Introduction

Since the Russian invasion of Ukraine on February 24, 2022, there has been a flurry of analyses, op-eds, and commentaries expressing considerable concern for the health of the United States' defense industrial base (DIB) given the unprecedented level of U.S. security assistance to Ukraine.¹ This brief will first provide an overview as to why the U.S. foreign and defense policy establishment is currently expressing concern for the health of the DIB and then conduct a survey of recent Congressional and Executive actions taken and proposals made to strengthen the DIB. From there, the brief will articulate how these current actions and proposals do not actually address the root causes of the perceived weakness of the DIB, but instead act only to increase the annual U.S. government funds directed to the military contractors that already dominate the defense industrial base. In that sense, actions to strengthen the U.S. DIB are best characterized as constituting an additional, unrecognized, cost of U.S. security assistance to Ukraine.

Why is the U.S. Foreign & Defense Policy Establishment Expressing Concern for the DIB?

One of the primary methods through which the Biden administration has provided security assistance to Ukraine has been through the use of the Presidential Drawdown Authority (PDA). This Authority pulls weapons systems, arms, equipment, and other materiel directly from U.S. Department of Defense stockpiles and allows for deliveries to occur within days of authorization.  

Foreign Military Financing (FMF) and the Ukraine Security Assistance Initiative (USAI) are the foremost alternatives to PDA, but equipment ordered through these two funding sources is frequently newly-manufactured meaning that deliveries may not take place for months or years at current production rates. A $1.1 billion security assistance package for Ukraine in September, for example, included 18 High Mobility Artillery Systems (HIMARS) that would be manufactured through the USAI in a process scheduled to take multiple years to complete while other equipment in the same package is expected to be delivered in six to twenty-four months.  

The Drawdown Authority, FMF, and the USAI have all been heavily drawn upon to provide military aid to Ukraine, but the Presidential Drawdown Authority “remains the U.S. government’s most responsive tool to rapidly transfer U.S. military and other equipment in an unanticipated emergency that cannot be addressed by other means.” As the Security Assistance Monitor has previously reported, of the roughly $19 billion in U.S. military aid provided to Ukraine to date since February 24, 2022, approximately $11.5 billion, or 60%, has come through the Presidential Drawdown Authority.

This represents a significant uptick in the use of Drawdown Authority. Since February 2022, PDA has been called upon to supply Ukraine 24 times, whereas between FY2011 and FY2015 drawdowns were only authorized a total of 13 times globally. The repeated use of the Presidential Drawdown Authority has raised concern among U.S. military, foreign, and defense policy analysts who question whether the extensive drawdowns have depleted the U.S. military arsenal to an unacceptable degree. For example, the Javelin anti-tank missile has been a critical aspect of the Ukrainian fight against Russia. As of late October 2022, the

United States has provided Ukraine with approximately 8,500 Javelin systems: 57% of the original U.S. military stockpile. Similarly, over 1,400 Stinger anti-aircraft systems have been delivered to Ukraine using the Drawdown Authority as of early November, approximately 25% of original DOD stockpiles.

As mentioned, the depletion of these and other stockpiles have raised questions among analysts as to the state of U.S. military readiness while those stocks remain unreplenished, especially given that the rate at which the U.S. is supplying Ukraine is unlikely to slow anytime soon. In order to determine the state of U.S. military readiness or to determine what an appropriate level of equipment reserves would be, it first must be asked what the U.S. military needs to be ready for in the near future. In May 2022, Defense Secretary Lloyd Austin pledged he would not allow the stock of critical munitions to drift below the minimum needed levels, and later in September the Army’s top acquisition chief said he is “not uncomfortable” with the state of U.S. military munitions stocks. Crucially, neither official noted what those minimum levels are or what those levels are set in respect to. However, some analysts who have expressed concern have roughly demarcated their desired state of military readiness.

According to the Biden administration’s National Security Strategy published on October 12, 2022, the two most likely wars the U.S. military could be called upon to enter in the immediate future would stem from escalating U.S. involvement in Ukraine’s war against Russia or actively defending Taiwan against a Chinese assault. Not mutually exclusive to a U.S. military intervention in defense of Taiwan would be an effort to arm Taiwan at a similar rate to that of Ukraine. Therefore, an appropriate state of U.S. military readiness under this framework would translate to equipment stockpile levels large enough to supply the U.S. military for a two-front war against both Russia and China, as well as sizable enough to continue to consistently supply Ukraine and Taiwan with tens of billions of dollars in weaponry.

