evidenced by their 100 percent favorable rate on Blue Lantern end use monitoring checks, well above the global average of 75 percent.”⁶⁸

However, reasons abound to doubt this perfect rating of risk. In 2016, images circulated of Hizballah forces conducting operations in Syria using American-made vehicles and arms strikingly similar to the kind transferred to the LAF.⁶⁹ State Department and Pentagon sources disputed the origin of the equipment, claiming they were leftovers from previous conflicts with Israel or had come from other sources.⁷⁰ However, Israeli intelligence sources countered this explanation by providing evidence that Hizballah was indeed using American material originally transferred to the LAF.⁷¹ A senior officer in the Israeli Defense Forces stated unequivocally that “we recognize these specific APCs according to some specific parameters” and that “we know these were given to the LAF.”⁷² “It’s not an assumption,” the source continued, “these were given to them by the USA.”⁷³ Israeli officials surmised that this was the result of “a deal” and that Hizballah had “strengthened its grip on the main national institutions in Lebanon,” including the army.⁷⁴



Hizballah-controlled vehicles in Syria. Ynet News. 15 November 2016. <https://www.ynetnews.com/articles/0,7340,L-4879426,00.html>.

The current troubles of Lebanon are further contributing to the LAF’s vulnerability to Hizballah. “If unmitigated,” LAF Commander General Joseph Aoun recently explained to a conference of nations concerned about Lebanon, “the economic and financial crises will inevitably lead to the collapse of all state institutions including the LAF.”⁷⁵ After the Lebanese

currency lost 95% of its value, most LAF soldiers saw their pay reduced to around \$3 a day.⁷⁶ Morale has sagged and analysts increasingly predict the army will struggle to carry out its duties.

Despite consistent trends of instability and dysfunctional fragility, the United States flooded Lebanon with EDA transfers in the last decade. Today, the growing probability of total political failure in Lebanon and the predictably increased leverage of Hizballah over the LAF has put Lebanon's sizable haul of excess defense articles in a position to be exploited in ways never intended by Washington. As a result, Israel is growing increasingly nervous. Its top air force chief recently noted the loss of air superiority over Hizballah.⁷⁷ Israel has struck preemptively before over fears of a strengthened Hizballah, and the deteriorating situation in Lebanon has Israeli circles openly addressing the specter of war again.⁷⁸

EDA Process Must Contemplate Recipient's Fragility

The Excess Defense Articles program can be a useful tool for American foreign policy with both financial and strategic benefits. However, strategic consequences must come before blind penny-pinching when it comes to transfer decisions. As ISIS, the Taliban and Hizballah have shown, the policy when it comes to transfers to potentially unstable countries should be "better safe than sorry." The common thread across these three upsetting outcomes of EDA transfers is that the United States underappreciated the obvious fragility of a state and the predictable consequences of that fragility. Three improvements to the EDA process can help avoid this mistake in the future.

Identify Fragile States

The first recommendation of this report is that the State Department maintain an official list ranking the economic, political and security fragility of all nations specifically for the EDA program. As a bank seeks to score the risk associated with a potential borrower, so too would this index help policymakers understand the solvency of potential EDA recipients. This index could be modeled on existing open sources like the Fund for Peace's Fragile States Index or the Cato Institute's Arm Sales Risk Index while also incorporating important classified intelligence. Relying on

rigorous quantitative and qualitative measures, the department would regularly update the index to track trends over time. The index would allow EDA decision makers to be more informed about the likelihood of gear falling into the wrong hands in each situation.

One could potentially argue that this is needless extra work for Foggy Bottom. However, this work would not be an unprecedented burden on the department. The State Department is already required to participate in the formation of a multi-agency strategy to address fragility under the Global Fragility Act of 2019.⁷⁹ Officially cataloging and ranking fragile states for the purposes of EDA transfers would be a valuable resource for members of Congress to more clearly understand the riskiness of supplying a potential security partner with American equipment.

Lengthen EDA Approval Process for Fragile States

Congressional notification of thirty days prior to the transfer of EDA, whether by sale or grant, is required if the item is categorized as Significant Military Equipment (SME) or valued (original acquisition cost) at \$7 million or more.⁸⁰ In order to give an over-worked Congress more time to debate and research the merits of a transfer, this report next recommends extending that notification period to six months (180 days) for potential EDA transfers to countries that appear in the top third of the State Department's new fragile states index. The increased study period would allow members to consider the strategic justification more thoroughly for transfers to nations that are more fragile than two-thirds of the planet.

A frustrated Pentagon may retort that speed and efficiency are crucial for missions that rely on partner capabilities. This certainly could be true to an extent. There would be nothing stopping Congress from still approving truly crucial transfers in a timely manner if there was a true consensus on Capitol Hill. However, the 180-day timeframe would provide skeptical members more time to investigate, hold hearings and complete inquiries on transfers that were not immediately and universally understood to be the nation's obvious interest. A "cooling off" period between proposal and transfer would also allow the situation to develop

long enough that Washington could better understand the likely trajectory of a recipient. As grand strategy moves in decades and not in hours, taking ample time to debate riskier transfers is a small price to pay for long-term wisdom in arms policy.

