

THE JULY SUMMIT AND BEYOND: PROSPECTS FOR U.S.-RUSSIA NUCLEAR ARMS REDUCTIONS

HEARING BEFORE THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED ELEVENTH CONGRESS FIRST SESSION

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THE JULY SUMMIT AND BEYOND: PROSPECTS FOR U.S.–RUSSIA NUCLEAR ARMS REDUC- TIONS

WEDNESDAY, JUNE 24, 2009

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:02 a.m. in room 2172, Rayburn House Office Building, Hon. Howard L. Berman, (chairman of the committee) presiding.

Chairman BERMAN. The committee will come to order. I will yield myself 7 minutes for an opening statement. Our hearing today addressed one of the most important issues in the United States-Russia relationship: The future of efforts to reduce the nuclear arsenals of both countries. The touchstone of this effort is the first Strategic Arms Reduction Treaty (START I), which significantly reduced United States and Russian nuclear arsenals and included unprecedented transparency verification and data-sharing provisions.

It was a foundation of the United States-Russia post-Cold War relationship and heralded a new era in which nuclear armed missiles, submarines and bombers were being dismantled and destroyed. It seemed that both countries were beginning to emerge from the doctrine of mutually assured destruction in which security was measured in terms of the massive destruction that each could inflict upon the other.

This treaty, however, will expire in early December taking with it the carefully negotiated and detailed verification and inspection regime that has been so important in building trust and confidence between Moscow and Washington. In March, both President Obama and President Medvedev announced their joint intention to agree on the terms of a successor agreement to START I by July.

In April, President Obama restated his commitment that the U.S. will seek, “a new agreement by the end of this year that is legally binding and sufficiently bold, and this will set the stage for further cuts, and we will seek to include all nuclear weapon states in that endeavor.” This is a tall order, but one that so far both the United States and Russia seem willing to accomplish.

The Vice President has famously called for pressing the reset button in the United States-Russia relationship. This new treaty would do that in the arena of strategic nuclear arms reduction, but it is also a “placeholder” for the real nuclear arms reduction treaty to come. Given that this is the committee’s first hearing in quite

some time on these important matters, I think it is important to take a step back and review some of the fundamentals.

A first key question: Are reductions in United States-Russia and others' nuclear arsenals a good idea? With a few exceptions, nearly everyone agrees that fewer nuclear weapons makes for a better, more stable world. It is after all the basis of our nuclear non-proliferation policy. Significant unilateral reductions unanswered by Russia and other powers are probably unwise. But I am convinced that significant bilateral or multilateral deductions are in the U.S. national interest. I believe the only appropriate role for nuclear weapons is to deter the use of nuclear weapons by others.

There is no other reasonable real-world scenario I have seen that justifies any other mission. If you agree with this judgment, then the United States and Russia—and indeed other declared nuclear states—can drastically cut their nuclear arsenals. I can't fathom that a U.S. President would authorize the use of nuclear weapons against a non-nuclear threat, knowing that the consequence would be the crumbling of the entire nuclear nonproliferation regime.

Other states would rush to acquire nuclear arms, if for no other reason than to defend themselves against a United States willing to use such weapons against a state that has not used or even possessed them. While some argue that we may need to use nuclear weapons against chemical or biological threats or deep underground facilities—ignoring that the capabilities of advanced conventional weapons to do the same job is very strong—it would be irresponsible to ignore the impact of our first use of nuclear weapons on the long-term national security of the United States.

Our allies do attach great importance to the so-called United States “nuclear umbrella” of extended deterrence, and we need to be mindful of their interests. But there is no longer a Soviet Union and a Warsaw Pact, poised to send waves of tanks and infantry into western Europe. Nor do I believe that China will seek an empire in east Asia based on conventional conquests. In this context, it is also important to note that terrorist groups can't be deterred with a threat of nuclear retaliation.

Much of the debate about the use of nuclear weapons seems divorced from reality. It often seems that proponents of retaining larger stockpiles of nuclear weapons are casting about for any scenario however far-fetched, to justify higher numbers of nuclear weapons for their own sake.

Therefore, if the mission is really limited to deterring a nuclear attack, then both the United States and Russia should be able to reduce the number of deployed and reserved warheads significantly below the levels contemplated in the 2002 Moscow treaty, and lower than the levels reportedly contemplated in the START I successor agreement now being negotiated.

Second, I would argue that the retention of significant levels of nuclear weapons by the United States does harm our national security interests in other ways. The longer the nuclear weapons are seen as the hallmark of a Great Power, then the greater the incentive for other states to also pursue, acquire, and accumulate their own nuclear arsenals to attain the same recognition and influence.

There is probably not a hard linkage between reductions in the United States nuclear arsenal and the efforts by Iran, North Korea

and others to acquire a nuclear capability. But the U.S. retaining more weapons than it needs provides a useful pretext for these and other countries to argue that we are insisting on a double standard: That on the one hand we want to deny developing countries their right to peaceful nuclear energy as provided under the NPT, the Treaty on Non-Proliferation of Nuclear Weapons, but on the other hand, we are not upholding our commitment under the same NPT along with Russia, China, the United Kingdom and France to “pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.”

When other countries do not believe that the United States is serious about fulfilling this legal obligation, they are less inclined to support our nonproliferation activities. For them, the international nuclear nonproliferation regime is fundamentally discriminatory, and only serious progress on nuclear disarmament by the United States and Russia—who still possess approximately 95 percent of the world’s nuclear weapons—can reduce and eventually eliminate this discrimination.

That leads to the next question; is it a good idea to pursue legally-binding treaties on reductions and legally-binding verification provisions? I am going to do something I don’t usually do and yield myself an additional 2 minutes just because I have a lot I want to say about all this. That question, is it a good idea to pursue legally-binding treaties on reductions and legally-binding verification provisions? The last administration clearly thought the answer was no. They conceived of arms control as an exercise between enemies.

Once the Soviet Union dissolved, it was said, there was no longer a need for legally-binding arms controls agreement. However, the real objective seems to be that such agreements and their intrusive verification and monitoring provisions, needlessly constrain the flexibility of U.S. forces for other missions. As I have argued, I believe the need for such flexibility makes no sense when considering the appropriate role of nuclear weapons.

In 2002, the Bush administration concluded the Strategic Offensive Reductions Treaty, or SORT, but this agreement does not include any monitoring or verification provisions. The fact that the START I verification regime remained in force compensated for the lack of verification measures in the Moscow Treaty.

As we contemplate significantly lower levels of nuclear weapons, it is critical to have clear, intrusive and comprehensive verification and monitoring provisions to reassure both sides that the other is not seeking to retain a significant advantage in forces. And it becomes even more important to have the structure, commitment and clarity of a legally-binding agreement.

The final question: Is the goal of zero global nuclear weapons a good idea? One of our witnesses today, Dr. Perry, co-authored a landmark editorial with Senator Nunn, Secretary of State Kissinger and Secretary of State Schultz on a “World without Nuclear Weapons.” The President himself has recommitted the United States to the eventual objective of a world of zero nuclear weapons. I say, “recommitted,” because this goal is, as I have already noted, enshrined as the law of the land in the U.S. ratification of the NPT over 40 years ago.

How and when we get to zero is a fascinating subject and one we may address in a future hearing. There are a number of questions I hope we can touch on in this hearing, but I have gone on long enough. So I am not going to outline all of them. But a lot of them deal with this whole issue of how much verification and inspection will we need as we negotiate on these further treaties. With that, we have a great panel of witnesses, and Dr. Perry I know has to leave at noon today, so I am now going to yield to the ranking member. I would like to get right to the witnesses.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman, and thank you to the witnesses who are here with us, and thank you to the audience as well. Secretary of State Clinton has stated that renegotiating the START agreement with Russia before its expiration in December is the administration's highest priority. This self-imposed urgency places the United States at a significant disadvantage going into the negotiations as it is certain to be interpreted by Russia's leaders as a willingness by the United States to make significant concessions in order to reach a deal.

Moscow's highest priority is to place limits on our missile defense programs. A second objective is to impose significant reductions on key conventional capabilities such as our non-nuclear cruise missiles launched from submarines. Experts on Russian behavior and policies point to the frequent statements from Russian leaders that they are pleased with the progress to date in the closed negotiations as an indication that Russia is making headway in securing concessions from the United States on these and many other important issues.

The United States has already indicated that our planned deployment of ground-based missile defense components in Europe is on the table. But a retreat on missile defense in Europe would set a dangerous precedent for similar restrictions worldwide and would ensure that the American people remain vulnerable to nuclear ambitions by others. In fact, North Korea is believed to be planning to launch its next missile at Hawaii.

This possibility is regarded by the Pentagon as sufficiently serious that Secretary Gates has quickly beefed up our missile defenses there. This retreat from European missile defense would also put our forces abroad and other critical allies such as Israel and Japan in peril from countries such as Iran and North Korea whose increasingly capable missiles are being prepared to carry nuclear and other unconventional weapons' payloads.

Arms control for arms control's sake is what appears to be guiding these negotiations, and it simply does not work. As Ronald Reagan demonstrated, it is only when the U.S. negotiates from a position of strength that true reductions in the weapons that actually threaten us are possible. Protecting our population from destruction is a strength, not a weakness, and it should not be negotiated away for a piece of paper filled with Russian promises.

The Russians know that our deployment in Europe of defenses against Iranian missiles cannot be used against them. It is a phony argument that they are using to demonstrate to their former subject nations in Central and Eastern Europe that Moscow still exercises a veto over their foreign policies and security measures. As for the unnecessary limits on our conventional weapons system,

such as cruise missiles and bombers, Moscow is claiming that because these could be used to deliver nuclear weapons, even though they have never been configured for that purpose, they must be limited also.

This is absurd, and we would be foolish to accept this limitation on our conventional weapons capabilities worldwide. There is yet another consideration that needs to be raised, namely what the new limits on the United States strategic arsenal under a binding treaty with Russia might mean for our security in the future if China decides to deploy a vastly expanded strategic arsenal. There are some who say that the U.S. does not need to be concerned about this scenario.

After all, they say, China has a very small number of intercontinental ballistic missiles. But as the Department of Defense and others have warned, China is steadily building, testing and deploying a strategic missile force and laying the foundation for a major buildup in the future. Given the opaque nature of Chinese military planning and operations, there can be no guarantee that Beijing will not choose to directly challenge us.

It has already built a massive missile force aimed at Taiwan that not only poses an increasing threat to that nation, but also to the U.S. military forces pledged to its defense. I will soon be introducing a resolution that calls on the President to ensure that any agreement with Russia on strategic arms does not leave us unable to defend ourselves against a strategic buildup by China or any other country.

I also recently reintroduced House Resolution 319 expressing strong support for our continued missile defense efforts in Europe. I know that concerns about conceding to Russia on missile defense has been at the heart of the discussions in the Armed Services Committee, particularly during committee consideration of the Defense Authorization Bill that is on the House floor this week.

I would like to state my strong support for an amendment being offered by Mr. Turner to prevent funding for the implementation of any reductions in our strategic nuclear forces that may result from a treaty between the United States and Russia unless the President certifies that the treaty does not place any limits on our missile defense system. This amendment has bipartisan support on the Arms Services Committee.

I strongly urge my colleagues on this committee to vote for this amendment and thereby ensure that the American people are not forced to live under the threat of a nuclear attack. This amendment is at the heart of our hearing today, Mr. Chairman. Why is the United States prepared to trade our defenses based on the promise of potential Russian cooperation on other issues?

That is the question I pose to our witnesses today for, as it currently stands, it appears that the United States has learned nothing from Russian duplicity, from its ongoing activities that threaten vital U.S. security interests and our allies. Mr. Chairman, I have a series of constituent meetings in the side room. I will be scooting in and out, but I would like to ask Mr. Rohrabacher if, in my absence, he would be a ranking member, and he does it so well.

Mr. ROHRABACHER. But of course.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman.

Chairman BERMAN. Thank the gentlelady. And the time of the gentlelady has expired and now I would like to introduce the witnesses. As I said earlier, we have an expert panel with us today.

Secretary William Perry is the Michael and Barbara Berberian Professor at Stanford University, joint appointment at the FSI in the School of Engineering. He is on the board of directors of LGS Bell Labs Innovations, and several emerging high-tech companies. He is the chairman of Global Technology Partners.

Secretary Perry was this country's 19th Secretary of Defense, serving from February 1994 to the beginning of 1997. He previously served as Deputy Secretary of Defense and as Under Secretary of Defense for Research and Engineering. Secretary Perry recently served as chairman of the Congressional Commission on the Strategic Posture of the United States. This commission issued its final report in May and includes recommendations pertaining to the size and mission of the U.S. nuclear arsenal.

Ambassador Thomas Graham, Jr. is the executive chairman of the board of Thorium Power, a U.S.-funded company that conducts research on nuclear power fuel. He is also the chairman of the board of the Cypress Fund for Peace and Security, a charitable foundation established to provide long-term support to selected arms control, nonproliferation, and conflict resolution NGOs. Ambassador Graham has served as a senior U.S. diplomat involved in the negotiation of every major international arms control and nonproliferation agreement during the period from 1970 to 1997.

Dr. Keith Payne is president and co-founder of the National Institute for Public Policy, a non-profit research center located in Fairfax, Virginia. He is also head of the Graduate Department of Defense and Strategic Studies at Missouri State University. Dr. Payne served in the Department of Defense as Deputy Assistant Secretary of Defense for Forces Policy. In this position, he was the head of the U.S. delegation in numerous ally consultations and in Working Group 2 negotiations on BMD Cooperation with the Russian Federation.

Gentlemen, we are really pleased to have you here. And why don't we, Secretary Perry—Dr. Perry, why don't you lead off?

STATEMENT OF THE HONORABLE WILLIAM J. PERRY, MICHAEL AND BARBARA BERBERIAN PROFESSOR, STANFORD UNIVERSITY (FORMER SECRETARY OF DEFENSE)

Secretary PERRY. Thank you very much.

Chairman BERMAN. Is the microphone button there?

Secretary PERRY. How is that? Now is that better? Thank you. I am pleased to testify to this committee on future prospects for strategic arms control, and I must say I am honored to testify along with my respected colleagues, Keith Payne and Tom Graham.

I am going to do this by summarizing the relevant findings of the Congressional Commission on Strategic Posture, which I chaired along with Jim Schlesinger as the vice chair and the relevant findings of the Council on Foreign Relations Task Force, which I co-chaired along with Brent Scowcroft and the conclusions I reached from four different visits to Russia these past 6 months, so those are going to be the three inputs to my testimony today.

I am going to begin by relating findings of the commission and the task force to the emerging administration policy as it has been expressed by President Obama in his speech in Prague in April. First of all, the President said we are faced with an emerging threat, nuclear proliferation and nuclear terrorism, but he said we must continue to hedge against the possibility of the resurgence of an old threat. The commission and the task force strongly agree with that assessment.

Secondly, the President said that the NPT, the Nuclear Non-Proliferation Treaty, is critical to dealing with the new threat, and the United States must work to strengthen the NPT and prepare carefully for the NPT review that comes up next year. Both the commission and the task force agreed with that finding of the President. Third, the President said that success in preventing proliferation depends on cooperation from all nations, especially the other nuclear powers, and getting that full cooperation entails progress in disarmament by the United States and Russia.

The commission and task force both agree, though I must say some of the members thought the link between those two points was weak, whereas others thought it was strong. All agreed that the link existed. The fourth very important point on missile defense, the commission said that we should move forward on missile defense in Europe as long as the threat from Iran persists and that we should seek to find some way of cooperating on this with the Russians, who are after all threatened by the nuclear missiles in Iran at least as much as we are.

The commission agreed with those findings. There are some differences in commission members on the relevant emphasis to put on missile defense, but we all agreed on a basic finding that we should move forward, and we should seek to find cooperation with the Russians. Fifth, he talked about the civilian nuclear programs and argued we should get the loose fissile material under control and find a new international framework to discourage enrichment and processing.

Again, both the commission and the task force agreed on those points. The President said we should seek a world without nuclear weapons. Therefore, we should seek in the meantime to reduce the number and salience of nuclear weapons, but he said as long as nuclear weapons exist, we need to maintain a safe, secure and reliable deterrence. All of the members support his statement about maintaining deterrence and all of them supported reducing the numbers of nuclear weapons provided it was done bilaterally.

Some in the commission did not believe that a world without nuclear weapons is feasible, and a few of them thought even if it is feasible, it is not desirable, so our commission is split on that aspect of the President's statements. The President said quite explicitly we should seek new treaties, a START follow-on treaty and the Commission and the Task Force both agreed on the desirability seeking a new START treaty.

On the fissile material cutoff treaty again both agreed. The President said he would seek ratification of the Comprehensive Test Ban Treaty. I strongly agree with that conclusion. Indeed, I believe the United States cannot assume leadership in proliferation if we do not ratify this treaty. The counsel on Foreign Relations Task Force

also agreed with that finding that we seek ratification of the CTBT. The commission on the other hand split right down the middle on that.

About half of us agreed with that finding, and the other half disagreed, and in the commission report, we spelled out our reasons for the agreement and disagreement on that point. Let me go back to the finding on START, the follow-on START, since that is an important and immediate issue that we are facing. In the commission report, we recommended approaching strategic arms reduction in a two-stage process. The first stage desirably completed before the expiration of the old START treaty, which is going to be this December.

Therefore, the commission very clearly and explicitly said keep it simple and keep it modest. Do not try to make big reductions. Do not try to move forward with bold new ideas. Keep it simple and modest. The second phase is going to involve difficult issues. I will talk a little bit about those. Those are going to take much longer and be much more controversial. We went on to observe that the Strategic Posture Commission should inform both the administration and the Congress on the nuclear posture review, which is now in preparation.

The nuclear posture review should inform the arms control strategy. Indeed, I believe that is happening. The first phase of the nuclear posture review as I understand it is focused on the near-term treaty and that part of the nuclear posture review is essentially finished. The second stage of the nuclear posture review will be focused on the longer term and more difficult arms control issues, and that process is just getting under way.

A broader arms control strategy should consult with allies and with friends, especially those covered by extended deterrence. I want to make a major point that our commission put a major effort into this, had many meetings with allies, and their views are clearly reflected in our report, and we understand that this consultation is already under way in the administration.

The Strategic Posture Commission said that we needed a safe, secure and reliable deterrent and extended deterrent and recommended in some detail what the administration had to do to sustain that deterrence. We understand that those recommendations have been received quite positively by the administration and are basically a fundamental input to that portion of the nuclear posture review as it is being prepared.

Now, on the second issue, which is my contact with the Russians, I had an excellent opportunity to see how these issues are regarded by the Russians. I have made four recent trips to Moscow, the most recent of which I just returned from. I have talked with a number of Russian technical experts, a number of Duma members, key government leaders including the President, the foreign minister and the national security advisor.