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7. This percentage was calculated by the author, based on reporting from May 2022 that the then 5,000 Javelin missiles delivered to Ukraine amounted to a third of US stocks and reporting from October 2022 that the absolute number of Javelins delivered has increased to 8,500; “War in Ukraine Leaves U.S. Scrambling to Replenish Arsenal, and European Allies May Offer No Solution,” Georgetown Security Studies Review, 10/28/2022, georgetownsecuritystudiesreview.org/2022/10/28/war-in-ukraine-leaves-u-s-scrambling-to-replenish-arsenal-and-european-allies-may-offer-no-solution/.


11. It is critical to recognize that the question of, “does the U.S. defense industrial base need to be strengthened or not,” intrinsically assumes conflict, particularly war with Russia and China, is inevitable in the United States’s future. What the foreign and defense policy establishment fails to recognize is that this conflict is not inevitable, but rather entirely dependent upon U.S. foreign policy itself. Should the United States adopt a policy to strengthen its defense industrial base, this can in fact make that conflict more likely as it may be perceived as an escalatory action internationally. Essentially, U.S. defense industrial policy should not attempt to anticipate potential demand
Accepting this framework for the purposes of argumentation only, the next logical question is whether the U.S. defense industrial base is presently capable of achieving the necessary manufacturing rates in a timely manner. The consensus of the U.S. national security apparatus appears to be that the DIB is not able to meet this anticipated demand. Analyses of the state of the U.S. defense industrial base conducted within the past two years by the Department of Defense, Government Accountability Office, the National Defense Industrial Association, and the Center for Strategic and International Studies all identify severe inhibitions within the defense industrial base.12

What does it mean for the defense industrial base to be healthy, or otherwise? According to one DOD report on the subject, a healthy DIB is one that is built upon, “resilient, diverse, and secure supply chains.”13 Following this, supply chains within the DIB itself can be disaggregated into multiple tiers. The top tier includes prime contracts and major subcontractors whereas the lower tiers constitute the suppliers of parts, electronic components, and raw materials.14 DIB analysts across the board largely concur that defense-critical supply chains at all levels are weaker now than during the Cold War. Importantly, the supply chain vulnerabilities analyzed by the reports relied upon here have been highlighted and heightened by the COVID-19 pandemic, but have existed within the DIB prior to the pandemic itself.15

The Department of Defense identifies five defense-critical sectors in which the constituent supply chains at all tiers are of questionable strength: (1) kinetic capabilities, (2) energy storage and batteries, (3) castings and forgings, (4) microelectronics, and (5) critical and strategic materials.16 The supply chain weakness in these sectors vary in specific, but according to the Government Accountability Office share a number of the following ten industrial base risks.17

because the industry is endogenous to the U.S. national war-making project itself. With those caveats in mind, the question of whether the U.S. foreign and defense policy establishment is in fact a good faith actor on this subject must also be asked given the U.S. national security state’s long history of threat inflation from the bomber and missile gaps of the Cold War to the hypersonic cruise missile gap in the contemporary era; Andrew Cockburn, The Spoils of War: Power, Profit, and the American War Machine (Brooklyn, NY: Verso, 2021) 98, 100 (ebook); Greg Thielmann, “The Missile Gap Myth and Its Progeny,” Arms Control Association, https://www.armscontrol.org/act/2011-05/missle-gap-myth-its-progeny.


<table>
<thead>
<tr>
<th><strong>Single-Source</strong></th>
<th><strong>Sole-Source</strong></th>
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<tbody>
<tr>
<td>Only one supplier is able to provide the required capability</td>
<td>Only one supplier is qualified to provide the required capability*</td>
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<tr>
<th><strong>Fragile Supplier</strong></th>
<th><strong>Fragile Market</strong></th>
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<tbody>
<tr>
<td>A specific supplier is financially challenged or distressed</td>
<td>Structurally poor industry economics; potentially approaching domestic extinction</td>
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<tr>
<th><strong>Capacity-Constrained Supplier Market</strong></th>
<th><strong>Foreign Dependency</strong></th>
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<tr>
<td>Capacity is unavailable in required quantities or time due to competing market demands</td>
<td>Domestic industry does not produce the product, or does not produce it in sufficient quantities</td>
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<tr>
<th><strong>Diminishing Manufacturing Source and Material Shortages</strong></th>
<th><strong>Gap in U.S.-based Human Capital</strong></th>
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<tr>
<td>Product or material obsolescence resulting from decline in relevant suppliers</td>
<td>Industry is unable to hire or retain U.S. workers with the necessary skill sets</td>
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<tr>
<th><strong>Erosion of U.S.-based Infrastructure</strong></th>
<th><strong>Product Security</strong></th>
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<tr>
<td>Loss of specialized capital equipment needed to integrate, manufacture, or maintain capability</td>
<td>Lack of cyber and physical protection results in eroding integrity, confidence, and competitive advantage</td>
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*The difference between a single-source and a sole-source supplier is small, but important to the Pentagon. In the case of a sole-source supplier, there may be multiple firms that produce a product but the U.S. government has determined that it will only contract with one of the suppliers based on the quality of the product. Therefore, the U.S. government is regularly monitoring the qualifications of new suppliers in order to mitigate sole-source risks.18