A Red Team Fragility Report for Every EDA Transfer

The military often relies on “red teams” to second-guess official analysis. The definition of a red team is one “established by an enterprise to challenge aspects of that very enterprise’s plans, programs or assumptions.”⁸¹ The final main recommendation of this report proposes that any and all potential EDA transactions of any amount with a nation that is within the top third of the State Department’s aforementioned fragility index receive a red team treatment.

A diverse group of military experts, academics and diplomats would argue against the transfer and provide the most credible evidence possible for the worst-case outcome of that transfer. The red team would especially consider factors like fragility and political instability that often are less weighted in quantitative assessments of a counterpart’s capabilities. This would challenge the Pentagon and State Department officials to convincingly refute worries about the strategic liabilities of a transfer. This exchange between the red team and officials advocating for the transfer should be included in the materials required to be provided to Congress in any notification of an EDA transfer.

Opponents may argue that a red team is a waste of time or unnecessary. However, it is clear from the SIGAR and SIGIR reports cited throughout this report that assumptions about the stability of a transfer recipient can never be double-checked too many times. An excessive focus on tactical needs resulted in tunnel vision in Iraq, Afghanistan, and Lebanon. Washington did not properly weigh obvious signs of risk beyond the battlefield in each case.

Transfers need to make sense for the world as it is, not the world military planners or politicians would like it to be. A red team for EDA transfers to the most fragile states would be a key first step to ensuring

bias and assumptions about a potential transaction are carefully interrogated before a single bullet is shipped and fired.

Conclusion: More Careful EDA Transfer Policy Is Needed To Avoid Repeating Mistakes in Ukraine

Not all EDA transfers are poor choices. In fact, goals as important as narcotics interdiction and counter terrorism have been made possible through EDA transfers that increase the capabilities of American security partners. Seeking to protect the taxpayer is also a laudable goal. However, the military and diplomatic costs America has incurred by confronting American-equipped adversaries even occasionally make it worth tightening the standards for the EDA program. Those who still insist on good stewardship of the taxpayer’s dollar should instead focus on preventing platforms being forced on the military that it doesn’t even want anyways or will discard in as little as four years.^{82,83} Preventing fewer unnecessary platforms being produced in the first place will lead to a less urgent need to do something with them once they are no longer cutting-edge.

The three notable cases of Iraq, Afghanistan and Lebanon in this report underline the importance of increased scrutiny of fragility in potential EDA recipients. In each instance, America committed to substantially building up a partner’s military despite clear dynamics undermining each effort. A narrower definition of strategic interests would help ensure fewer army-building and nation-building efforts in the first place. When the United States does find itself in the rare case of needing to invest substantially in a partner’s capabilities, a deeper consideration of fragility is crucial to understand potential consequences.

Prudence in EDA transfers has taken on new salience following Russia’s invasion of Ukraine. For example, the Biden administration recently notified Congress of its intent to redirect Mi-17 helicopters originally for Afghanistan to Ukraine through the EDA program.⁸⁴ The president has also used the Presidential Drawdown Authority (PDA), in which the president can authorize the immediate transfer of articles and services from U.S. stocks without congressional approval in response to an unforeseen emergency.

Transfers to Ukraine have totaled over \$1.35 billion in value so far.⁸⁵ In Congress, multiple bills currently being considered would prioritize Ukraine for EDA transfers for several years into the future.⁸⁶

Similar to the cases studied in this report, the danger of this deluge of American equipment inadvertently arming unintended parties in Ukraine is growing. Between 2012 and 2018, Ukraine's Fragile States Index score jumped by 27 spots.⁸⁷ In 2020, Cato's Arm Sales Risk Index ranked Ukraine as a riskier recipient than Lebanon.⁸⁸ Organizations dedicated to tracking extremist groups have observed that militias throughout Europe explicitly intend to use the conflict to gain combat experience.⁸⁹ Analysts also worry that the influx of foreign fighters to Ukraine, driven by a variety of motives, will result in serious security problems for regional governments once they return from the fight.⁹⁰ Fears are already growing in European capitals that the conflict could soon spill over the borders.⁹¹ One doesn't have to work hard to imagine an actor counterproductive to American aims gaining access to equipment originally provided for the conflict and later using it for other goals elsewhere. Israeli media has grown greatly concerned over the documented use of transferred anti-tank and armor weapons by the Azov battalion, a militia that has been widely characterized as Neo-Nazi.⁹²

Whether it be in Ukraine, Iraq or anywhere else on the planet, the U.S. should more carefully consider the possible end users of transferred Excess Defense Articles and other military equipment. Most importantly, Washington should take a longer look at the intangible aspects of a partner's trustworthiness. "The principle of war stands: moral factors dominate material factors" said Doug Lute, a retired Army lieutenant general who helped direct Afghan war strategy, about transfers.⁹³ Pentagon spokesman John Kirby put it even more succinctly. "Money can't buy will," he said, "and you cannot purchase leadership."⁹⁴ A fundamentally imprudent strategic choice can't be papered over by any amount of American money or transferred arms thrown at a situation. The sooner Washington appreciates this lesson, especially in fragile states, the less often American taxpayers will ever need to read in the news about their unplanned gifts to adversaries around the world.

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