Now, I might say parenthetically I have maintained a dialogue on security issues with Russian colleagues for 30 years, and during the time I was Secretary of Defense, I worked very closely with the Russian Government in the dismantlement of nuclear weapons in the former Soviet republics under the so-called Nunn-Lugar Program.

Nevertheless, I had stopped visiting Russia in 2007 and 2008 because I felt the relations between our two countries had become so strained that a constructive dialogue had become impractical, but this February at a security conference in Munich, Vice President Biden said it was time to press the reset button on United States-Russian relations. Many predicted, in fact I thought myself, that the Russians would react to that with cynicism or with skepticism.

I had an opportunity to test this first-hand in March, when I visited Moscow, by a meeting chaired by former Prime Minister Primakoff and Former Secretary of State Henry Kissinger. The highlight of this meeting was a discussion with President Medvedev. He was preparing for the upcoming London meeting with President Obama, and I had the impression that he used his discussions with us to sort of test market what he was planning to say to President Obama.

He told us unequivocally that he supported the long-term goal of eliminating nuclear weapons, and he said that Russia was anxious to resume serious arms control discussions with the United States with the immediate goal of negotiating a follow-on treaty to START and to SORT. He believed that such a treaty could and should be completed before START expired in December. Based on his comments and my general impression of President Medvedev, I was confident that our two Presidents would have a positive and constructive meeting.

Indeed, that confidence was justified by the summit meeting in April, and I believe it will continue to be justified next month at the summit meeting in Moscow. Nevertheless, and now let me give you the other side of this based on my discussions with Russians, there is every reason to be concerned about whether we will reach agreement with Russians on arms treaties that follow on to START. The Russians are strongly opposed to a BMD system in Eastern Europe.

They believe that the counting rules agreed to on SORT are disadvantageous to them, and they have not agreed to include non-strategic nuclear weapons in which they have a large numerical advantage. All of these are very important and very critical issues. I believe that these issues will not prove to be a barrier to the START follow on being negotiated this year. I can see a suitable compromise being worked out for the counting rules for START follow on, and I believe that both sides will agree not to consider non-strategic nuclear weapons this year.

However, these will be very difficult issues in any follow-on agreement. On balance, I believe that we can negotiate this year a START follow on that is compatible with our security, but that in doing so, both sides will defer to future negotiations issues too difficult to resolve at this time, and I believe that is the right approach. Thank you, Mr. Chairman.

[The prepared statement of Secretary Perry follows:]

Testimony to House Foreign Affairs Committee

Nuclear Strategic Arms Control

William J. Perry 24 June, 2009

I have been asked to testify to this committee on the future prospects for strategic nuclear arms control. I will do this by summarizing the relevant findings of the Congressional Commission on the Strategic Posture of the United States which I chaired along with Jim Schlesinger, the relevant findings of a CFR Task Force, which I co-chaired, along with Brent Scowcroft, and the conclusions I reached from four different visits to Russia these past six months. I will begin by relating findings of the Commission and the Task Force to the emerging administration policy in this field as expressed by President Obama in his April speech in Prague.

The President said that the US faced growing threats from nuclear proliferation and nuclear terrorism, but that we must continue to hedge against the possibility of a resurgence of old threats. The Commission and the Task Force agreed with that assessment.

The President said that the Nuclear Nonproliferation Treaty (NPT) and the International Atomic Energy Agency (IAEA) would be critical tools in dealing with the emerging threats, and that the US apply more resources to the IAEA, work to strengthen the NPT and prepare carefully for NPT review conference in 2010. With regard to the IAEA, the Commission specifically recommended that the US provide stronger political, financial and technical support to the IAEA to enhance its capabilities to perform its unique and vital mission.

The President said that success in preventing proliferation would require the cooperation of all nations and that getting their full cooperation would entail meaningful progress in nuclear disarmament between the US and Russia. The Commission and Task Force agreed, but some members thought that link was strong and others thought it was relatively weak.

The president said that the US should move forward with the European missile defense system as long as an Iranian missile threat persisted, and that we should seek to find a way of cooperating on missile defense with Russia. The commission agreed. More specifically, the Task Force urged a delay in deploying missile defenses to Europe until the system has been proven but also recommended the system be linked to evolving assessments of the ballistic missile threats from Iran and North Korea.

The president declared that this administration seeks a world without nuclear weapons, and would work for it. He said that it would take a very long time to achieve this goal, but, In the meantime, we should seek to reduce the numbers and the salience of nuclear weapons. He also clearly stated as long as any nation had nuclear weapons the US would maintain safe secure and reliable nuclear forces that provided both deterrence and extended deterrence.

The Commission and the Task Force supported the commitment to maintain deterrence forces as well as the commitment to reduce the salience and numbers of nuclear weapons provided that the reductions were done bilaterally. But about half of the Commission members did not support the nuclear elimination goal. Some thought that such a goal was not feasible. A few thought that even if it was feasible it was not desirable.

The President said that he would seek to have the CTBT ratified. I agree with that goal; indeed I believe that if the US does not ratify CTBT that we will be unable to provide the necessary leadership in curbing proliferation. The Task Force also endorsed this goal. However the Commission members split 50-50 on whether this was desirable. The Commission prepared the pro and con views for ratification in its final report. However, the Commission did agree on steps the Administration should take to prepare the way for Senate re-consideration of the treaty.

The President also said that the US would seek to negotiate a follow-on START treaty and a Fissile Material Cutoff Treaty. Both the Commission and the Task Force agreed with those goals.

The Commission discussed new strategic arms agreements in some detail, saying that the US should proceed in stages. The first stage could be completed before expiration of the START treaty in December if the US pursued modest objectives and kept it simple. Additional strategic arms treaties would necessarily involve very difficult issues, would take longer, and be much harder to reach agreement.

The Commission was formed by the Congress to inform the administration and the Congress on strategic issues entailed in the NPR now under preparation. Additionally, the NPR should inform the administration and the Congress on the nation's arms control strategy. I believe that this is, in fact, in process. The first phase of the NPR, which focused on actions that would affect the near-term treaty, is essentially finished. The second phase, which will focus on longer term and more difficult arms control issues, is just getting underway. It is also important in considering the more comprehensive arms control strategy, that the US should consult with allies and friends, especially those covered by extended deterrence. The Commission put a major effort in meeting with allies and seeking to understand their views, and their views are clearly reflected in the Commission's report. I understand that the administration already has such consultations underway.

The Commission made a number of substantial recommendations on the programs necessary to maintain safe secure and reliable deterrence forces. I have been briefed by senior officials in the DOD and DOE and am pleased to hear that the Commission's recommendations in that respect are being received positively by the administration and have been a fundamental input to the NPR.

I have had an excellent opportunity to see how these issues are regarded by the Russians, since I have made 4 trips to Moscow in the last 6 months, the most recent of which I returned from two days ago. I have talked with a number of Russian technical experts, a number of Duma members, and key government leaders, including the

President, Foreign Minister, and National Security Advisor. Besides these recent meetings, I have maintained a sustained dialog on security issues with Russian colleagues for almost 30 years, and, during the time I was Secretary of Defense, worked very closely with the Russian government in the dismantlement of nuclear weapons in the former Soviet republics under the Nunn-Lugar program. Nevertheless, I had stopped visiting Russia in 2007 and 2008 because I felt the relations between our two countries had become so strained that a constructive dialog had become impractical. But this February, at a security conference in Munich, Vice President Biden said that it was time to "press the reset button" on US-Russia relations. Many predicted that the Russians would react to that with cynicism or skepticism. But I had an opportunity to test this first hand in March when I visited Moscow for a meeting chaired by former PM Primakov and Henry Kissinger. The highlight of this meeting was a discussion with President Medvedev. He was preparing for his upcoming London meeting with President Obama, and I had the impression that he used his discussions with us to "test market" what he planned to say to President Obama. He told us that he supported the long-term goal of eliminating nuclear weapons. And he said that Russia was anxious to resume serious arms control discussions with the US, with the immediate goal of negotiating a follow-on treaty to START and SORT. He believed that such a treaty could and should be completed before START expired in December. Based on these and other comments, I was confident that our two presidents would have a constructive dialog. Indeed, that confidence was justified by the summit meeting that the two leaders had in London in April, and I believe that it will continue to be justified next month at the summit meeting in Moscow.

Nevertheless, there is some reason to be concerned about basically different perspectives between the US with Russia on nuclear arms treaties. They are strongly opposed to our ballistic missile defense system in Eastern Europe; they believe that the counting rules agreed to in SORT are disadvantageous to them, and they have not agreed to include non-strategic nuclear weapons, in which they have a large numerical advantage. I believe that these issues will not prove to be a barrier to the START follow-on treaty being negotiated this year; I can see a suitable compromise being worked out for the counting rules, and I believe that the both sides will agree not to consider non-strategic nuclear weapons this year. However, these will be very difficult issues to resolve in any follow-on agreements. On balance, I believe that we can this year negotiate a START follow-on treaty compatible with our security, but that in doing so both sides will decide to defer to future negotiations issues too difficult to resolve at this time. I believe that is right approach.

Chairman BERMAN. Thank you very much, Secretary Perry. Ambassador Graham?

STATEMENT OF THE HONORABLE THOMAS GRAHAM, JR., EXECUTIVE CHAIRMAN OF THE BOARD, THORIUM POWER LTD. (FORMER SPECIAL REPRESENTATIVE TO THE PRESIDENT FOR ARMS CONTROL, NON-PROLIFERATION, AND DISARMAMENT, AND LEGAL ADVISOR TO SALT II, START I AND II)

Ambassador GRAHAM. Thank you, Mr. Chairman. It is an honor to appear before you and the members of this very important committee. I have been here a number of times in the past, and it is always a pleasure to return. I will try hard to keep my comments to 5 minutes as I have been advised, so I will summarize the statement that I have already submitted.

The Nuclear Non-Proliferation Treaty is the most important international security instrument that we have. President Kennedy was convinced that nuclear weapons were going to sweep all over the world. There were predictions during his time that there could be as many as 25 nuclear weapon states with nuclear weapons integrated into their arsenals by the end of the 1970s. If that had happened, likely there would be more than 40 today.

If that had in fact happened, the security situation would have been far, far different from what we face now, but it didn't happen. It didn't happen largely because of the entry into force of the Nuclear Non-Proliferation Treaty in 1970 and the associated extended deterrence policies of the United States and the Soviet Union. In actuality, there have only been four additional countries beyond the original five that have acquired nuclear weapons.

Two were virtually there in 1970, Pakistan came later and North Korea, well, they did whatever they did, but apparently they do have some weapon capability. But the treaty is based on a central bargain, a basic bargain, which is that most of the world agrees not to have nuclear weapons, and the nuclear weapon states agree that they will share peaceful nuclear technology and that they will pursue disarmament measures aimed at the eventual elimination of their nuclear stockpiles, most importantly a nuclear weapon test ban and reductions in nuclear weapons.

The nuclear weapon states unfortunately have never truly lived up to their side of this bargain, that is the disarmament obligations, and now the other side of the bargain is starting to fall apart with the Iranian nuclear weapon program, the apparent objective of North Korea to become a nuclear weapon state and expanding nuclear weapon arsenals in India and Pakistan. So the NPT is in crisis, and it is our most important agreement as I said. Some believe that soon there could be a new wave of proliferation seriously damaging the NPT even further.

If these experts are correct, United States and Russian close cooperation is essential to stopping it. There is no other way it can happen. Between these two states, we have 95 percent of the nuclear weapons in the world. We have cooperated in the past for many years with Russia, and it is important that this cooperation resume, which it really does not right now. But some say, is such cooperation possible?

A Russian official might say well, after 9/11, we gave you support. President Putin was the first international leader to call President Bush. We opened our bases in Central Asia. We provided logistical support to the Northern Alliance, and what happened?

The United States withdrew from the ABM Treaty. That was a treaty that was important, as we saw it, to our strategic stability, and now there is proposed deployment of U.S. missile defenses near our border. NATO continues to expand into the Baltics. There are efforts to bring Ukraine into NATO apparently against a majority of their population. Then, there was the war in Georgia last summer, competing narratives. Russia is seen as the aggressor by some. Georgia is seen as recklessly trying to convert Ossetia into part of Georgia contrary to negotiations and a standstill had been in existence for a long time.

In any case, the truth may be somewhere between those two extremes, but the result of that has been to cancel the U.S.-Russia nuclear cooperation agreement, which was many years in the development.

Russia is the most important international relationship that we have, and we must try to understand the world from the Russian point of view. The START treaty expires by its terms in December unless renewed, but there is a strong view that the levels should be reduced, and the new counting rules negotiated and the treaty verification system modified to reflect the effect of the new counting rules.

From the very beginning of the START process, the Russians have linked the START process to antiballistic missile defense. When START I, the current treaty was negotiated, the Russian negotiator made a statement that said in effect we will only observe this treaty as long as the ABM Treaty exists. The follow-on treaty, START II, which never came into force. When the U.S. withdrew from the ABM Treaty, Russia withdrew its ratification of START II that would have reduced the START I levels by 50 percent.

Just the day before yesterday, President Medvedev said that there will be no new START treaty unless U.S. deployments in Europe are canceled, and then he went on to say in any case, the relation between strategic offensive arms and defensive weapons needs to be spelled out in the treaty.

It may be the case, I am not saying that it is, but I am saying it might be the case that the Russians will not go ahead with a new START treaty unless they believe in some way, whether it is a comment at the negotiations or whether it is in writing, that there will be no further NATO expansion in the foreseeable future, and that the U.S. will not deploy ABM systems in Eastern Europe.

If we want this agreement with the Russians, and if we want to have the kind of cooperation with Russia that is essential to preventing further nuclear weapon proliferation, then we are going to have to think very seriously about the proposed ABM deployments in Eastern Europe.

Then, I might add that President Obama said in Prague that first we would have a START agreement, and then we, the United States and others, would move on to multilateral nuclear weapon negotiations ultimately aimed at zero nuclear weapons, but 1,500 strategic nuclear weapons under a follow-on START treaty are a

long way from the levels that the other nuclear weapon states have. There is no other nuclear weapon possessing state, I believe, that has more than 500 total weapons, so their reserve weapons of the United States and Russia and the Russian tactical weapons, so, it looks to me as though we are going to have to have many years of the bilateral START process before we can get to the multilateral phase. And that phase itself, once we get there years in future, will be very complicated because it will involve the British, French and Chinese as well as Israel, Pakistan and India. North Korea, one would assume, would give up their program, but we need to proceed that way because time is not on our side. If the objective of zero nuclear weapons is every to be seriously contemplated as advocated by the four statesmen, one of whom is here, former Secretaries of State George Schultz and Henry Kissinger, former Secretary of Defense William Perry and former Senator Sam Nunn, this multilateral phase must begin not too far off in the future. So a long road toward zero lies ahead, and we need to proceed because time is not on our side. Thank you, Mr. Chairman.

[The prepared statement of Ambassador Graham follows:]

Ambassador Thomas Graham, Jr.
Executive Chairman, Thorium Power Ltd.
Arms Control, Nuclear Nonproliferation, Russia and the United States
The START Process
Committee on Foreign Affairs, U.S. House of Representatives
Washington DC
June 24, 2009

Arms control is not new. At the Second Lateran Council, which was convened in 1139 A.D., Pope Innocent II outlawed the crossbow, declaring it to be "hateful to God and unfit for Christians." The crossbow was later overtaken in effectiveness by the English longbow. The crossbow and the longbow were then eclipsed by the destructive firepower of the cannon. The Church also banned the rifle when it appeared, but military technology continued to develop over the centuries, and diplomacy and arms control efforts could not keep pace. However, the relationship between weapons technology and arms control changed forever with the advent of the atomic bomb in 1945. Now, for the first time, humanity possessed a weapon with which it could destroy itself, which in the interest of the survival of our planet called for the control of these weapons by an international legal regime.

During the Cold War and thereafter, the United States built some 70,000 nuclear weapons, the Soviet Union around 55,000, and at the peak the United States had 32,500 weapons in its stockpile, the Soviet Union some 45,000. And there was a perceived risk that these weapons might simply spread all over the world. During the Kennedy Administration there were predictions that there could be in the range of two dozen nuclear weapon states, with nuclear weapons integrated into their national arsenals by the end of the 1970's. President Kennedy in response to a reporter's question in March of 1963 said "...personally I am haunted by the feeling that by 1970...there may be 10 nuclear powers instead of 4, and by 1975, 15 or 20... I regard that as the greatest possible danger and hazard."

If such anticipated proliferation had in fact happened, there could indeed be significantly more than two dozen nuclear weapon states in the world today. Mohamed El Baradei, the Director General of the International Atomic Energy Agency, expressed this concern in 2004 when in a speech in Washington DC, he said, "The danger is so imminent...not only with regard to countries acquiring nuclear weapons

but also terrorists getting their hands on some of these nuclear materials- uranium or plutonium.” Director General El Baradei said in another speech around the same time that more than 40 countries now have the capability to build nuclear weapons. Thus, under such circumstances with this many nuclear weapon states, potentially every significant conflict could have brought with it the risk of going nuclear, and it might have become extremely difficult to keep nuclear weapons out of the hands of terrorist organizations, they would have been so widespread.

However, the nuclear weapon proliferation so rightly feared by President Kennedy did not happen. Indeed since 1970 and the entry into force of the Nuclear Nonproliferation Treaty (NPT), at least until now, there has been very little nuclear weapon proliferation. In addition to the five nuclear weapon states recognized by the NPT- the United States, Britain, France, Russia and China, three states, India, Pakistan and Israel and perhaps North Korea have built nuclear weapon arsenals- but India and Israel were already well along in 1970. This is far from what President Kennedy feared.

But the success of the NPT was no accident. It was rooted in a carefully crafted central bargain. In exchange for a commitment from the non nuclear weapon states (today more than 180 nations, most of the world) not to acquire nuclear weapons and to submit to international safeguards to verify compliance with this commitment, the NPT nuclear weapon states pledged unfettered access to peaceful nuclear technologies and undertook to engage in nuclear disarmament negotiations aimed at the ultimate elimination of their nuclear arsenals. It is this basic bargain that for the last three decades has formed the central underpinnings of the international non proliferation regime. A very important part of the basic bargain was the undertaking by the nuclear weapon states, primarily the United States and the Soviet Union to drastically reduce their nuclear arsenals.