The case of the FIM-92 Stinger anti-aircraft missile is emblematic of the state of the DIB in 2022. The Stinger was widely seen as a critical tool for Ukraine to defend against Russian aircraft in the early months of the conflict as it worked to slow the Russian advance. But by

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May of 2022, Raytheon, the primary manufacturer of the Stinger, cautioned that production of the missile would be difficult to restart, and that they were working on the time scale of multiple years. This is because production of the current Stinger model shut down in 2005, and hadn’t been scheduled to restart until a new, more advanced iteration is developed by the 2030s. Additionally, Raytheon claimed it was unable to simply restart production of the previous 1970s-era Stinger model due to stagnant assembly lines, a scarcity of specialized parts, and disrupted international supply chains, as well as obsolete parts and workforce issues.

Both the two DOD reports on the DIB and the CSIS investigation into industrial mobilization trace these risks to the consolidation of the military industry over the past three decades. The DOD itself contends that a competitive defense industrial base would spur innovation, incentivize lower prices, and yield improvements in quality, so increased industry competition would therefore alleviate concerns around some key areas discussed. The risk that a single or limited number of suppliers poses and the ensuing disastrous consequences should that supplier suddenly become unable or unwilling to complete a contract is not a surprise for the Pentagon. The U.S. defense industry has undergone severe consolidation since the early-1990s. In the past three decades, the industry has transformed from 51 to 5 prime contractors; “tactical missile suppliers have declined from 13 to 3, fixed-wing aircraft suppliers declined from 8 to 3, and satellite suppliers have halved from 8 to 4. Today, 90% of missiles come from 3 sources.” This story of industry consolidation across the past 30 years is relatively well-known, with then-Deputy Secretary of Defense William Perry’s infamous 1993 ‘last supper’ with the heads of the most prominent defense contractors serving as the starting point for the consolidation that would produce the five giants by the end of the decade. Interestingly, however, the February 2022 DOD report on the state of competition within the DIB further identifies the most recent five years as an additional timeframe to consider in regards to consolidation. In these years, the defense industrial base experienced further horizontal and vertical integration due to private equity roll-ups, a process in which a private equity firm purchases all the companies in the same market and subsequently merges them together.


Recent Congressional and Executive Actions to Strengthen the DIB

Concerns for the health of the U.S. defense industrial base and U.S. military readiness have not gone unheard on Capitol Hill and in the White House. Since both dimensions have come into the spotlight under the pressure of U.S. security assistance to Ukraine, a number of legislators and the Biden administration have taken action. In October, President Biden invoked the Defense Production Act to increase domestic U.S. arms production capacity for the purpose of replenishing U.S. military stocks depleted from the presidential drawdown authority used to supply the Ukrainian Armed Forces. Specifically, the action will guarantee private-sector loans for the purpose of expanding the domestic production of weapons. More recently, the FY2023 omnibus spending bill contains $45 billion in assistance for Ukraine, of which $11.9 billion will replenish U.S. military stockpiles and $9 billion will be added to the USAI.

The final legislative effort of significance is contained within the FY2023 National Defense Authorization Act which was passed by Congress and signed by President Biden in late December. The FY23 NDAA allows the Pentagon to purchase munitions through multi-year contracts to both supply Ukraine and replenish U.S. military stockpiles. The use of multi-year contracts guarantees demand over a longer timeframe for these munitions, thereby encouraging manufacturers to expand production. The Act also removes some bureaucratic barriers to Pentagon procurement processes by permitting non-competitive contracts for Ukraine-related contracts and waiving the requirement that contracts provide certified cost and pricing data.

Why These Actions Don’t Sufficiently Address the State of the DIB

How do these legislative and executive efforts compare to the analysis of the DIB provided by the DOD, GAO, and others? The guarantee of private-sector loans for the purpose of expanding domestic arms production and the $45 billion surge in funding for Ukraine will do little to alter the state of the defense industrial base other than direct more government funding to the DIB as it exists. This type of direct funding is certainly capable of increasing arms production in the short term, but will not address the overall health of the industrial base attributed to decades of corporate consolidation.

Department of Defense, 2/15/2022, p. 4.


Alternatively, the FY2023 National Defense Authorization Act will transform Pentagon procurement processes and thereby affect the state of the DIB. The two most significant changes to Pentagon procurement processes, multi-year contracts and non-competitive contracts for arms destined for Ukraine, both align with the interests of an increasingly consolidated defense industry. Commenting on these possible actions, Julia Gladhill of the Project on Government Oversight said they will further deteriorate the “already weak guardrails in place to prevent corporate price gouging of the military.”

If the health of the DIB can be strengthened by industrial deconsolidation, then these potential multi-year, non-competitive, multi-billion dollar military contracts will not only fail to sufficiently restore the DIB but perhaps further the trend of consolidation. The evidence for this is in the names of these types of contracts. Non-competitive contracts guarantee government funding will be directed to the largest firms before alternative suppliers have an opportunity to bid. Multi-year contacts make sure that the non-competitive contracts awarded in 2023 will not return to the docket anytime soon.

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<thead>
<tr>
<th>Item</th>
<th>Sent to Ukraine</th>
<th>FY23 NDAA</th>
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<tbody>
<tr>
<td>HIMARS</td>
<td>38</td>
<td>700, w/ 100,000 rockets</td>
</tr>
<tr>
<td>MGM-140 ATACMS missiles</td>
<td>0</td>
<td>1,700</td>
</tr>
<tr>
<td>Stinger anti-aircraft missiles</td>
<td>1,400</td>
<td>5,600*</td>
</tr>
<tr>
<td>Harpoon anti-ship missile systems</td>
<td>2</td>
<td>2,600</td>
</tr>
<tr>
<td>Kongsberg Naval Strike Missiles</td>
<td>0</td>
<td>1,250</td>
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*Congress has already provided $340 million in funding to manufacture 2,800 Stingers replacing the 1,400 sent to Ukraine.

An investigation into several budget line items of the FY23 NDAA, demarcated above, confirms this. Each of the specific pieces of equipment which the legislation seeks to replenish are funded magnitudes above what has been sent to Ukraine. Crucially, the items listed are described as only replacing the materiel sent to Ukraine, not to prepare the United States for a conflict with China. The outcome of the NDAA is abundantly clear. The U.S. military budget will grow by tens of billions of dollars while adjustments to Pentagon

28. Price gouging itself can also be a harm to US military readiness as the Pentagon is required to spend more on the same item, thus reducing the total number of items that can be purchased with the same budget; Joe Gould and Bryant Harris, “Lawmakers seek emergency powers for Pentagon’s Ukraine war contracting,” DefenseNews, 10/18/2022, https://www.defensenews.com/congress/2022/10/17/lawmakers-seek-emergency-powers-for-pentagons-ukraine-war-contracting/.

29. The data in the following figure originally comes from the following source, and has been updated from the text of the final text of the FY23 NDAA: Medea Benjamin and Nicolas J. S. Davies, “The U.S. Senate Is About to Pass a Bill Marking a Major Escalation in the Ukraine War,” The Progressive, 11/21/2022, https://progressive.org/latest/senate-bill-escalation-davies-benjamin-211122/.
procurement processes through non-competitive, multi-year contracts in the name of expediting aid to Ukraine will serve the interests of an increasingly consolidated DIB, which is likely responsible for the currently brittle defense base in the first place. Loosened industry regulations will only permit the dominant military contractors to horizontally and vertically integrate the industry further. A consolidated military industry is an increasingly brittle military industry. Whether or not these types of executive and congressional actions will allow the DIB to supply Ukraine with the arms in demand today, when the next conflict arises a more brittle, consolidated defense industrial base may be unable to appropriately respond to the circumstances.

**Conclusion**

Clearly, there appear to be valid reasons for the outpouring of concern for the state of the U.S. defense industrial base. But the question of whether the recent legislative and executive actions in the name of strengthening the DIB will actually achieve that goal is less apparent. If consolidation of the U.S. defense industry is at the root of the instability in the DIB, then the proposed actions will only serve to further that trend, weakening the defense industrial base in the long run. Regardless, the funding recently approved by Congress and the Biden administration to replenish U.S. military stockpiles constitutes a significant financial burden and needs to be weighed heavily by policymakers when considering further security assistance to Ukraine.

**Questions for Legislators**

- Why did the FY23 NDAA passed into law approve the replenishment of U.S. military stockpiles magnitudes beyond that which has been provided to Ukraine thus far?
- Does the United States truly need a military supplied with sufficient material to fight a two-front war against Russia and China while simultaneously supplying numerous partner forces around the globe at unprecedented levels?
- If one of the foremost causes for the weakening of the U.S. defense industrial base has been industry consolidation over the past 30 years, what are some policy options that don’t further that consolidation?