The NPT is a strategic international political bargain, it is not a gift from the non-nuclear weapon states. But few today deny that the NPT is in crisis. The nuclear weapon states have never truly lived up to their nuclear disarmament obligations contained in their side of the basic bargain. And now the other side of the basic bargain is beginning to come apart with North Korea’s quest to become a nuclear weapon state and the nuclear weapon program in Iran conducted under the guise of a peaceful program and likely influenced by the expanding nuclear weapon arsenals in India and Pakistan. The question is how long can it remain viable as an unbalanced treaty with one-half of its basic strategic bargain unrealized and the other half unraveling. It is true that the norm of nonproliferation runs deep after forty years. It may be that the NPT can limp along for some years with only limited further proliferation

or maybe not. It may be that the world community is on the verge of a new wave of proliferation, there are a number of experts who think so, and it will take a strong NPT regime to prevent it. But also it will take close U.S.-Russian cooperation to prevent further nuclear weapon proliferation. Our relationship with Russia is the most important international state to state relationship that we have. The Congress should keep this in mind when it debates further NATO expansion to include states that once were a constituent part of the Soviet Union. We must take care to try to understand the way Russia sees the world and not drive the one state essential to the U.S. objective of a peaceful and stable 21st Century into a corner.

Indeed essential to success in reviving and strengthening the NPT is a U.S.-Russia relationship that permits extensive cooperation toward this goal, yet we remain in a partial Cold War situation. Senator Sam Nunn in an article in the Financial Times in December 2004 pointed to the serious danger that exists as a result of the fact that fifteen years after the end of the Cold War the United States and Russia still maintain, on fifteen minutes alert, long range strategic missiles equipped with immensely powerful nuclear warheads capable of devastating each other's societies in thirty minutes. Senator Nunn said in his article that then current United States nuclear weapon policies (which have not essentially changed in this regard) which in effect rely on the deteriorating Russian early warning system continuing to make correct judgments as it did during the Cold War "risks an Armageddon of our own making."

If it is a correct judgment that the world is moving toward the beginning of a new wave of proliferation and that United States-Russia close cooperation is vital to prevent this from happening, it should be recognized that many believe such cooperation is not possible at this time. Underlying Russian anxieties and resentments could be based on the fact that, President Putin was the first world leader to call President Bush and against the advice of some advisors he agreed to open Russian bases in Central Asia on a temporary basis to American forces and provide heavy logistical support to the Northern Alliance in Afghanistan to ease the American burden. And what was our response? An American request to keep the bases permanently; U.S. withdrawal from the ABM Treaty, considered integral to strategic stability by Russia, as well as proposed deployment of U.S. missile defenses near the Russian border; refusal to make the 2002 Treaty of Moscow a real Treaty rather than just an exchange of statements much to President Putin's embarrassment; NATO expansion into the Baltics; Western efforts to pull Ukraine into NATO despite the wishes of a majority of its population thereby challenging core Russian security interests; and the invasion of Iraq over strong Russian objections. It is noteworthy that should

Ukraine become part of NATO, the Russian leased base at Sevastopol, home to its Black Sea fleet, would be within NATO territory, further threatening Russian security and being sort of a super Guantanamo in reverse.

And then there was the war last summer between Russia and Georgia and the subsequent putting aside by the United States of the U.S.-Russia Agreement for Nuclear Cooperation which has been many years in development and was nearly complete. After the United States, the Russian Federation is the world's most advanced nuclear state, it is remarkable that the United States has no agreement with Russia permitting nuclear cooperation and commerce.

And while the war last summer was portrayed in the Western media as an act of naked Russian aggression another side of the conflict has emerged. The dominant initial story was that a resurgent Russia had without provocation launched the attack- or perhaps set a trap for Georgia to shoot first and then begin a major onslaught. The objective of the Russian aggressor it was said was to crush a small, peaceful state that had been liberated from the Soviet Union and had simply been trying to build a Western democracy. Slowly, later another story emerged of a Georgian leadership seeking by a fast maneuver to achieve a de facto integration of Ossetia that years of negotiation had failed to achieve and that violated a long-standing cease fire. This matter has had a significant impact on how the world views Russia, but the full truth has perhaps still not yet emerged.

So in considering further NATO expansion to include Ukraine and Georgia, this issue must also be viewed in the light of U.S.-Russia relations and the long term United States national security interest. Do we want to risk driving Russia into a corner by bringing the Western military alliance even beyond their doorstep? The well being of the people of Ukraine and Georgia is highly important and of great interest to the United States but so is reducing worldwide nuclear dangers and the achievement of a peaceful stable 21st Century world. To gain the requisite Russian cooperation, U.S. policies must be different from those of the last Administration.

As said the START process is an important part of the NPT bargain, deeply significant for the U.S.-Russia relationship and for world peace and security. Between the two countries, the United States and Russia possess 95 percent of the nuclear weapons in the world. During the Cold War, the strategic nuclear arms limitation and later reduction process was the primary means of communication between the two thermonuclear antagonists. Outside events, no matter how significant, such as the U.S. B-52

bombing of Hanoi during the Vietnam War when the Russian premier was visiting that city, was never allowed to interfere with this process.

The Reykjavik Summit between President Ronald Reagan and General Secretary Mikhail Gorbachev established the principle of intrusive on-site inspection to verify arms control agreements. Among other positive developments, this opened the door to the conclusion of the Strategic Arms Reduction and Limitation Treaty, the START Treaty, some five years later. This Treaty reduced the strategic nuclear armaments of the two Parties to 6,000 warheads attributed to strategic nuclear weapon systems nuclear armed intercontinental ballistic missiles (ICBMs), submarine launched ballistic missiles (SLBMs), strategic bombers and long range cruise missiles for each country. The START Treaty entered into force in December 1994 after each party had completed the requisite on-site verifiable reductions to reach the level of 6,000 strategic weapons. These reductions in nuclear weapons were accomplished pursuant to an extremely elaborate and highly intrusive verification system which ran into some 250 pages of treaty text and was a truly major achievement of U.S.-Russian cooperation. The treaty was drafted to last for 15 years, after which it could be extended by an exchange of notes of the parties for a five year period and thereafter for successive five year periods. The Treaty was negotiated with the Soviet Union and signed shortly before the dissolution of the USSR. Pursuant to the so-called Lisbon Protocol to the treaty negotiated in the spring of 1992, Belarus, Kazakhstan, Ukraine and Russia assumed the obligations of the USSR under the START Treaty and by means of accompanying letters the first three states recognized that Russia was the successor nuclear state to the USSR, while they agreed to join the NPT as non-nuclear weapons states. However, there is one document associated with the START Treaty which should be noted in this discussion today. On June 13, 1991, prior to the conclusion of the negotiation and signature of the treaty on July 31, 1991, the Soviet Union negotiator read a statement to the U.S. negotiator which said in part "This Treaty may be effective and viable only under conditions of compliance with the [ABM Treaty]."

The START Treaty was followed by a second START Treaty in 1993 which would have reduced the numbers of strategic nuclear weapons for the United States and Russia to 3,000 to 3,500 each. Again the Russians made clear in the negotiations that their adherence to START II- which among other things limited heavy ICBMs and ICBMs with MIRVs, the area of greatest Russian strength depended on the ABM Treaty remaining in force. The United States ratified START II in 1994, the Treaty was amended to change the time lines for the reductions in 1997 and the Russians ratified in 2000. The amendments required a second U.S. ratification which never happened. And when the United States withdrew from

the ABM Treaty in 2002, the Russians withdrew their ratification of START II and this Treaty vanished into history.

Thus, the START Treaty would be extended for five years by a simple exchange of notes of the Parties, nothing more. However the parties do not want to do a simple extension. The limit of 6,000 strategic weapons for each Party still stands as START II did not come into force and the 2002 Strategic Operational Arms Reduction Treaty did not call for actual reductions in weapons but only removal from operational status by the end of 2012. The Parties intend to lower the 6,000 weapon limitation number to perhaps 1,500, effective upon entry into force of a new START Treaty.

The START II Treaty since it would have legislated reductions for below the 6,000 START I level and therefore expanded the use of the so called "down loading" concept which requires elaborate and highly intrusive verification. This concept was first introduced in the START I Treaty. In previous agreements to ease the task of verification various strategic nuclear missile systems were assigned a certain number of warheads based on the maximum number of warheads with which a particular ICBM or SLBM had ever been tested. The downloading concept permits a number of warheads to be attributed to a particular missile system based on the number of warheads actually deployed with that missile system, rather than the maximum number with which that missile had been tested. Certain missile types could be reduced by, for example, up to a certain number of warheads. Since the 1,500 weapon limitation level is significantly even below the START II level the existing START counting rules likely should be significantly modified even beyond the rules in the START II Treaty. This could require in turn important modification in the existing START verification system.

To achieve these changes in a completed treaty probably will take complicated negotiations which one could perhaps hope to be completed by the end of the year. However, since the new Treaty would require ratification by the United States Senate, entry into force would not be anticipated before the spring, thus the existing Treaty will need to be extended in December to provide the time needed to achieve entry into force.

In Prague, President Obama said: "To reduce our warheads and stockpiles, we will negotiate a new Strategic Arms Reduction Treaty with the Russians this year. President Medvedev and I began this process in London, and will seek a new agreement by the end of this year that is legally binding and sufficiently bold. And this will set the stage for further cuts, and we will seek to include all nuclear weapons states in this endeavor."

But a new level of 1,500 strategic weapons almost certainly will not “set the stage” for further reductions in nuclear weapons which will “include all nuclear weapon states.” A level of 1,000 weapons or perhaps somewhat below that would appear to be required given that each of the other nuclear weapon states, roughly speaking, have less than 500 total nuclear weapons. And it should be kept in mind that the replacement START Treaty being negotiated will not address reserve nuclear weapons of the two parties which number in the several thousands. Likely these weapons will also have to be drastically reduced, as well as the quite large number of Russian tactical nuclear weapons along with the far smaller U.S. stockpile, for multilateral nuclear weapon negotiations to take place. Probably, the U.S. and Russia, will have to achieve a level of 1000 total nuclear weapons before multilateral nuclear weapon negotiations could begin. Thus, likely a number of years of the bi-lateral START process lies ahead before the next stage can be approached.

But if the objective of zero nuclear weapons is ever to be seriously contemplated, as advocated by the four statesmen, former Secretaries of State George Schultz and Henry Kissinger, former Secretary of Defense William Perry and former Senator Sam Nunn, this multilateral phase must begin in the reasonably near future. It also will be immensely difficult, as it will involve not only the United States and Russia along with Britain, France and China, but also India, Pakistan and Israel. The program in North Korea must be eliminated. So a very long road lies ahead and we must proceed because time is not on our side.

In this effort to achieve a secure and stable world for our children and grandchildren and for generations beyond, Russia must become our partner. There is no alternative. But if the Russian Federation is to become our partner the concrete steps outlined above pursued, Russia must believe that there will be more NATO expansion under foreseeable in circumstances and that U.S. anti-ballistic missile systems will not be deployed in Eastern Europe.

If the United States can satisfy Russian concerns on these two points, a practical partnership between the United States and the Russian Federation for the short term to reach a follow-on START Treaty and perhaps a few steps beyond likely will be possible. But to be partners for the long term, to together lead the world towards zero nuclear weapons, perhaps more will be required. But who can say that in the future this cannot happen. In 1861 Czar Alexander, the “reform tsar,” directed that a vast program of judicial and legal reform be introduced into Russia and it became law in 1864. While this statement perhaps is in the category of “might have been,” hopefully Alexander’s example will guide today’s Russian leaders as has President Lincoln’s vision been pursued through the generations by Americans.

Inspired by Czar Alexander's 1861 derivative, Lincoln's Secretary of State William Seward wrote the following to his Charge d'Affairs in Saint Petersburg in 1862:

"the Decree of the Emperor which establishes an independent and impartial judiciary...is calculated to command the approval of mankind. It seems to secure to Russia the benefits without the calamities of revolution...Constitutional nations which heretofore have regarded the friendship between Russia and the United States as wanting a foundation in common principles and sentiments, must hereafter admit that this relation is as natural in its character as it is auspicious to both countries in its results..."

Chairman BERMAN. Thank you, Ambassador. We are going to hear Dr. Payne's testimony. I, myself, notwithstanding the weighty issues involved in this motion to adjourn that is now pending on the House floor, plan to skip it. Other members, we still have 10 more minutes. Other members can make their decision, but my intent is to continue the hearing. Dr. Payne?

STATEMENT OF KEITH B. PAYNE, PH.D., CEO AND PRESIDENT, NATIONAL INSTITUTE OF PUBLIC POLICY (FORMER DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR FORCES POLICY AND COMMISSIONER ON THE CONGRESSIONAL STRATEGIC POSTURE COMMISSION)

Mr. PAYNE. Thank you, Mr. Chairman. It is an honor and privilege to testify here today, particularly alongside of Secretary Perry and Ambassador Graham, gentlemen for whom we all have great esteem.

President Obama has announced that the United State will seek a new post-START agreement by the end of this year. I would like to take a few minutes to make six short points about the apparent direction of this engagement because some of the early indications are somewhat troubling.

First, Russian officials have already said that the new agreed number of warheads should be 1,500 deployed warheads. Yet, the discussion of specific numeric limitations of an agreement should only follow the conclusions of the nuclear posture review that is just underway in the Pentagon. Identifying specific arms control ceilings now prior to the conclusions of this study would be putting the cart before the horse.

Second, the Russian and United States sides have agreed that the post-START treaty will include reductions in the number of strategic force launchers, i.e. the number of deployed ICBMs, SLBMs, Submarine Launched Ballistic Missiles, and strategic bombers. Russian President Medvedev has said that Russia would like the number of these launchers to be reduced several times below the 1,600 permitted now under START.

That is a smart position for Russia. It is a very bad position for us. Why so? Because the number of deployed Russian strategic ICBMs, SLBMs and bombers will drop dramatically with or without a new arms control agreement. Based solely on Russian sources, it is possible to anticipate that within the next 8 to 9 years the number of Russian strategic launchers will have dropped from approximately 680 today to fewer than half that number simply as a result of the aging of their system and the pace of their modernization program.

The Russians would like to make lemonade out of this lemon of their aging launchers by getting reductions in real U.S. systems without eliminating anything that they would not withdraw in any event. That is not simply my conclusion. It is the conclusion of Russian officials and Russian commentators as expressed in Russian publications.

Beyond the bad negotiating principal of giving up something for nothing, there will be serious downsides for the United States in moving to low numbers of strategic launchers. For example, it would encourage placing more warheads on the remaining launch-

ers, i.e. MIRVing, which is precisely what the Russians are doing. Moving away from heavily MIRVed strategic launchers has long been considered highly stabilizing and a key U.S. START goal. Why should we now start encouraging MIRVing by going down to low launcher levels?

Third, the forthcoming negotiations appear to exclude the entire arena of nonstrategic nuclear weapons, i.e. tactical nuclear weapons, yet this is where Russia maintains most of its nuclear arsenal. According to open sources, Russia has approximately 4,000 deployed tactical nuclear weapons. That is an astonishing 10 to 1 numeric advantage over the United States. These Russian tactical nuclear weapons are of greatest concern with regard to the potential for nuclear war and the potential for nuclear proliferation. They should be our focus.

Yet, the administration appears to have already agreed to negotiate only on strategic forces at this point. If that position holds, it will be a serious mistake.

Fourth, the Russian side has demanded numerous additional limits on other United States capabilities as the price to be paid for an early agreement on strategic nuclear forces. For example, President Medvedev recently said that strategic reductions are only possible if the United States alleviates Russian concerns about "U.S. plans to create a global missile defense."

In fact, no limits on United States missile defense are necessary for significant reductions in Russian strategic force launchers and warheads. No limits are necessary on missile defense. The need for U.S. BMD capabilities could not be clearer given recent North Korean nuclear missile rattling and Iranian political upheaval. United States ballistic missile defense is not about Russia. Yet, the Russians are demanding this linkage.

It would seem self-evidently a mistake to include limits on United States ballistic missile defense as a price to be paid for an agreement that requires nothing of the Russians beyond discarding the aged systems they plan to eliminate in any event and will not touch the real problem, i.e. Russian tactical nuclear weapons.

Fifth, before establishing new nuclear arms control limits, it would seem reasonable to resolve Russian violations of existing arms control agreements. In my opinion, the most important of these violations has been discussed openly in Russian publications. It is the Russian testing of the SS-27 ICBM with MIRVs in direct violation of START. Confidence in Russian compliance needs to be established prior to or at least part of any new efforts to negotiate limitations.

Sixth and finally, President Obama has endorsed the goal of nuclear disarmament, and some have suggested that the post-START re-engagement with Russia should be seen as a useful step toward nuclear zero.

The Congressional Posture Commission rightly concluded that for nuclear zero to be plausible, there would have to be a fundamental transformation of the world order. That a dramatic transformation would be necessary for nuclear zero to be plausible suggests that taking any steps now not to be predicated on that elusive goal. Any new agreement should be judged on its own merit,

not on its potential for moving toward nuclear zero; not on the hope that it constitutes a step toward nuclear zero.

These are the six major concerns I have with regard to the apparent early direction of the administration's effort to re-establish START-like negotiations as a centerpiece of United States-Russian engagement. It is important to establish the right agenda at the beginning of negotiations. If not, the results can be unacceptable no matter how well our team negotiates. I appreciate this opportunity to share my concerns with you. Thank you.

[The prepared statement of Mr. Payne follows:]

**Testimony before the U.S. House of Representatives
Committee on Foreign Affairs**

**“The July Summit and Beyond:
Prospects for U.S.-Russia Nuclear Arms Reductions”**

Prepared and Presented By:

Dr. Keith B. Payne
Professor and Department Head
Graduate Department of Defense and Strategic Studies
Missouri State University

June 24, 2009

**Testimony before the U.S. House of Representatives
Committee on Foreign Affairs**

U.S.-Russian Strategic Arms Control

Dr. Keith B. Payne
Professor and Department Head
Graduate Department of Defense and Strategic Studies
Missouri State University

It is a great honor and privilege to testify today before the House Foreign Affairs Committee on prospects for U.S-Russian nuclear arms reductions. Thank you for the invitation to do so.

President Obama has announced that the United States will seek, "a new [post-START] agreement by the end of this year that is legally binding and sufficiently bold." Based on public statements by Russian and U.S. leaders, the basic parameters of an agreement appear to be emerging. I would like to make six short points about the apparent direction of this engagement because some of the early indications are troubling.

First, the discussion of the specific numeric limitations of an agreement should only follow the conclusions of the Nuclear Posture Review just underway at the Pentagon. That review is intended to assess U.S. strategic force requirements. Identifying specific arms control ceilings for agreement prior to its conclusions would be putting the cart before the horse. Our military leaders frequently note that arms control numbers should not drive strategy requirements; rather strategy requirements should drive the numbers. The Obama Administration has assembled a first-rate team in the Pentagon with responsibility to conduct the current Nuclear Posture Review. I have considerable personal experience in conducting a Nuclear Posture Review; my hope is that before specific arms control numbers are set this team will be allowed to complete the time consuming and complex set of analyses necessary to reach even preliminary conclusions about the force requirements of strategy and how to meet those requirements. This would be in keeping with having our strategy drive numbers, and not allowing arms control numbers to drive strategy.

Second, the Russian and U.S. sides have agreed that the post-START treaty will not reduce only the number of nuclear warheads; it will include reductions in the number of strategic force launchers, i.e., the number of deployed ICBM, SLBMs, and strategic bombers. Russian President Medvedev has said that Russia would like the number of these strategic launchers to be reduced several times below the 1600 launchers permitted now under START. We should be very careful about moving toward low launcher numbers because it would provide significant advantages for the Russian Federation, but significant disadvantages for U.S. strategy. It is a smart position for Russia, but bad for us.

Why so? Because Russian strategic systems have not been designed for long service lives and the number of deployed Russian strategic ICBMs, SLBMs, and bombers will drop dramatically with or without a new arms control agreement. Based solely on Russian sources, it is likely that

within 8-9 years the number of Russian strategic launchers will have dropped from approximately 680 launchers today (some of which already are not operational) to approximately 270 launchers simply as a result of the aging of their systems and the pace of their modernization program. In contrast, the service life of existing U.S. systems extends several decades. Russia confronts the dilemma of how to maintain parity with the United States while withdrawing its many aged strategic force launchers. President Medvedev's answer, of course, is to gain comparable reductions in serviceable U.S. systems via arms control negotiations.

In short, the Russians would like to make lemonade out of the lemon of their aging launchers by getting reductions in real U.S. systems without eliminating anything that they would not withdraw in any event. This is not simply my conclusion; it is the conclusion of Russian officials and commentators as expressed in Russian publications. General Nikolay Solovtsov commander of the Strategic Missile Troops has recently stated that no Russian missile launchers will be withdrawn "if they have remaining service life. This approach will remain under the new treaty that will be signed with the USA to replace START-1..." Aleksandr Khranchikhin, department chief at the Institute of Political and Military Analysis puts it simply: "America, in proposing radical reduction in the strategic nuclear forces, is doing us a favor. It may allow itself to reduce nothing, while watching with interest as we make cuts without benefit of any treaties."

Gen. Solovtsov has also stated that Russia's Cold War ICBMs will be largely gone by 2016 and completely gone, with the possible exception of 30 SS-19 missiles, by 2017-2019. The Russian SLBM force is in almost as bad a shape. *RIA Novosti*, an official Russian information agency, reports that four of Russian missile submarines are not combat ready even today. The announced ballistic missile submarine force is six-to-eight new Borey class submarines by 2015—eight being very unlikely since only three are being built today. The announced Russian bomber program will involve the retention of 50 Bear H and Blackjack bombers (a few new ones will be produced). Despite spending up to 25% of the Russian military budget on the strategic forces, Russia strategic nuclear forces will decline steeply with or without arms control.

Beyond the bad negotiating principle of giving up something for nothing, there would serious downsides for the United States in moving to low numbers of strategic launchers, including:

- It would encourage placing more warheads on the remaining launchers, i.e., "MIRVing" —which is precisely what the Russians are doing. Moving away from heavily MIRVed strategic launchers has long been considered a highly stabilizing approach to the deployment of strategic forces and a key U.S. START goal.
- It would likely reduce the survivability and flexibility of our forces—*which is exactly the wrong direction to be taking in the post-Cold War environment*. The report by the bipartisan Congressional Strategic Posture Commission concluded that the United States could make reductions, "if this were done while also preserving the resilience and survivability of U.S. forces." Moving toward very low launcher numbers would violate that good advice.
- It could cause some allies serious concerns. A key ally has strongly stated its view that the United States must not reduce its strategic force levels to numbers so low that they call into question the credibility of the U.S. nuclear umbrella or encourage China to see

an opportunity to achieve strategic parity with the United States. Moving toward the very low launcher numbers desired by Russia could contribute to both problems.

- Finally, if the destruction of strategic launchers is required, as reportedly is called for by the Russian side, moving toward low launcher limits could also cut considerably into U.S. conventional force capabilities by requiring the destruction of our multipurpose bombers.

Third, the forthcoming negotiations appear to exclude the entire arena of non-strategic nuclear weapons. Excluding so-called tactical nuclear weapons entirely is an understandable Russian negotiating ploy; it is in this category of weaponry that Russia maintains *most* of its nuclear arsenal. According to Russian sources, Russia has approximately 4,000 deployed tactical nuclear weapons and many thousands more in reserve. These reportedly include nuclear artillery, tactical missile warheads, air-delivered weapons, naval weapons, air defense weapons and possibly the retention of so-called nuclear suitcases. Russia apparently has an astounding 10:1 numeric advantage over the United States in tactical nuclear weapons. The Russians have little incentive to negotiate when the numbers are so asymmetrical.

Yet, these Russian tactical nuclear weapons are of greatest concern with regard to the potential for nuclear war and proliferation; they should be our focus. Russia is engaged in troubling advanced developments of its tactical nuclear arsenal and Russian doctrine highlights war-fighting roles for these weapons. Understandably, some of our key allies have expressed considerable concern about these Russian tactical nuclear capabilities. The Congressional Strategic Posture Commission report identified the Russian tactical nuclear arsenal as an “urgent” problem. Yet, the Obama Administration appears to have agreed to negotiate *only* on strategic forces at this point, and to have excluded Russian tactical nuclear weapons entirely. If this position holds, it will be a serious mistake.

The administration’s hope may be that we can negotiate a quick new agreement on strategic forces now, and achieve reductions in Russian tactical nuclear weapons later. If so, it is a vain hope. Russia has repeatedly rejected limitations on tactical nuclear weapons. If we cannot get the Russians to agree to the reduction of tactical nuclear weapons now, what hope can there possibly be for doing so later *after* we have expended negotiating leverage that resides in our serviceable strategic forces? As Russian General Vladimir Dvorkin of the Russian Academy of Sciences said on this subject recently, “A treaty on the limitation and reduction of tactical nuclear weapons looks absolutely unrealistic.”

The notion that the U.S. can succeed in getting tactical nuclear reductions in a second phase of negotiations reminds me of the unmet promise of the Nixon Administration in SALT I to negotiate useful limits on Soviet countersilo offensive forces in a follow-on SALT II agreement. Despite nearly two decades of effort following SALT I, the United States was unsuccessful in securing useful limits on Soviet countersilo offensive forces because the Soviets did not want such limits and the U.S. had expended its major negotiating leverage in SALT I.

Fourth, the Russian side has demanded numerous additional limits on other U.S. capabilities as the price to be paid for an early agreement on strategic nuclear forces. For example, President

Medvedev recently said that strategic reductions are only possible if the U.S. alleviates Russian concerns about, "U.S. plans to create a global missile defense."

In fact, no limits on U.S. missile defenses are necessary for significant reductions in Russian strategic force launchers and warheads because, as noted above, the number of Russian strategic launchers will plummet with or without an arms control treaty. The need for U.S. BMD capabilities could not be clearer given recent North Korean nuclear missile rattling and Iranian political upheaval. U.S. BMD is not about Russia. Yet, the Russians are demanding this linkage. It would seem self-evidently a mistake to include any limits on U.S. BMD as a price to be paid for an agreement that requires nothing of the Russians beyond discarding the aged systems they plan to eliminate in any event and will not touch the real problem of Russian tactical nuclear weapons.

The same caveat is appropriate for the additional Russian demand that the United States meet Russian concerns about U.S. plans to create *non-nuclear* strategic capabilities. Senior U.S. military officials have long emphasized the U.S. need for non-nuclear strategic capabilities for prompt global strike as a way of reducing reliance on nuclear capabilities. The Russians would like to derail such U.S. capabilities and thus now link them to a post-START agreement. One is forced to wonder how many elements of U.S. military power Russian leaders hope to control or eliminate in exchange for the same strategic force reductions that they will have to make without any agreement. We should not agree to pay Russia many times over with important U.S. capabilities for essentially an empty box.

Fifth, before establishing new nuclear arms control limits, it would seem reasonable to resolve Russian violations of its existing arms control commitments. The entire arms control process is devalued if violations are downplayed or go unchecked. Arms control proponents should be the first to insist on strict compliance with existing agreements. In this regard, the August 2005 State Department Compliance report on *Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments* reported multiple Russian violations of START verification provisions. Russia also is in violation of other START provisions and other nuclear arms control commitments.

In my opinion, the most important of these violations has been discussed openly in Russian publications. It is the Russian testing of the SS-27 ICBM with MIRVs in direct violation of START. The SS-27 is listed as a single-warhead ICBM and can only be tested and deployed with a single warhead under START. Russian sources place the number of MIRVs on this forthcoming missile at 4 or more. As the Congressional Strategic Posture Commission notes, the Russians also are in violation of their commitments concerning tactical nuclear weapons under the 1990-1991 Presidential Nuclear Initiatives. This is not speculation; Russian officials have openly reported the activities that make up these outstanding arms control violations. Russian noncompliance with existing commitments is not a trivial issue; confidence in Russian compliance should be established prior to or as part of any effort to establish new limitations.

Sixth and finally, President Obama has endorsed the goal of nuclear disarmament and some U.S. senior statesmen have suggested that the post-START re-engagement with Russia should be seen

as a useful step toward “nuclear zero.” Any new agreement, however, should be judged on its own merit, not on the hope that it constitutes a step toward nuclear zero.

The Congressional Strategic Posture Commission rightly concluded that for nuclear zero to be plausible there would have to be a fundamental transformation of the world order. The transformation required is in the basic nature of states: from a system of self-seeking and competitive sovereign actors with autonomous power and authority to an essentially cooperative world order, or to an international system in which great power and authority are held by a universally trusted international institution. The realization of either system would represent a more dramatic change in the world than the decline and eventual fall of the Western Roman Empire in AD 476.

That such a dramatic transformation would be necessary for nuclear zero to be plausible does not mean that the goal is impossible. It does suggest that taking any steps now ought *not* be predicated on such an elusive goal. Indeed, the unintended consequences of steps taken now in the hopes of fostering nuclear zero are largely unpredictable and as likely to endanger U.S. and allied security as to promote it. It is useful to recall the physician’s goal of first doing no harm—in this case harm to the hard-earned conditions and U.S. capabilities that have helped keep the peace.

The burden of proof is on advocates not only to describe the requirements for nuclear zero, which they have done to some extent, but also to explain how and why the fundamental transformation of the world should be considered practicable on any timeline. Proponents have provided no such explanation; instead they use the metaphor of climbing a “mountain top.” The route to nuclear disarmament, however, is not akin to climbing a mountain because there is no basis for anticipating that this particular “mountain top” can ever exist or what steps now might be helpful if it ever does exist. British Prime Minister Winston Churchill once noted along these lines, “Be careful above all things not to let go of the atomic weapon until you are sure and more than sure that other means of preserving peace are in your hands.” There is no basis whatsoever for that confidence, and we should not pursue arms control measures as if anyone knows how to get there.

These are the six major concerns I have with regard to the apparent early direction of the administration’s efforts to re-establish strategic arms control as a centerpiece of U.S.-Russian engagement. It is important to establish the right agenda at the beginning of negotiations. If not, the results can be unacceptable no matter how well our team negotiates. My concern is that the administration may be in the process of agreeing to an agenda with serious potential problems. I appreciate the opportunity to share the reasons for my concern with you. Thank you.

Chairman BERMAN. Because no one else is here, I am going to yield myself as much time as it takes before someone else returns. The ranking member, in her opening statement, raised a number of—I thought—interesting questions which should be dealt with. Dr. Payne raised some of those and a number of other ones as well. So it would seem to me good to get a little dialogue going among the panelists on a few of those issues.

First, on the issue of the urgency of doing it. As I understand it, because START expires in December, all of the verification provisions at that point, if there is not a new treaty, will disappear. The SORT limits will still apply, but there are no verification procedures under SORT. Isn't that in and of itself a reason from our national security interests to want a new treaty in place—that either continues or revises, but maintains some level of inspection and verification? I ask that for starters for anyone who would want to address it.

Secretary PERRY. If I could make two comments on that, please? I think there are two reasons for proceeding promptly with the START follow on. The first one is the one you mention, which is the START treaty does expire in December and that is the only treaty that has the verification procedures, which I think are quite important. I would add to that it is possible if we reach that point and still do not have the treaty, it is possible that we could get an extension of the old START treaty.

I think a much better solution is actually having the new START follow-on treaty ready at that time. That is what I would recommend. Beyond that point, and not directly related, but importantly indirectly related is that this START follow-on treaty will be the touchstone I think of the new strategic relationship, which we are trying to develop with the Russians.

That is going to be useful for other areas in which we need cooperation with the Russians, not the least of which is cooperation with Russia in containing the Iranian nuclear program, so that is an indirect, but I think very important, reason for moving ahead. Thank you.

Chairman BERMAN. Dr. Payne, let me just hear your thoughts on both of Dr. Perry's points. And on the first point, for the purpose of maintaining a verification process, you either are going to need a new treaty, or you are going to need a mutual agreement to extend the current treaty. I think by its terms, it can only be extended for 5-year blocks. I guess the parties could agree to something different than that, but it requires the parties to agree. Otherwise, this all disappears. But, Dr. Payne, and then Ambassador Graham, you could arbitrate.

Mr. PAYNE. Thank you, Mr. Chairman. I agree with Secretary Perry's comments. We should do everything we can to extend the verification provisions of START beyond the end date for START. The Moscow Treaty is legally binding. It will extend out to 2012, but the verification provisions of START were part of why we could negotiate the Moscow Treaty the way we did; because we knew we had the verification provisions of START. I very much would like to see those extended, sir.

The point I was making is that we don't need to identify new reductions beyond those in the Moscow Treaty at this point well be-

fore the nuclear posture review has completed its effort and identified the kind of requirements we need. I have some very personal experience with doing nuclear posture reviews inside the Pentagon. It is a long, arduous, very complex task, and the numbers that we agree upon should come out of that, not lead it. We should have strategy drive our numbers, not numbers drive our strategy.

I also agree with Dr. Perry that we need to work closely with the Russians on nonproliferation, on counterproliferation and on counterterrorism. It seems to me that these ought to be the focus of where we work with the Russians at this point, in addition to extending the START verification procedures, because that is where we and the Russians have compelling overlapping interests.

Chairman BERMAN. Well, Ambassador Graham?

Ambassador GRAHAM. I think it is very important to conclude a START treaty as soon as that can be accomplished. The relationship that we have had with Russia has been so bad for so many years, and they are essential to our success in containing nuclear proliferation, which appears right now to be a greater threat than it was a few years ago. The Russians regard this as very important to them.

As a practical matter, given the changes that are being contemplated, not just the reduction to 1,500, but the counting rules and the verification changes, I think it is unlikely that it will be in force by end of the year. It may be completed by the end of the year, but still ratification in our Senate will be required. I might just mention there is an organization, Partnership for a Secure America, which has as members just about everybody all of us have ever heard and is a very prestigious organization that is very much in favor of moving forward on START.

Chairman BERMAN. I take Dr. Payne is not a member of that?

Ambassador GRAHAM. Well, I don't see him on the list, but he should be, but Dr. Perry is a member.

Mr. PAYNE. I will look at that.

Ambassador GRAHAM. We will get you on. We have to go so far to make real progress to make this world more secure. As I said in my opening comments, we have this phase and then probably another phase and then what to do about reserve weapons and tactical weapons and get all those to a low level before we can start the multilateral phase, which itself will take, who knows? A decade or so, and so I think that we need to proceed expeditiously.

Chairman BERMAN. My time has expired. Other members have returned, so I will not be able to ask my other 10 questions right now. And I am very pleased to yield to the gentleman from California, Mr. Rohrabacher for comments or questions for 5 minutes.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. We are rushing back and forth obviously to activities on the floor, so I missed Dr. Payne's testimony, and I will follow up by reading it. Thank you very much. A few questions and thoughts about what I heard before I left a few minutes ago. This talk about a world without nuclear weapons, let me just for the record, Mr. Chairman, suggest that talk about a world without weapons is nonsense as long as we live in a world with tyrants who murder their own people and threaten others.

These tyrants and these gangsters that have been with humankind in all of recorded history, I don't think they are affected in a positive way by such moral proclamations of how we need to disarm. Ronald Reagan once said that those who turn their swords into plowshares will soon be plowing for those who didn't, and we live in a world where there are tyrants, not just disagreements between morally equal societies, but tyrants and gangsters that rule countries that are capable of producing nuclear weapons.

Question No. 1: This talk about the ideal of a world without nuclear weapons, is this not encouraging countries like North Korea, should I say rogue governments and wacko despots like the ones that control North Korea and Tehran and other such counties, does this not encourage them to move forward with their nuclear program thinking that the more stable democracies in the world may well decide to disarm nuclear weapons? That is my first question for the panel.

Secretary PERRY. If I may make two comments or points?

Mr. ROHRABACHER. Yes, sir.

Secretary PERRY. First of all, you have quoted Ronald Reagan very appropriately. I would like to also quote Ronald Reagan in which he said, "We seek a world without nuclear weapons." This is a direct quote from Ronald Reagan.

Mr. ROHRABACHER. Yes. I may have written that, so I better know it.

Secretary PERRY. Indeed, it was the Reagan initiative at Reykjavik which inspired George Schultz and Henry Kissinger, Sam Nunn and myself to make the proposal we made.

Mr. ROHRABACHER. Yes. Let me just be the first to admit, Dr. Perry, that Ronald Reagan's goal was a reduction of nuclear weapons. It was a world that was safer with a reduced level, but I do not believe that he was every serious about thinking that we could have a world without nuclear weapons. Maybe you are suggesting that talk today is along that very same line, just philosophical.

Secretary PERRY. Well, he did say that, and I assume that he was serious when he said it, but I also believe he understood, and I understand, that this is not going to happen anytime soon or with the present geopolitical situation. The second point I want to make, which is whether this talk would encourage North Korea, I have had many years of dealing with North Korea, and my impression is they do not need any encouragement to seek nuclear weapons.

They have all their own reasons for wanting to seek nuclear weapons, and they have proceeded on this long before anybody ever mentioned this proposal. Their program goes back at least 20 years.

Mr. ROHRABACHER. Ambassador Graham, go right ahead.

Ambassador GRAHAM. Well, Congressman, I agree with what Dr. Perry just said, and I would just add a few further comments. In the world in which we live, which is exceedingly dangerous and growing more so by the day, nuclear weapons really have no utility for us. Their only role is to deter weapons held by others. We are not going to stop al-Qaeda with nuclear weapons. We are not going to correct a situation anywhere in the world with nuclear weapons.

Mr. ROHRABACHER. What about China, Mr. Ambassador? Do you think that our possession of nuclear weapons, the fact that we have

a potential enemy in China that has millions of people more at their disposal to be part of their military? You don't think our nuclear arsenal may have some effect on China?

Ambassador GRAHAM. Well, the concept of zero worldwide weapons means that nobody has them, including the Chinese, and I don't think America would use nuclear weapons against countries that don't have them, nor do I think we have need to do that. The situation, Congressman, is that nuclear weapons in the fractured world in which we live with 50 to 70 failed or failing states, nuclear weapons are becoming a threat even to their possessors. If I may presume to say so, I think that is one of the motivations of Dr. Perry and Secretary Schultz and their colleagues to undertake their efforts to pursue zero nuclear weapons.

Mr. ROHRABACHER. Thank you very much, Mr. Ambassador. I am afraid I am being gavelled now.

Ambassador GRAHAM. Can I just add one thing?

Chairman BERMAN. Can you fit it in?

Mr. ROHRABACHER. Are we going to have a second round of questions?

Chairman BERMAN. Yes. I am here as long as you are willing to be here.

Mr. ROHRABACHER. 30 seconds.

Chairman BERMAN. All right. Everybody okay with 30 seconds?

Mr. ROHRABACHER. Yes.

Chairman BERMAN. Take it away, but after that, we go back to the 5-minute rule.

Ambassador GRAHAM. I just wanted to confirm the danger of nuclear weapons. The head of al-Qaeda in Afghanistan gave an interview yesterday to Aljazeera, and he said, "God willing, the nuclear weapons will not fall into the hands of the Americans," he is talking about the Pakistani weapons, "and the Mujahidin will take them and use them against the Americans." That is one reason why having them around is not a good idea.

Chairman BERMAN. Okay. Well, the time of the gentleman has expired. I can't help myself by saying that while I thought the gentleman from California's point was a very interesting one, I know he will agree that a world with nuclear weapons has not stopped there from being quite an array of tyrants with aggressive tendencies. The gentlelady from California, Ms. Lee, is recognized for 5 minutes.

Ms. LEE. Thank you very much. Let me also welcome our distinguished panelists and apologize for not being here earlier and listening to your testimony, but I have looked at it, and I appreciate it, and so if my questions are redundant, please forgive me.

I wanted to just ask you with regard to our own nuclear arsenal and the whole issue of deterrents with Iran, North Korea, Pakistan and other countries which have nuclear weapons, their rationale is also one in many ways of deterrence. Where does this stop in terms of disarmament, and also with regard to India, as it relates to their nuclear development and not being part of the Non-Proliferation Treaty, how does that factor in if we are talking about a world without nuclear weapons?

I mean, I guess I have to say is this pie in the sky? Is this idealistic? Is this something that we wish for but will never happen be-

cause some countries are going to have to just say let us stop it? Let us halt this and begin walking down that path, but if Iran and North Korea, Pakistan, the United States and other countries are saying we have to have these weapons for deterrence purposes, how do we ever get there, or do we ever get there? Any of the panelists. Dr. Perry, I was reading some of your comments. Maybe you may want to respond to this.

Secretary PERRY. I will just make one comment in respect to that question, and then this time quoting Senator Sam Nunn, who said that the vision of a world without nuclear weapons is like the top of a mountain and that today we cannot even see the top of that mountain, but the one thing he is sure of is that we should be moving up that mountain whereas in fact today we are moving down the mountain, and the first thing to do is reverse that motion and start heading back up.

He proposed we move up to something like a base camp, which is still far from zero nuclear weapons but is a far safer position than we are today. That is the immediate goal of our project; get to that safer world.

Mr. PAYNE. Congresswoman Lee, I think that your question really hits a major point, and let me respond by saying that as long as countries see the need for nuclear weapons for their security, we are not going to get to nuclear zero. So the question that follows from that is under what conditions will countries not see nuclear weapons as necessary for their security? I can only see two contexts within which that is possible.

One is if we have a cooperative world order, which we have never seen in recorded history; or, two is if we have a centralized authority with great power and great authority to verify and enforce compliance. We haven't seen such an institution possibly since the Roman Empire, at least for the western part of the world. That is why the Congressional Posture Commission concluded rightly that for nuclear zero to be plausible would require a transformation of the world political order along these lines. So your question is absolutely right.

When is this possible? It is going to be possible when countries decide they don't need nuclear weapons for their security. When might that be possible? It is within one of those two conditions I just described, which may come about. You should never say never; but for either of those conditions to take place, either a cooperative world order or a centralized authority with great power, would be a more dramatic change in the world political order than the fall of the Roman Empire. They don't happen very often.

Ms. LEE. Ambassador Graham?

Ambassador GRAHAM. I am not that pessimistic, which would appear to doom humanity to the threat of nuclear weapons forever. I agree it is very difficult and will take many, many years. I think an important first step is for the United States and Russia to become partners in the enterprise, and then gradually work with the others and move in that direction, but we are talking about something that, at least in my view, could take 30 or 40 years or more, but I believe that it is possible.

I believe that the top of the mountain someday can be not only seen, but reached, but it will be a very long process. In the end, it is in everyone's interest.

Ms. LEE. Thank you very much, Mr. Chairman. Can I make just one comment? I have visited Japan and have witnessed the horrific effects of a nuclear attack. Generations, which weren't even there during that attacks are feeling and have been impacted by the attack, and I think that if people think this is something that is going to take 30 or 40 years, I really worry about that because as long as we see this long-term trajectory to begin to even turn the direction, there is always the threat of more countries becoming nuclear capable.

I think this should be a top priority of this administration and that we need to somehow issue a cease and desist. Thank you very much, Mr. Chairman.

Chairman BERMAN. You also got to enforce it if you issue it. The gentleman from Texas, Mr. Poe is recognized for 5 minutes.

Mr. POE. Thank you, Mr. Chairman. Thank you all for being here. Dr. Perry, you and my friend, Mr. Rohrabacher from California quoted Ronald Reagan. I doubt if you study Far Side cartoons, but I would like to refresh your memory about one of those. There is a bear standing in the woods with his hands up with a birthmark on his chest of a target, and his comment is "bummer." When I look at Russia, I see Mr. Putin, the Russian bear, standing there with KGB written across his chest. I don't trust him much at all.

In a bigger sense, what is the intent of the Russians down the road with nuclear weapons? I know we have agreements and treaties, and we are trying to get them to cooperate, but what is their real intent if each of you could briefly address that?

Secretary PERRY. I will offer you an opinion on that.

Mr. POE. Sure.

Secretary PERRY. But understand I am trying to read into their strategic intent, which is very difficult for an outsider. My opinion is that they believe that they have very weak conventional forces today, and they live in a dangerous neighborhood, and at this point, they believe that their nuclear forces compensate for the weakness of their conventional forces.

Therefore, they are reluctant to give them up, especially their tactical nuclear forces, and that is where I see a very difficult road ahead of us in trying to get further agreements beyond the START follow-on treaty, which we are now talking about because any further agreements have to take account of these non-strategic or tactical nuclear forces, and that is going to be a serious issue with the Russians because of their perceived conventional weakness.

Mr. POE. Thank you, Dr. Perry. Ambassador Graham?

Ambassador GRAHAM. Well, my assessment wouldn't differ much from Dr. Perry's. I think that one of the major issues with respect to a U.S.-led effort to move toward zero nuclear weapons over many years is that we have by far the greatest conventional strength, conventional military strength, and many countries looking at that say well, if nuclear weapons are given up, then the United States will become even more powerful than it is now.

Obviously, some kind of arrangements will have to be made over time to deal with those issues if they become sincere about addressing the nuclear issue.

Mr. POE. Dr. Payne?

Mr. PAYNE. Sir, I think they have three near-term goals, and I base this on extensive reading of what they say. One, they have a problem in that their Cold War nuclear weapons and nuclear launcher systems are going out of service life very rapidly. So their numbers are going down one way or the other with or without an arms control agreement. They are very aware of that.

What they would like to do is retain strategic parity with the United States in the only way that they can, and that is to negotiate our numbers down in a way corresponding to the way their own numbers have to go down because their systems are simply reaching the end of their service life. So that is one. Retain parity with the United States based on an agreement wherein they give up what they were already going to do away with, and ask us to give up real capabilities. That is one.

Two, they would like to retain and improve their tactical nuclear weapon for the reasons that Secretary Perry mentioned. They have little confidence in their conventional forces. They have confidence in their tactical nuclear weapons even as weapons of war to use for defending their borders, for example. They have said openly that the use of tactical nuclear weapons is a way to de-escalate a conflict. What they mean by that is by ending it with the use of nuclear weapons.

The second near-term goal is to retain and improve their tactical nuclear weapons, which is why they have told us they are off the table. They won't negotiate over those.

The third near-term goal I believe the Russians have is to regain limits on the United States ballistic missile defense. They have been trying to do this for years. I had the privilege of negotiating with the Russians in Working Group 2 in Geneva on ballistic missile defense cooperation, and virtually every Russian position there was an attempt to gain some control over United States systems, so this isn't a new goal.

This is a long-standing goal. And I might add because people are quoting Ronald Reagan, which is completely appropriate, that when Ronald Reagan talked about nuclear disarmament, he always matched it with very extensive ballistic missile defense. The Russians are asking us to move toward nuclear reductions and to give up ballistic missile defense or to gain control and limits on ballistic missile defense, which is not what Ronald Reagan endorsed.

Chairman BERMAN. The time of the gentleman has expired. Dr. Payne made reference earlier to changing the nature of the international order. We have a problem with changing the nature of the House of Representatives' order. Right now a bit of a confrontation. We have another motion to adjourn.

Ms. WOOLSEY. I could do mine.

Chairman BERMAN. You are next? Are you prepared?

Ms. WOOLSEY. Yes, I am prepared.

Chairman BERMAN. Okay. Prepared to talk. Let me say one thing before I recognize the gentlelady. Mr. Poe, the cartoon actually, as I am told by staff, my experts who study these cartoons, was one

bear looking at a target on the chest of another bear and commenting, "Bummer of a birthmark, dude."

Mr. POE. Thank you, Mr. Chairman.

Chairman BERMAN. The gentlelady from California, Ms. Woolsey.

Ms. WOOLSEY. Thank you, Ms. Chairman. Everything is about timing around here. You see, we have a markup going on across the hall, so maybe I get to do both. Gentlemen, I am sorry I didn't hear your remarks earlier, but my fear is my own passion and naiveté about all of this.

I am so certain that we don't have 30 years to fool around with what is going on worldwide that I just think we have to start focusing in on what are the steps that the United States of American needs to take to show that we mean what we say when we say we want a secure world without nuclear arms, and where do we start?

We are the world leader. I suggest and ask would it help if we had smarter security proposals and plans in the United States where we talk more about humanitarian efforts and economic support, if we would stop our own language here on the dais of calling other countries crazies and things like that? I mean, what are the steps that we should be taking if we could, Ambassador Graham? We are going to go down.

Secretary PERRY. I see your concern about the 30-year time. Nobody knows if it is going to be 30 years or 20 or 40 or what? All we know, it is going to be a long time. That is why I stress how important it is to get to what I have been calling a base camp much sooner than that, a few years from now, not a few tens of years from now, and the character of that base camp is that it is not only headed in the right direction, but it is much, much safer than we are today.

To answer your question on what features should it have to make it safer? First of all, it should have a substantial reduction in numbers of nuclear weapons. We should have stopped proliferation. We should have had much better control of fissile material, so there is a list of things of which those three are the most important in my mind. Tom?

Ambassador GRAHAM. Well, as I said during the remarks earlier, I think that time is not on our side. I would like to see the START process pursued vigorously to this first level of the new START agreement, and then hopefully one or two subsequent START agreements lowering that number and also dealing with the issues of reserve weapons and non-strategic weapons.

That is going to take a while, but if the United States and Russia can reach the level of perhaps 1,000 total weapons, then we can engage the others and start the real negotiation in the direction of zero, which is going to be immensely complicated and take a long time, but we are not really into that game until we can deal with the START issues.

That is why I think these negotiations are urgent, so I would like to see that move forward rapidly, and I would agree with Dr. Perry that we need to work with the Russians closely to make sure to the extent that we can that there is no more nuclear proliferation.

Ms. WOOLSEY. Thank you. Dr. Payne?

Mr. PAYNE. Let me just add that we all agree here that we need to work closely with the Russians on nuclear nonproliferation. In

fact, nuclear nonproliferation and counterproliferation will not be successful without close United States-Russian cooperation. That is why I made a point earlier I think that this should be a focus of what we do. That is at least one step that we know there is some history of it working.

Ms. WOOLSEY. Right.

Mr. PAYNE. The PSI arrangements, for example, have been a great international regime to help prevent proliferation. Let me just add a point because we need to be careful about the unintended consequences of what we do. For example, we see a number of our very key allies expressing great concern that we, the United States, are going down too far and too fast in our nuclear capabilities and will leave them vulnerable because they have been relying on our nuclear umbrella. That may encourage them, by their own statements, to have to move toward nuclear weapons themselves.

We need to be careful about our unintended consequences. If we look like we are moving too quickly, too forward in this direction of nuclear disarmament we actually encourage nuclear proliferation as opposed to getting a handle on it.

Chairman BERMAN. The time of the gentlelady has expired. The gentleman from South Carolina, Mr. Inglis, is recognized for 5 minutes.

Mr. INGLIS. Thank you, Mr. Chairman. I guess we have very little time to reach the floor, but one question for you. Why is it such a priority of the Russians to not see us develop missile defense systems? What is their motivation? What do you make of that? Yes?

Ambassador GRAHAM. I will try to answer that question. I am not sure I have a good answer, but they always have, at least for many, many years, been very interested in that. I think that it may be as Dr. Payne said, that Russia wants parity with the United States in strategic weapons if they can get it and that missile defense might undermine that parity. The Russians are not going to have missile defense, although they did have a program in the past, and so they may see our program as a threat to their strategic forces and thereby reducing the balance with the United States.

I don't really have a better answer than that. Every negotiation in which I participated, at least after the first ABM Treaty negotiations, the Russians were just very, very insistent they were not going to sign on to strategic arms limitation agreements unless the ABM Treaty could be preserved or unless once it went away, some other steps could be taken to reduce ABM systems. That is the best answer I can come up with short term.

Mr. INGLIS. Do they not feel threatened by rogue states as we feel threatened by rogue states, or they don't see that as a likely scenario impacting them?

Ambassador GRAHAM. They certainly do feel threatened by so-called rogue states. They have some internal rogue states like Chechnya and some of the others, and one of the reasons that they have been supportive of Iran over the years is that Iran has never helped the rebels in Chechnya. They are a major Muslim state nearby that has never helped them. Yes, I think they are very concerned about that issue. Their southern border area is very volatile.

They have got some pretty shaky states there. Iran is there. Pakistan is not far away. Al-Qaeda and other terrorist organizations are in the region. Yes, I think they worry about that very much, and I remember the Russian Foreign Minister Mamedov in a speech saying that once he had a visit from somebody who worked for the State Department over in Virginia in his office in Moscow, and that person told him that Ukraine had sold three tactical nuclear weapons to people in Chechnya, and of course, they went crazy over this.

It turned out he said that it did in fact happen, but they were just mockups. I mean, it was a shyster operation. They were just mockups, which didn't work, but that certainly gave me a sense of how concerned they are about that stuff, so I would say the answer is yes.

Mr. INGLIS. Dr. Payne?

Mr. PAYNE. If I can add to that? The reason why they have been so consistently concerned about our missile defense is because the basis for their security as they see it lies in their nuclear capabilities, both their long-range capabilities against us, and their shorter-range capabilities against others. This is where they see the heart of their security, and they are concerned that our BMD eventually could impede that capability. This again isn't just what I say. It is what they write.

Mr. INGLIS. Yes.

Mr. PAYNE. Also, you asked a question about the rogues. The Russians do have a ballistic missile defense capability. In fact, they are in the process of modernizing that capability according to their own statements, and they have expressed confidence in being able to defend against rogue missiles with their BMD capability. In fact, most recently in a Russian article, they said if North Korea ever happened to launch a missile toward Russia, they would simply intercept it. So they have some confidence in their missile defense capability, rightly or wrongly.

Let me add one last point. One of the reasons why they are concerned about U.S. BMD is just pride. They know that the European site, for example, doesn't pose any threat to their nuclear capabilities. They know that. We know that they know that, but they have a lot of pride with regard to what they see as the paternity that they still have over their former allies. They don't want to see U.S. bases; they don't want to see U.S. facilities; and, they don't want to see United States capabilities put in the Czech Republic or Poland because they see these as territories for which they still have paternity.

Chairman BERMAN. The time of the gentleman has expired. The gentleman from Georgia, Mr. Scott, is recognized for 5 minutes.

Mr. SCOTT. Thank you, Mr. Chairman. I would like to ask three questions. The first one is, is there a link between the United States and Russia's nuclear reductions and the need to address the pressing problems of North Korea and Iran's nuclear programs? Is there a link? That is my first question. Yes, sir?

Ambassador GRAHAM. Well, I think that there is a link, in the sense to control the Iranian program in particular we need Russian help, and it is a very important part of a good relationship or at least a better relationship with Russia is an ongoing strategic arms

process, which we have had since 1969, interrupted for a few years, and so if we can get back on that track with the Russians, then I think we can gain more cooperation from them in dealing with the Iranian program. They can do more to help us with Iran than anyone else can. North Korea, I think Russian cooperation is probably less significant there.

Mr. SCOTT. Okay. Let me ask you this: Recently, the Russians have come out and said that if we are willing to take our missile defense shield out of Europe, Czechoslovakia and Poland, that all kinds of great things will happen far beyond even what our goals are in terms of nuclear reduction, getting Iran to stop. What do you think of that, and should we do that?

Ambassador GRAHAM. Well, the shield isn't there yet and won't be there for some years. I think that we are going to have to come to grips with the question of what we can negotiate with them on that that will still permit a START treaty assuming that is what we want to do. I don't think we can insist on what we have in the past and still get a START agreement, but maybe something less than putting the plans aside will be possible, maybe some kind of language in the treaty.

I don't know, but we are going to have to deal with that issue for sure. Whether great things will come of it—well, I will have to wait and see about that.

Mr. SCOTT. Okay.

Secretary PERRY. Can I have a stab at that?

Mr. SCOTT. Yes, Dr. Perry?

Secretary PERRY. I think that request is an unreasonable quid pro quo, and I do not think the United States should accede to that. I do think however that we should begin a serious dialogue with Russia on ways of cooperating in ballistic missile defense against the Iranians, and I think that is going to be quite possible.

Mr. SCOTT. Dr. Payne? Yes.

Mr. PAYNE. Let me just re-emphasize that the Russians are going to have to go to very low levels of strategic nuclear force launchers and warheads whether or not there is an agreement and whether or not we put any constraints on our missile defense. What they are trying to do is link those up. They don't need to be linked because their systems are reaching the end of their service lives no matter what happens.

That doesn't mean that we shouldn't cooperate on missile defense. I think it is a very positive notion that the U.S. and the Russian Federation pursue whatever cooperation is possible on missile defense. But again my experience in negotiating with the Russians on that issue is that there is a lot less there than we would like there to be.

Mr. SCOTT. Going just very quickly, 50 second, we have got the July summit coming up. We have got the President going over and meeting with the Russians, Members of Congress will be meeting with the Russians. What would you recommend we put on the table in terms of this missile defense? We know it is not there yet, but if the Russians are using this as a signal, opening the door to it, what should be our position on it?

Ambassador GRAHAM. Well, I don't think we should put anything on the table. I think we should be prepared to talk to them about

it and try to explore what is possible. I mean, we are not going to make an agreement in this phase of START not to have the missile defense system in Eastern Europe. It has got to be something less than that.

Mr. SCOTT. And what should we ask of the Russians? That is the question. What should we ask of them to do in relationship to Iran?

Ambassador GRAHAM. Well, support us on real sanctions for starters, and generally not cooperate with the Iranian program. We have been trying to get them to stop cooperating in any way with the Iranian program since the mid-90s. Now they are selling fuel to the Bushehr Reactor, and they plan to take it back after it is used. That is a relatively benign act, but why do that either if what you are trying to do is to pressure the Iranians to negotiate something reasonable, assuming that is still possible, given the situation over there right now.

Chairman BERMAN. The time of the gentlemen has expired.

Mr. SCOTT. Thank you, Mr. Chairman.

Chairman BERMAN. The gentlelady from California, Ms. Watson is recognized for 5 minutes.

Ms. WATSON. Thank you, Mr. Chairman, and I wanted to prove the missile defense as an issue that we could negotiate because I believe that under the last administration, there was a lot of pushback from the Russians over the missile defense system, and I was wondering if it could be a bargaining tool, but let me move on to North Korea. After they tested their nuclear device, and it was as powerful as I understand as the bomb that destroyed Hiroshima.

Although North Korea is testing nuclear weapons and long-range and minimum range rockets, they are still a few years away from putting a nuclear device on a missile. While these tests have been conducted, Japan has not begun its own nuclear program, and clearly when they have the means and technology to do so, it is somewhat amazing, and I believe this is due to our insurance of missile defense protection.

Does it as a diplomatic tool have the ability to keep other nations from developing nuclear weapons when they certainly face a model threat and can be assured by the United States they will be protected? Anyone who would like to address it, please do so.

Mr. PAYNE. Sure.

Secretary PERRY. Yes. We have as a commission and also I have had separately very detailed talks with the Japanese Government on the issues you are raising, and I can offer you several opinions on that. First of all, our policies relative to Japan should give them clear confidence that our extended deterrence is there and would be effective. To do that, we need to consult with them about changes we make in our deterrent forces. We have recommended that in our commission report, and I believe the administration is following that recommendation.

Secondly, we should have a robust diplomatic program to reverse the North Korean nuclear program and missile program, more robust than it has been in the years past, and I have made several recommendations as to how that might be done, which is sort of beyond the scope of this hearing, but yes, that is an important issue with Japan.

Third, we should support Japan's interest in having ballistic missile defense to help protect them against North Korea, and we have done that as well. Those are the three components I think.

Ms. WATSON. Mr. Payne?

Mr. PAYNE. I would only add a number of countries including Japan have made the point—

Ms. WATSON. Can you speak right into the microphone?

Mr. PAYNE. Surely. Sorry.

Ms. WATSON. Thank you.

Mr. PAYNE. A number of our key allies including Japan have indicated, and some have said explicitly, that the combination of missile defense capabilities and our extended nuclear umbrella is what allows them to feel assured so that they don't need to move into alternative ways for security, which could include their own nuclear capability.

Ambassador GRAHAM. I could just add to that. I do think there may be a limit to how much the Japanese will really rely on extended terms. If it really got bad, if North Korea was able to develop 20 kiloton bombs and missiles that could deliver them accurately against Japan, I am just speculating, but I am not sure that might not drive them to build weapons themselves.

Ms. WATSON. If I hear the three of you, I would sum up what you are saying is that we still should encourage the President to keep it in his tool box as an option and funded. We should fund it. Is that a consensus?

Mr. PAYNE. Yes.

Ambassador GRAHAM. Yes.

Ms. WATSON. Thank you. I yield back my time, Mr. Chairman.

Chairman BERMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. DELAHUNT. Thank you, Mr. Chairman. I find the three of you providing very informative testimony. Dr. Payne, I think for the first time I heard a very legitimate argument for missile defense coupled with as you say extended deterrents in terms of actually assisting in a goal of nonproliferation. I don't know whether I agree with it, but it is a good point. I also think it is interesting that as opposed to strategic arms, nuclear weapons, their emphasis is on tactical weapons because of the shelf life being soon to be expired.

I think that also one could draw the inference that they clearly don't see the United States as a direct threat to them. Otherwise, they would be looking to develop or reconstitute if you will their strategic nuclear arms. I take that as very positive. They do live in a rough neighborhood. I am going to be part of a group that is going to Moscow with Chairman Berman to exchange views.

I do agree with your testimony Ambassador Graham that this is one of and might be the single most important state-to-state relationship that we have, and we should do everything we can to not just reset but enhance the relationship. In the last 6 months, I have been twice to Moscow, and they have a litany of complaints. They are not just simply based on pride. What do you hear in terms of the complaints about American behavior coming from Russians, and which ones do you consider legitimate?

Let me use one example about NATO expansion. They are adamant in going back to history and the understanding that they claim was achieved between Secretary Baker regarding reunification of Germany and the expansion of NATO. It wasn't going to happen, and now we are knocking on the door. Our response, and, Ambassador Graham, I do concur with your brief but I think accurate observations about the conflict last August between Georgia and Russia.

I think the Russians just simply lost the PR battle here probably as a result of a byproduct of a Presidential election, but I don't consider Georgia as a very stable, prospering democracy, and I think if we continue to accept that, we can make some serious mistakes ourselves, so anyhow. Feel free. Give me a litany of authentic and legitimate complaints that the Russians have about American behavior and what our response should be?

Ambassador GRAHAM. To answer your question, NATO expansion of course is a controversial issue on both sides of the Atlantic, and it grew out of the fact that Russia was very weak in the 1990s. There are a number of different possible views, but perhaps the first expansion, Poland, the Czech Republic and Hungary was much less significant than some of the later ones. But putting all that aside, NATO has expanded. The expansion has taken place, so maybe I will just comment on one or two aspects of it.

Bringing the Baltic states into NATO, that looks to the Russians like a real threat against them because there is no real sort of geopolitical reason to do that. Second, to bring Ukraine into NATO; as some have argued the American people have a great interest in the well-being of the Ukrainian people, but we have an interest in relations with Russia as well, and nonproliferation, and that seems to strike at the heart of core Russian security interests.

I mean, their leased naval base at Sevastopol would end up within NATO if Ukraine became part of NATO. I think we are at the point where we shouldn't go any further on that issue. Missile defense is a much more theological, if I can use that word, debate but NATO expansion is in a different category.

Mr. DELAHUNT. Mr. Chairman, could I ask for 1 additional minute and give it to Mr. Payne? He looks like he wants to respond.

Chairman BERMAN. I will yield.

Mr. PAYNE. If I might, I don't think I need 1 full minute.

Chairman BERMAN. 30 seconds.

Mr. PAYNE. I just want to add to Tom's list, and that is that the Russians were very disturbed and are still quite resentful about NATO operations in Kosovo, against what they saw as their ally Serbia. That is part of the litany of complaints. Let me just say about your opening point that the Russians don't see us as a direct threat, I think that is true for some Russians.

I assure you that if you look at their internal writing, if you look at their military exercises, they certainly talk as if we are a direct threat, and their military exercises, include the apparent use of nuclear weapons against us. So, there is at least a section of Russia that I believe by their own statements sees the United States as the direct threat.

Chairman BERMAN. Time of the gentleman is expired. I am going to yield myself 5 minutes for another round. We are getting near the end here, but the ranking member is not here, so I want to ask the questions that come from my hearing her opening statement. I will try to ask the questions quickly and see how many we can get through. Is there some reason to think that getting the kind of reductions envisioned in this current negotiation for a new agreement by December that the Russians will want in that agreement some type of binding constraints on our missile defense program? Secretary PERRY?

Secretary PERRY. I think yes, they want such constraints. I do not think they are going to get such constraints, nor do I think we should give them such constraints. And I further believe we will get a treaty without making such constraints.

Chairman BERMAN. Does anyone disagree with that assessment? Ambassador GRAHAM?

Ambassador GRAHAM. I essentially agree with that. I don't think we should give them binding constraints. I think we can get away with something less, but down the road, as the process proceeds to—

Chairman BERMAN. I just meant for purposes of this agreement.

Ambassador GRAHAM. For this, I think there is a good chance of getting away with less.

Chairman BERMAN. Dr. Payne, you disagree with that?

Mr. PAYNE. I agree with Secretary PERRY on it.

Chairman BERMAN. All right. So one can still have a sense of urgency and believe we can achieve that agreement without unwisely constraining our own flexibility here. Next question. There was a reference in the ranking member's opening statement to the Russians wanting to constrain some of our systems, which are configured, designed, and intended simply to be instruments of conventional defenses and maneuvers, different kinds of bombers and cruise missiles. Are the Russians going to insist for the purposes of these negotiations in trying to constrain those?

Secretary PERRY. My answer to that is the same as the last question. They may very well want to do that. We should not accede to that if they do, and I do not think we will have to get the treaty we want.

Chairman BERMAN. Is that a unanimous opinion of the panel? Then I am curious about Dr. Perry's and Ambassador Graham's reaction to Dr. Payne's point, so what if a number of the Russian launchers will be outdated soon? They are going down anyway, and so why are we willing to also reduce ours knowing that? And I guess the two questions I have, and I would be interested in the comments of the witnesses. What prevents them—absent such legally-binding constraints verified—from deciding to build new systems, new launchers, new weapons?

I understand the economic constraints on them, but unfettered by any binding agreement, why can't they reverse the logical outcome of the current situation by making such a decision? And maybe even more importantly, in what possible way is our national security adversely impacted by reducing these systems by the levels contemplated by our witnesses? So, Dr. Perry or Ambassador Graham, if either of you want to—

Secretary PERRY. The first point is I think there is no discernible effect on our security by the nature of the very modest decreases we are talking about in the START follow-on.

Chairman BERMAN. And do you say that even though we haven't completed the nuclear posture review?

Secretary PERRY. Yes. I mean, our commission made inputs to the nuclear posture review, and the inputs are along the lines I have described to you here. Secondly, the Russians are certainly capable of building a new generation of strategic weapons, and indeed they already have started some elements of that. I do not think we should give them any reasons for expanding that program and getting into a new strategic arms race.

Chairman BERMAN. All right. I will assume, Ambassador Graham, someone agrees with Dr. Perry's conclusion and give the remaining balance of my time to Dr. Payne to rebid here.

Mr. PAYNE. Thank you, Mr. Chairman. The Russians are indeed building new systems, but the modernization programs that they have are governed by their resources, and perhaps if oil goes to \$500 a barrel, they could reinvigorate those programs and start producing very serious numbers along the lines of possibly what you are suggesting. But they are spending 25 percent of their budget for new weapons on strategic systems, and the product of that is a very slow production of new strategic systems.

That is why they are going to be going down to very low numbers one way or the other. It is because as they get rid of their old, aged systems, the replacement systems are coming on very slowly, even though they are going literally as fast as they can with those systems. As I said, unless oil went to \$500 a barrel, you are not going to see a lot of margin for the Russians to build up the kind of numbers and the kind of arms racing that we saw with the Soviet Union.

Chairman BERMAN. I just have to interrupt there. Some people think our B-52s are aged systems, but they sometimes can still deliver a bomb.

Mr. PAYNE. The label "aged" isn't my interpretation. I am looking exactly at Russian discussions of their decommissioning their own systems. This isn't my interpretation.

Chairman BERMAN. I have heard our discussions of our B-52s.

Mr. PAYNE. Well, they have outlined what they are going to have, when they are going to have it, and when they are going to decommission, for example, the Delta submarines. And they have said that they are sticking to those schedules.

Chairman BERMAN. Okay.

Mr. PAYNE. The other point I would make is, what is the problem with going down to these low numbers anyway even though the Russians are going down in any event? Let me suggest one problem that I think is very serious: That is that our leverage with them in these types of negotiations obviously stands at our strategic force levels. Why is that? It is because we don't have any large number of tactical nuclear weapons.

If we use up the leverage that we have in getting them to go down in directions they are going down anyway, we are not going to be able to get a handle on their tactical nuclear weapons, which is where the real problem is. I would much rather see us focus on

and use whatever leverage we have in getting a handle on the real threat of nuclear war fighting, and the real threat to nuclear proliferation.

Chairman BERMAN. Tactical.

Mr. PAYNE. That is their tactical nuclear weapons. That is the problem.

Chairman BERMAN. Got it. My time is more than expired. The gentleman from California.

Mr. ROHRBACHER. Thank you very much, Mr. Chairman. Following through on your line of questioning, Dr. Payne, I don't know if it has really come to your radar screen, but we too cannot afford to have the kind of arsenal that we had during the Cold War. The Russians may have troubles in their economy, but look around. We have \$2 trillion in deficit spending this year.

We can't afford to have a level of nuclear weapons any more than they can unless it is absolutely necessary to our national security. The fact that they have to dismantle them because they can't afford them, we should be dismantling ours that we can't afford to a level that is consistent with our security. Let me suggest that the point you just made that the tactical nuclear weapons should be of major concern, absolutely not, just the opposite.

Tactical nuclear weapons we are talking about in terms of their land forces, et cetera, we are not going to invade Russia. They are not going to be used against people invading Russia from Europe or from the United States. Those weapons will help deter a Communist Chinese attack on Russia, and they know that. That is why they don't want to give it up, and we should realize that as a justifiable fear and how we do that perhaps is making sure that we don't create this false impression that we are still in a state of Cold War with the Russians by expanding NATO.

I would agree with my friend, Mr. Delahunt, that NATO and this expansion of NATO has had exactly the wrong results. We resulted in a renewed belligerence between our countries, which is not worth any idea of security. In fact, it has provided less security. With that said, I certainly understand, and let me just again reiterate.

I mean, people can talk about, and we can quote Ronald Reagan with his idealism as well, but I have found, and let me quote Dana then and not Ronald Reagan that where rational optimism and misplaced idealism actually is a greater threat to peace than is bellicose soundings about war because what happens is that the tyrants and the kooks in the world like North Korea and Iran, they misunderstand those proclamations.

Singing Kumbaya and holding hands may in some way make everybody feel better, but it might encourage the North Koreans to say, Hey, we are going to speed up our process of developing nuclear weapons or the Mullah regime saying hey, now we have got our chance to really strike back at the west, so there is a price to be paid as I say misplaced idealism or irrational optimism. With that said, let me go to my basic question, which is cooperation with Russia on ABM.

To the degree that we can reduce these nuclear weapons, what Ronald Reagan didn't believe in was cooperation with Russia on an antiballistic missile system, and the fact that the last administra-

tion moved forward with no cooperation was exactly the opposite strategy that Reagan had toward making a more peaceful world. Do you think it is possible now for us to retrieve this opportunity to have a cooperative anti-missile system with Russia that would save us from the Iranians but also perhaps the Chinese? Can we now move forward and expect that is a possibility that type of cooperation? Yes, we can start with Dr. Perry and go right down the line.

Secretary PERRY. Yes, I think it is possible, and I have so recommended to the administration that they seriously pursue discussions with the Russians on real cooperation in this field. The minimum of which would be the use of Russian radars directed at Iran.

Mr. ROHRABACHER. The minimum.

Secretary PERRY. Minimum. Minimum.

Mr. ROHRABACHER. But there is a huge area that we could apply that.

Secretary PERRY. You could also consider the deployment of some of the system in Russia, which makes it much closer, better access to the Iranian sites.

Mr. ROHRABACHER. Right. Mr. Ambassador?

Ambassador GRAHAM. Well, Putin did offer the use of that radar in Azerbaijan, so that is at least some indication that maybe they would consider that. It was of course in the context that we not put the systems into Eastern Europe. You can use our radar—

Mr. ROHRABACHER. Well, maybe the systems in Eastern Europe are not necessary if we have a larger and more comprehensive cooperative effort with Russia.

Ambassador GRAHAM. Well, maybe that is right. If they truly were aimed at Iran, and an Iranian ICBM is a few years off—

Mr. ROHRABACHER. Mr. Chairman, could we permit Dr. Payne if he has a comment? That is all.

Chairman BERMAN. Sure. Dr. Perry, we understood you had to leave at 12:00, and we are very grateful for your contribution and your being here today. Thank you very much.

Mr. PAYNE. Thank you. Sir, let me just respond to your vigorous point that the United States shouldn't have to keep to Cold War levels of nuclear capabilities. In that case, directed toward me, you are pushing on an open door; which is why I participated in the Moscow Treaty process to forge the reduction of U.S. strategic nuclear capabilities by two-thirds. I couldn't agree more. We don't need Cold War levels. I have never suggested it. To the contrary, I was very glad to see our numbers reduced per the needs of our strategy.

Mr. ROHRABACHER. Thank you.

Mr. PAYNE. The second point that you made, and I believe my colleagues here will agree with me, was that tactical nuclear weapons aren't a problem. Let me just suggest we will have to agree to disagree on that because my belief is, and I suspect that Tom's belief is that this is where the "loose nukes" problem is most likely to be found. This is where the actual use of nuclear weapons is most likely to occur.

The Russian tactical nuclear weapons are a serious problem. Whether you want to try to deal with them now, or you want to try to deal with them later, we need to deal with them. It is not

as if they are something we can ignore. With regard to cooperation with the Russian Federation on missile defense, again it is something I am all for. I spent hours, many, many hours negotiating with the Russians exactly for that purpose. And, not for a lack of effort, we didn't get much. But because we weren't successful in finding areas for cooperation in the past doesn't mean we shouldn't try again.

I think we should continue to try.

Mr. ROHRBACHER. Thank you, Dr. Payne, and no comments on singing Kumbaya, but that is all right.

Chairman BERMAN. Time of the gentleman is expired. The gentlelady from Texas is recognized for 5 minutes. We are about winding up I hope?

Ms. JACKSON LEE. Thank you very much, Mr. Chairman. Thank you for holding this hearing, and I will pose questions to Mr. Graham and Mr. Payne as quickly as I possibly can. We were delayed in other meetings, and so I will talk as quickly as possible. I would like to follow up on my colleague's comments, Mr. Rohrabacher, Mr. Graham, and find out can we blame the expansion of NATO first of all for the posture that we are not in with Russia?

Ambassador GRAHAM. I don't think it is 100 percent of the problem, but it is a very significant part of the problem, yes.

Ms. JACKSON LEE. Well, I am glad to see that it is not 100 percent of the problem, it is part, but any agreement has its pros and cons and proponents and opponents, is that not right? Do you think in the view of the strategy of the United States and Europe that the expansion of NATO was a positive step?

Ambassador GRAHAM. Well, I have to confess I do not think it was a positive step.

Ms. JACKSON LEE. And why is that?

Ambassador GRAHAM. Because it was inevitably going to lead to confrontation with Russia and the damaging situation that we have now. Those countries are important of course to the United States. But they could have been protected without bringing them into an alliance that is, at least on paper, antagonistic toward Russia. I thought it was a mistake at the very beginning, and I continue to think it was a mistake. I don't think United States security has been served well by it. Also, NATO now is so large that it is less easy to manage, but that is a minor issue.

Ms. JACKSON LEE. How do we counter then the present posture that we are in? As all good policymakers, some voting and some non-voting, I would tend to disagree. I think there is an issue that it is certainly part of the problem, but I view it as a workable problem, and I assume that if Russia was engaged in an alliance, we would probably have some disagreement with the alliance, but they would proceed on their best interest. I guess the question is does the United States consider that their best interest? It may not have turned out to be in this light, but how do we move forward then?

Ambassador GRAHAM. Congresswoman, one must consider the context of NATO expansion.

Ms. JACKSON LEE. But let me move forward. In the backdrop of that, because my time is short, how do we work with Russia going forward, and I may have missed some earlier answers, but I appreciate—

Ambassador GRAHAM. Well, I think how we work with them going forward is that we recognize that what is done is done, but there cannot be any further NATO expansion.

Ms. JACKSON LEE. That is fair enough, and there are some who are standing in line for that.

Ambassador GRAHAM. Yes.

Ms. JACKSON LEE. Dr. Payne, Russia has its ills, Georgia, Chechnya and other issues. What is a pathway of collaboration and working on nonproliferation?

Mr. PAYNE. Working on nonproliferation as opposed to NATO expansion?

Ms. JACKSON LEE. Yes. I moved away from that. I want to go forward. What is the step going forward?

Mr. PAYNE. The basis for the steps going forward in some ways have already been set. We have been working very cooperatively with Russia in a whole series of nonproliferation and counterproliferation activities. It is my hope that we will continue and even re-emphasize—

Ms. JACKSON LEE. Yes, but how do we get to a point of success? We can work to no avail, so what is your pathway for success? Is it possible in the present configuration of leadership in Russia?

Mr. PAYNE. Sure.

Ms. JACKSON LEE. Okay. And how?

Mr. PAYNE. There is no way to guarantee success. All we can say is, we will keep at the kind of things that have been successful recently.

Ms. JACKSON LEE. Such as?

Mr. PAYNE. Well, such as the efforts of the United States and Russia with Ambassador Kislyak and Ambassador Joseph to work together very closely on counterproliferation, particularly nuclear counterproliferation activities. I mean, Russia and the United States were working very well together on that. That is the kind of thing that needs to expand and get more emphasis. Whether that is going to guarantee results, we don't know, but if we don't do that, we know it won't work.

Ms. JACKSON LEE. So what you are saying is that we should not close the door. Right now we have a discussion format or structure, which we should continue on with the goals of having some success. Do we have to show that we are willing to reduce our own nuclear position, the United States? Do we have to conspicuously reduce our own nuclear position to make headway?

Mr. PAYNE. Not in that area. I mean, I think what we need to do is reassure Russia as much as we can that we are not their enemy against the views of many in Russia who still see us as their enemy. It is this overall political backdrop that drives everything, so this is a long-term process of essentially trying to work cooperatively with Russia in a whole series of areas. Your question is as I understand it, does this specific reduction of strategic nuclear weapons that we have been talking about, does it govern everything else? My answer is no. It is the context that governs that.

Ms. JACKSON LEE. My last point is do we have fear of Russia engaging in nuclear war, launching some nuclear warhead of sorts or testing or doing anything to rattle the cage?

Mr. PAYNE. Against us? Against the United States?

Ms. JACKSON LEE. Generally speaking, and you can add us, but generally speaking.

Mr. PAYNE. Actually, I do have some concerns that we could see regional nuclear use by the Russian Federation, and again that is not me expressing my own particular opinion. It is just by looking very closely at what they say their nuclear weapons are for and how they have arrayed them. I don't think the probability is high, but if you look around and try and examine the probabilities of nuclear use, my guess is that Russian use of tactical nuclear weapons is one of the higher probabilities of a generally low-probability event.

Ms. JACKSON LEE. Thank you, Mr. Chairman. Thank you to the witnesses.

Mr. DELAHUNT [presiding]. Thank you. Now the chair would recognize the gentleman from Nebraska, Mr. Fortenberry.

Mr. FORTENBERRY. Thank you, Mr. Chairman, and thank you gentlemen for being here today, and I regret that I didn't hear your earlier testimony, so I apologize if any of this is a bit redundant, and my question was actually more pointed toward Secretary Perry in that he said that based upon the report America's Strategic Posture Report, the report said, "We are in danger of losing the battle to stop proliferation. Thus, the proliferation of nuclear weapons and fissile materials is dangerously close to a tipping point."

Now, clearly it is essential that we have a certain robustness in terms of START talks and negotiations, but to the degree that START is somewhat of an anachronism to the Cold War era, and given the new dynamic of threats that are emerging, is it possible to reframe this framework, which is already set and understandably set about the missile capabilities or ballistic capabilities between the two countries to include things such as Russian's involvement with Iran and potentially empowering that country with the ability to seek nuclear weapons capability?

In other words, a slight paradigm shift that would inject the possibility of new and real threats as Secretary Perry and the American Strategic Posture report pointed out. Yes, Ambassador?

Ambassador GRAHAM. Congressman, I don't think it is going to be possible to successfully fight against the pressures for further proliferation unless we have the complete cooperation of Russia. It is the only way we can do it. That is a widespread view. It is certainly my view. One of the reasons for the START process going forward now is to try to repair the United States relations with Russia, which have become quite bad in the last 5 or 6 years to the point where they don't cooperate with us.

That is a recipe for failure, and so the START process has its own rationale, but part of the rationale is to use that as a means to begin improving our relations with Russia.

Mr. PAYNE. I agree with Ambassador Graham's response. The only point that I would add is the difference between us perhaps is that I don't see the restart of START as the central feature that is going to make the other areas work. In fact, my guess is that the other areas that we and the Russians could cooperate on, such as counterproliferation, nonproliferation, and counterterrorism are where our interests and the Russian interest overlap more directly.

My speculation is we could make more progress there than we can in other areas where our interests don't overlap so much.

Mr. FORTENBERRY. Well, that is helpful insight, gentleman. We have to start where we are while the stated intention of the talks may not be to address the thornier issues of proliferation. The platform for the relationship currently exists around this set of parameters, and you start there. It would be our hope though obviously to accelerate the dynamic of the relationship.

If this is a leverage mechanism in which we can do that, I think we ought to look for creative opportunities there because while we frame the issue in one way that deals with a certain segment of reducing the possibility of a nuclear weapons explosion in the world, a whole other burgeoning area of gravity is emerging with the issue of proliferation, and so we tend to do that in government because we have had this process set.

It is very difficult to rearrange the structures that can develop to actually address what might be a more severe problem at the moment, but I appreciate your point as to the possibility. We take what we have. We start where we are. Thank you, gentlemen. That is all I had, Mr. Chairman.

Mr. DELAHUNT. I think it was you, Ambassador Graham, that described the relationship as one that has suffered, or maybe it was Dr. Payne. I think you shared a view that currently the relationship has deteriorated over the past 5 or 6 years significantly, and yet I believe since the election of President Obama there is some optimism. One sees statements, and I understand they are only statements, coming from both Medvedev as well as Putin.

Yet, I just noted that somehow Tajikistan has reintroduced the idea of providing the base for the United States. I think that is news that is just recent, I mean, in the matter of the last day. I just sense, and again this is just a sense that there is a desire on the part of the Russians to legitimately improve the bilateral relationship. I think you are probably right, Dr. Payne, I mean, the extension of the START treaty, that might not be the centerpiece, but I am somewhat optimistic.

I happen to believe in public diplomacy, in people-to-people exchanges, and on the two occasions that I have been to Russia, I am really stunned by their view of our intentions. I am talking about not just the political class, but people who continue to see us in adversarial terms, maybe not quite the enemy that we had legitimate cast during the time of the Soviet Union. I have some ideas about really launching an effort under the aegis of public diplomacy to start to generate more people-to-people contacts at multiple levels. Do you think it is a good idea, Dr. Payne?

Mr. PAYNE. I am glad you raised that, sir.

Mr. DELAHUNT. Can you get that microphone?

Mr. PAYNE. Yes, sir.

Mr. DELAHUNT. Thanks.

Mr. PAYNE. I am glad you raised he point because I had the opportunity while in Russia on a number of occasions to ask the question, what is it about the United States that has most appealed to you? I ask a broad array of folks that question, and the answers were amazing. They had nothing to do with very high state-to-state negotiation. The answer I got, for example, from one group was

that there is some program, or there was some program at the time, where United States farmers would go to Russia and aide Russian farmers for 6 months at a time or some extended period. They thought that was fabulous and really showed American goodwill. Another answer I got was that there was a private organization in the United States that sent over doctors and medical supplies to Russia. I don't remember the name of it, but they provided—

Mr. DELAHUNT. Right. But these kind of initiatives.

Mr. PAYNE. These were the kind of initiatives that the Russians unanimously said show U.S. goodwill. But none of them talked the high-level—

Mr. DELAHUNT. Right. In my dialogue with people in government, who I believe to be supportive of improving the relationship, their concern about what they see is a level anti-Americanism, and yet I spoke recently with a foreign minister of sport who says we have got to really do some things in terms of exchanges at the collegiate level, maybe at the high school level, and it should be supported by professional sport organizations both in Russia and the United States. I found that interesting. Do you concur, Ambassador Graham?

Ambassador GRAHAM. I do concur. The various cultural programs we had in the past all had a very positive effect. We are still going to have to deal with the government.

Mr. DELAHUNT. And I understand that.

Ambassador GRAHAM. Right.

Mr. DELAHUNT. I am not disposing of that, and maybe this is around the edges so to speak.

Ambassador GRAHAM. Yes, but I do think that these programs are valuable, and to the extent we are able to do so, I think that they should be continued and expanded.

Mr. DELAHUNT. Now, one of you spoke about the issue of the Russians wanting to control the missile defense system. I presume that is the invitation of Putin to use Azerbaijan or maybe even Russian soil for the site of a missile defense deployment. What is wrong with that? I am not saying control, but say cooperative. I think that was the word others might have used, but to me that seems to be an interesting offer that we should seriously consider because in my conversations with the Russians, they seem to recognize that they have got a lot more to lose with a nuclear armed Iran than we do given the delivery capacity of the Iranians. They are on the border. It is their neighborhood. Help me.

Ambassador GRAHAM. Russia has had a long up and down relationship with Iran. Right now, in recent years, Iran has been helping them in a number of areas both in Chechnya and also in the wars in Tajikistan and other places, but it wasn't always that way. Russia has invaded Iran. The Russian Ambassador in Iran in the 19th century was beheaded. It hasn't been entirely smooth, and so yes, Iran is in their neighborhood.

It has got to be a country they worry about, and they would be a lot more vulnerable than we would or even Europe, and I understand that radar in Azerbaijan may not be in the best shape, but think the offer is one that at least ought to have been explored even if we didn't really intend to do it.

Mr. DELAHUNT. Dr. Payne?

Mr. PAYNE. I only repeat that I very much hope to see United States-Russian cooperation on missile defense, and I put a lot of hours of government service into that end. The only caveat that I would add is that we have to understand the distinction and be able to discern the difference between cooperation that helps all parties, including our allies, and cooperation that is in name only and is meant to impede the capabilities that we need. As long as we keep the threshold between those two straight in front of us, I think we should go forward as much as we can.

Mr. DELAHUNT. And we must insist on clarity, obviously. Well, gentlemen, thank you for educating us. It has been an outstanding tutorial, and before I adjourn, Mr. Connelly of Virginia has a statement, and he asks U.C. to be included in the record, so ordered, and we will keep the record open for another 48 hours for any statements or additions, and again, once more, thank you, and we are now adjourned.

[Whereupon, at 12:25 p.m. the committee was adjourned.]

A P P E N D I X



MATERIAL SUBMITTED FOR THE HEARING RECORD

FULL COMMITTEE HEARING NOTICE
Committee on Foreign Affairs
U.S. House of Representatives
Washington, D.C. 20515-0128

Howard L. Berman (D-CA), Chairman

June 19, 2009

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held in **Room 2172 of the Rayburn House Office Building;**

DATE: Wednesday, June 24, 2009

TIME: 10:00 a.m.

SUBJECT: The July Summit and Beyond: Prospects for U.S.-Russia Nuclear Arms Reductions

WITNESSES: The Honorable William J. Perry
Michael and Barbara Berberian Professor
Stanford University
(Former Secretary of Defense)

The Honorable Thomas Graham, Jr.
Executive Chairman of the Board
Thorium Power Ltd.
(Former Special Representative to the President for Arms Control, Non-Proliferation, and Disarmament, and Legal Advisor to SALT II, START I and II)

Keith B. Payne, Ph.D.
CEO and President
National Institute of Public Policy
(Former Deputy Assistant Secretary of Defense for Forces Policy and Commissioner on the Congressional Strategic Posture Commission)

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE HEARING

Day Wednesday Date 6/24/09 Room 2172 RHOB

Starting Time 10:04 a.m. Ending Time 12:23 p.m.

Recesses (_____ to _____)

Presiding Member(s) Howard L. Berman (CA), Chairman; Bill Delahunt (MA)

CHECK ALL OF THE FOLLOWING THAT APPLY:

Open Session Electronically Recorded (taped)
Executive (closed) Session Stenographic Record
Televised

TITLE OF HEARING or BILLS FOR MARKUP: (Include bill number(s) and title(s) of legislation.)
The July Summit and Beyond: Prospects for U.S.-Russia Nuclear Arms Reductions

COMMITTEE MEMBERS PRESENT:
see attached

NON-COMMITTEE MEMBERS PRESENT:
n/a

HEARING WITNESSES: Same as meeting notice attached? Yes No
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)
n/a

ACTIONS TAKEN DURING THE MARKUP: (Attach copies of legislation and amendments.)

RECORDED VOTES TAKEN (FOR MARKUP): (Attach final vote tally sheet listing each member.)

| <u>Subject</u> | <u>Yeas</u> | <u>Nays</u> | <u>Present</u> | <u>Not Voting</u> |
|----------------|-------------|-------------|----------------|-------------------|
|----------------|-------------|-------------|----------------|-------------------|

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED 12:23pm


Doug Campbell, Deputy Staff Director

Attendance - HCFA Full Committee Hearing
The July Summit and Beyond: Prospects for U.S.-Russia Nuclear Arms Reductions
Wednesday, June 24, 2009 @ 10:00 a.m.

Howard L. Berman (CA)
Donald M. Payne (NJ)
Brad Sherman (CA)
William D. Delahunt (MA)
Diane E. Watson (CA)
Albio Sires (NJ)
Gerald E. Connolly (VA)
Lynn C. Woolsey (CA)
Sheila Jackson-Lee (TX)
Barbara Lee (CA)
David Scott (GA)
Jim Costa (CA)
Ron Klein (FL)

Ileana Ros-Lehtinen, (FL)
Christopher H. Smith (NJ)
Dana Rohrabacher (CA)
John Boozman (AR)
Jeff Fortenberry (NE)
Ted Poe (TX)
Bob Inglis (SC)

Verbatim, as delivered

Chairman Berman's opening statement at hearing, "The July Summit and Beyond: Prospects for U.S.-Russia Nuclear Arms Reductions"

Our hearing today addresses one of the most important issues in the U.S.-Russia relationship -- the future of efforts to reduce the nuclear arsenals of both countries.

The touchstone of this effort is the first Strategic Arms Reductions Treaty, START I, which significantly reduced U.S. and Russian nuclear arsenals, and included unprecedented transparency, verification and data-sharing provisions.

It was a foundation of the U.S.-Russia post-Cold War relationship, and heralded a new era in which nuclear-armed missiles, submarines and bombers were being dismantled and destroyed.

It seemed that both countries were beginning to emerge from the doctrine of "Mutually Assured Destruction," in which security was measured in terms of the massive destruction that each could inflict upon the other.

This treaty, however, will expire in early December, taking with it the carefully-negotiated and detailed verification and inspection regime that has been so important in building trust and confidence between Moscow and Washington.

In March, both President Obama and President Medvedev announced their joint intention to agree on the terms of a successor agreement to START I by July.

In April, President Obama restated his commitment that the U.S. will seek "a new agreement by the end of this year that is legally binding and sufficiently bold... [a]nd this will set the stage for further cuts, and we will seek to include all nuclear weapons states in this endeavor."

This is a tall order, but one that, so far, both the U.S. and Russia seem willing to accomplish.

The Vice President has famously called for pressing the "reset button" in the U.S.-Russia relationship. This new treaty would do that in the arena of strategic nuclear arms reduction, but it is also a "placeholder" for the real nuclear arms reduction treaty to come.

Given that this is the Committee's first hearing in quite some time on these important matters, I think it's important to take a step back and review some of the fundamentals.

A first key question: are reductions in US, Russia, and others' nuclear arsenals a good idea?

With a few exceptions, nearly everyone agrees that fewer nuclear weapons makes for a better, more stable world; it is, after all, the basis of our nuclear nonproliferation policy.

Significant unilateral reductions, unanswered by Russia and the other powers, are probably unwise.

But I'm convinced that significant bilateral or multilateral reductions are in the U.S. national interest.

I believe the only appropriate role for nuclear weapons is to deter the use of nuclear weapons by others. There is no other reasonable, real-world scenario I've seen that justifies any other mission.

If you agree with this judgment, then the U.S. and Russia – and indeed, the other declared nuclear states – can drastically cut their nuclear arsenals.

I can't fathom that a U.S. President would authorize the use of nuclear weapons against a non-nuclear threat, knowing that the consequence would be the crumbling of the entire nuclear nonproliferation regime.

Other states would rush to acquire nuclear arms, if for no other reason than to defend themselves against a United States willing to use such weapons against a state that has not used or even possessed them.

While some argue that we may need to use nuclear weapons against chemical or biological threats or deep underground facilities – ignoring that the capabilities of advanced conventional weapons to do the same job is very strong – it would be irresponsible to ignore the impact of our first use of nuclear weapons on the long-term national security of the United States.

Our allies do attach great importance to the so-called U.S. "nuclear umbrella" of extended deterrence, and we must be mindful of their interests.

But there is no longer a Soviet Union and a Warsaw Pact, poised to send waves of tanks and infantry into Western Europe.

Nor do I believe that China will seek an empire in East Asia based on conventional conquest.

In this context, it is also important to note that terrorist groups can't be deterred with the threat of nuclear retaliation.

Much of the debate about the use of nuclear weapons seems divorced from reality. It often seems that proponents of retaining larger stockpiles of nuclear weapons are casting about for any scenario, however far-fetched, to justify higher numbers of nuclear weapons for their own sake.

Therefore, if the mission is really limited to deterring a nuclear attack, then both the U.S. and Russia should be able to reduce the number of deployed and reserve warheads significantly below the levels contemplated in the 2002 Moscow treaty, and lower than the levels reportedly contemplated in the START I successor agreement now being negotiated.

Second, I would argue that the retention of significant levels of nuclear weapons by the United States does harm our national security interests in other ways.

The longer that nuclear weapons are seen as the hallmark of a Great Power, then the greater the incentive for other states to also pursue, acquire, and accumulate their own nuclear arsenals to attain the same recognition and influence.

There is probably not a hard linkage between reductions in the U.S. nuclear arsenal and the efforts by Iran, North Korea and others to acquire a nuclear capability.

But the U.S. retaining more weapons than it needs provides a useful pretext for these and other countries to argue that we are insisting on a double-standard: that on the one hand, we want to deny developing countries their "right" to peaceful nuclear energy, as provided under the NPT, the Treaty on the Non-Proliferation of Nuclear Weapons; but on the other hand, we are not upholding our commitment under the NPT – along with Russia, China, the United Kingdom and France -- to "pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament ..."

When other countries do not believe that the United States is serious about fulfilling this legal obligation, then they are less inclined to support our nonproliferation activities.

For them, the international nuclear nonproliferation regime is fundamentally discriminatory, and only serious progress on nuclear disarmament by the United States and Russia – who still possess approximately 95 percent of the world's nuclear weapons – can reduce and eventually eliminate this discrimination.

That leads to the next question: Is it a good idea to pursue legally-binding treaties on reductions, and legally-binding verification provisions?

The last administration clearly thought the answer was no. They conceived of arms control as an exercise between enemies.

Once the Soviet Union dissolved, it was said, there was no longer a need for legally-binding arms control agreements.

However, the real objection seemed to be that such agreements and their intrusive verification and monitoring provisions, needlessly constrained the flexibility of U.S. forces for other missions.

As I've argued, I believe the need for such flexibility makes no sense when considering the appropriate role of nuclear weapons.

In 2002, the Bush Administration concluded the Strategic Offensive Reductions Treaty, or SORT, but this agreement does not include any monitoring or verification provisions.

The fact that the START I verification regime remained in force compensated for the lack of verification measures in the Moscow treaty.

But as we contemplate significantly lower levels of nuclear weapons, it is critical to have clear, intrusive, and comprehensive verification and monitoring provisions to reassure both sides that the other is not seeking to retain a significant advantage in forces.

And it becomes even more important to have the structure, commitment, and clarity of a legally-binding agreement.

The final question: Is the goal of zero global nuclear weapons a good idea?

One of our witnesses today, Perry, co-authored a landmark editorial with Sen. Nunn, Secretary of State Kissinger and Secretary of State Shultz, on a "World without Nuclear Weapons."

The President himself has recommitted the United States to the eventual objective of a world of zero nuclear weapons. I say "recommitted" because this goal is, as I've already noted, enshrined as the law of the land in the U.S. ratification of the NPT over 40 years ago.

How, and when, we get to zero is a fascinating subject, and one we may address in a future hearing.

Congressman Gerald E. Connolly (VA-11)

**HCFA Full Committee Hearing: July Summit and Prospects for U.S.-Russia Nuclear Arms Reductions
Wednesday June 24, 2009
10am**

Thank you, Mr. Chairman.

Renegotiating the Strategic Arms Reduction Treaty (START) is an opportunity to reinvigorate the U.S.-Russia relationship. Though President Bush said in 2001 that he looked into President Putin's eyes and "got a sense of his soul," diplomacy with Russia suffered the past eight years. In March, under the auspices of a new President, Secretary Clinton stated her intentions to "hit the reset button and start fresh" with Russia. Renewing talks with Russia over arms control is a substantive first step in resetting our Russia relationship.

Russia has already shown its willingness to address international arms control issues with its active participation in the six-party talks. These talks have been the primary vehicle for recent dialogue with North Korea. In fact, just last week, Russia stood with the U.S., China, and Japan to urge North Korea to rejoin negotiations. But in order to fully utilize Russia as an ally that can work with the U.S. to address situations in other nations, we must first reestablish a strong relationship with Russia, through the Strategic Arms Reduction Treaty's (START's) renegotiation. After all, Russia and the U.S. combined hold 95% of the world's nuclear stockpile.

There are already signs that Moscow is optimistic about the diplomatic future between our two nations. President Medvedev said his recent exchanges with President Obama show "mutual readiness to build mature bilateral relations in a pragmatic and businesslike manner." After an April meeting in London, Presidents Obama and Medvedev committed to reducing our two nations' nuclear arsenals to levels lower than those mandated by the Moscow Treaty of 2002. Indeed, the renegotiation of START could be the "reset button" that Secretary Clinton mentioned.

Once we strengthen our alliance with Russia, we cannot let other issues fall by the wayside. A more democratic Russia that is integrated into the modern world is in the U.S.'s interest, but there are concerns about Russia's commitment to democratic principles and practices. There have been cases of suppression of political opposition, the control of the media, and the decision to dismiss governors. When we have a strong, honest exchange with Russia, we can address these other issues as well.

With the upcoming July Summit, the U.S. has an opportunity to establish a lasting diplomatic relationship, ideally one that will form the basis for a long-term, escalating partnership. The renegotiation of START (the Strategic Arms Reduction Treaty) with Russia is one step in thoroughly resetting our diplomacy. I look forward to a new period in U.S.-Russia relations.

CONGRESSWOMAN SHEILA JACKSON LEE OF TEXAS

**STATEMENT BEFORE THE
FULL COMMITTEE ON FOREIGN AFFAIRS**

**The July Summit and Beyond:
Prospects for U.S.-Russia Nuclear Arms Reductions**

JUNE 23, 2009

Let me first thank Chairman Berman for bringing this important hearing before the committee. I want to also thank our renowned speakers:

- Honorable William J. Perry, Michael and Barbara Berberian Professor, Stanford University;
- Honorable Thomas Graham, Jr., Executive Chairman of the Board, Thorium Power Ltd.;
- Keith B. Payne, Ph.D., CEO and President, National Institute of Public Policy

Nuclear weapons were created as a way to cause mass destruction and their use and control is a major issue for many countries. Albert Einstein once said, "The discovery of nuclear reactions need not bring about the destruction of mankind any more than the discovery of matches." We must work with our partners around the world, particularly in Russia, to ensure that we engage in dialogue and reach an agreement on the peaceful uses of nuclear energy.

BACKGROUND

The United States and Soviet Union signed the Strategic Arms Reduction Treaty (START) on July 31, 1991. After the demise of the Soviet Union in December 1991, the parties signed a Protocol that named the four former Soviet Republics with nuclear weapons on their territory—Ukraine, Belarus, Kazakhstan, and Russia—parties to the Treaty. START entered into force on December 4, 1994. The Treaty was to remain in place for 15 years, unless replaced by a subsequent agreement, and, therefore, will expire on December 5, 2009. This week the United States and Russia will hold two days of talks in Geneva to develop an agreement to replace the expiring Strategic Arms Reduction Treaty.

U.S./RUSSIAN NUCLEAR ARMS NEGOTIATIONS

President Barack Obama and President Dmitry Medvedev have made brokering a successor deal part of efforts to improve U.S.-Russian relations. The two sides hope to make progress by Obama's July visit to Moscow. Russia has indicated publicly that it is ready to implement deep cuts in their nuclear weapons program, so long as the United States eases Moscow's concerns about missile defense shields in eastern Europe.

In the case of a nuclear weapon state, such as Russia, stringent safeguards should be in place to ensure our national security including: safeguards in perpetuity on all nuclear materials and equipment transferred; a guarantee that no nuclear materials and equipment or sensitive nuclear technology transferred will be used for any nuclear explosive device, or for research on or development of any nuclear explosive device, or for any other military purpose; prior consent by the United States if the cooperating party desires to transfer material or information; adequate physical security; prior consent by the United States for any alteration in form or content,

including enrichment; and advance approval by the United States for storage of material transferred.

Mr. Chairman, Russia does stand out as the only nation recognized by the Nuclear Non-Proliferation Treaty as a nuclear weapons state with whom the United States does not yet have a civilian nuclear cooperation agreement. While I believe there is substantial value in reaching such an agreement with Russia, it is crucial that we first fully examine all of the facets and the implications of such an agreement to ensure that it is truly in line with U.S. national security interests.

Like many of my colleagues on this Committee, I remain extremely concerned by Russia's nuclear commerce with Iran. Throughout the 1990s and into the 21st century, Russian involvement in the construction of an Iranian nuclear power reactor at Bushehr precluded a U.S.-Russia agreement. With the discovery between 2002 – 2006 of Iran's pursuit of clandestine nuclear development, Russia has been increasingly cooperative with the United States. Russia has insisted on IAEA safeguards on any transfers to Iran's civilian nuclear reactor at Bushehr. Russia has also worked to ensure that the resulting spent fuel will be returned to Russia. Russia has repeatedly offered Iran the opportunity to participate in its newly established international uranium enrichment center at Angarsk, a move which would have provided an alternative to an indigenous Iranian enrichment capability. Yet, Iran has refused this offer.

In the face of progress, elements of the relationship between Iran & Russia remain troubling. At best, Russia has been reluctantly supportive of U.N. Security Council Resolutions imposing limited sanctions on Iran, and has largely balked at U.S. attempts to apply tougher sanctions.

As the United States and Russia begin the process of renegotiating START, both countries must set aside problematic issues and consider the urgency of making further cuts in the number of warheads they have deployed.

CONCLUSION

We must tread carefully when negotiating a U.S.-Russia nuclear agreement, as our national security, and the security of future generations depends on it.

I thank our witnesses and I look forward to your informative testimonies. Mr. Chairman, I thank you for calling today's hearing and I yield back the balance of my time.

Committee on Foreign Affairs
The July Summit and Beyond: Prospects for U.S.-Russia Nuclear Arms Reductions

Wednesday, June 24, 2009

Questions for the Record

Response from The Honorable William J. Perry, Stanford University

Rep. Barbara Lee

Question

The Nuclear Non-Proliferation Treaty, of which the United States is a party, clearly states that “each of the Parties to the treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.”

Has the progress made towards disarmament of all states under Article VI of the Non-Proliferation Treaty (NPT), perceived by many parties as insufficient after nearly forty years since the treaty’s entry into force, undermined efforts to enforce the international framework for nonproliferation safeguards and controls?

How might a START-I replacement treaty which results in new and substantial progress toward significant nuclear arms reductions strengthen the viability of the Nuclear Non-Proliferation Treaty (NPT) and advance nuclear non-proliferation efforts?

Answer

There have been real and substantial reductions in strategic nuclear delivery vehicles (ICBMs, SLBMs, and Heavy Bombers) and nuclear warhead inventories from their Cold War peak. These have been accomplished under various treaties and agreements (in particular, the START I Treaty and the Moscow Treaty) and the Presidential Nuclear Initiatives relating to tactical nuclear weapons. The INF Treaty also eliminated an entire class of nuclear systems.

That said, since the conclusion of the Moscow Treaty in 2002, there has been an absence of visible and focused engagement between the United States and Russia (and other nuclear weapons states) on next steps in nuclear arms control, including nuclear reductions beyond the Moscow Treaty and changes in U.S. and Russian nuclear force postures that would reduce the role of nuclear weapons in security policies. This absence of visible and focused engagement on disarmament has coincided with an effort on the part of the United States and other nations to strengthen the NPT provisions relating to nonproliferation and civil nuclear power, including increased transparency and strengthened safeguards.

In this context, a follow-on START agreement which resulted in new and substantial progress toward significant nuclear arms reductions would help to underscore a renewed commitment on the part of the United States and Russia to lead global efforts towards further nuclear disarmament. This would aid efforts to strengthen the NPT and achieve the international cooperation necessary to deal with urgent nuclear threats.

Question

How important is the Comprehensive Test Ban treaty in all of this?

Answer

The CTBT is vitally important in the context of strengthening the NPT. In 1995, the commitment by the United States and other nuclear weapon states to complete a CTBT was central to our efforts to extend the NPT indefinitely. While the CTBT was successfully concluded in 1996 – with the U.S. being the first nation to sign – the absence of ratification in the United States and other key states has precluded the CTBT from entering into force. The absence of a U.S. commitment to seek Senate advice and consent to ratification for much of the past decade has undercut U.S. leadership in nonproliferation policy and contributed to a weakening of the NPT, which is not in the best interests of the United States.

Question

As a longtime advocate for curbing wasteful government spending on cold-war era weapons systems I was particularly troubled by a Carnegie Endowment report earlier this year estimating that the US is spending at least \$52 billion on either nuclear weapons or items related to the nuclear enterprise. The majority of these funds support our nuclear deterrent forces.

What potential cost-savings can the United States expect to realize over time by reducing, or eliminating the United States nuclear arsenal?

Answer

It is difficult to estimate in the abstract what the potential cost-savings the United States might expect to realize over time through further reductions in our nuclear arsenal.

Some of the factors that would inform such an estimate would be: the relevant time period of the estimate; the magnitude of any reductions and changes in nuclear force posture that might be implemented over that time period; the residual costs associated with maintaining our remaining nuclear deterrent, both in the Department of Defense and Department of Energy; and the not insignificant costs associated with the dismantling and destruction of nuclear warheads and delivery systems. In addition, we would have to anticipate new costs associated with verification of a reduced or eliminated arsenal, both in the U.S. and other current nuclear weapon states.

Question

This hearing comes at a time when calls for nuclear disarmament are heard from prominent figures on the both sides of the aisle, President Obama, and notable current and former world leaders including Nicolas Sarkozy and Mikhail Gorbachev. Yet, a significant inertia with regard to the long-standing deterrence policy appears to persist among some policymakers.

Dr. Perry, in the op-ed you coauthored with Senator Nunn, Secretary Kissinger, and Secretary Shultz, entitled "A World without Nuclear Weapons," you make the case that nuclear deterrence is "decreasingly effective" for maintaining international security.

Can you expand upon this assertion, and on the relevance and effectiveness of such a posture in the international security atmosphere we face in the 21st Century?

Answer

As we said in our January 4, 2007 Op-Ed, "deterrence continues to be a relevant consideration for many states with regard to threats from other states. But reliance on nuclear weapons for this purpose is becoming increasingly hazardous and decreasingly effective."

The increasing hazard arises from a potential increase in the number of nuclear weapon states in volatile regions of the globe, in particular Northeast Asia, the Middle East, and South Asia. As we saw during various times during the Cold War, the nuclear deterrence calculus between the United States and then Soviet Union was at times fragile – for example, during the 1962 Cuban Missile Crisis. As we said in our Op-Ed:

"It is far from certain that we can successfully replicate the old Soviet-American "mutually assured destruction" with an increasing number of potential nuclear enemies world-wide without dramatically increasing the risk that nuclear weapons will be used. New nuclear states do not have the benefit of years of step-by-step safeguards put in effect during the Cold War to prevent nuclear accidents, misjudgments or unauthorized launches. The United States and the Soviet Union learned from mistakes that were less than fatal. Both countries were diligent to ensure that no nuclear weapon was used during the Cold War by design or by accident. Will new nuclear nations and the world be as fortunate in the next 50 years as we were during the Cold War?"

Finally, we are on the precipice of a new and dangerous nuclear era, where the likelihood that non-state terrorists will get their hands on nuclear weaponry is increasing – and these non-state terrorist groups are conceptually outside the bounds of a deterrent strategy.

In the absence of a change in our thinking and a change in direction, the risk of nuclear use will grow. This has motivated the four of us to propose a change in direction – that is, reaffirming the vision of a world free of nuclear weapons and practical steps toward achieving that vision.

Question

In your opinion, how might a willingness to change our nuclear strategy to move away from a Cold War posture of massive attack readiness impact ongoing U.S.-Russia negotiations, as well as larger nuclear non-proliferation and disarmament efforts?

Answer

In our January 4, 2007 and January 15, 2008 Op-Ed pieces in the Wall Street Journal, the four of us proposed discarding any existing operational plans for massive attacks that still remain from the Cold War, and taking steps to increase the warning and decision times for the launch of all nuclear-armed ballistic missiles, thereby reducing the risks of accidental or unauthorized attacks.

Both of these steps would help facilitate further reductions in U.S. and Russian nuclear inventories. They would also help underscore that the world's two largest nuclear powers are reducing reliance on nuclear weapons in their security policies, and thereby strengthen both global disarmament and nonproliferation.

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Questions for the Record

Response from Keith B. Payne, Ph.D., National Institute of Public Policy

Rep. Barbara Lee

Question:

The Nuclear Non-Proliferation Treaty, of which the United States is a party, clearly states that “each of the Parties to the treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.”

Has the progress made towards disarmament of all states under Article VI of the Non-Proliferation Treaty (NPT), perceived by many parties as insufficient after nearly forty years since the treaty’s entry into force, undermined efforts to enforce the international framework for nonproliferation safeguards and controls?

How might a START-I replacement treaty which results in new and substantial progress toward significant nuclear arms reductions strengthen the viability of the Nuclear Non-Proliferation Treaty (NPT) and advance nuclear non-proliferation efforts?

Answer:

A new “post-START” agreement involving “new and substantial” reductions could actually undermine the viability of the NPT and U.S. nuclear non-proliferation efforts by exacerbating concerns among key allies about the credibility of the U.S. extended nuclear deterrent. Key allies and friends who fear WMD in their regions have recently become much more explicit about their desire to see the United States retain a highly credible extended nuclear deterrent, with the corresponding warning that if they lack confidence in the U.S. nuclear deterrent they will feel compelled to find alternative means for their security. This has been described in State Department reports as a potential looming “cascade” of nuclear proliferation if the United States does not preserve the credibility of its nuclear deterrent.

Question:

How important is the Comprehensive Test Ban treaty in all of this?

Answer:

The CTBT will not prevent nuclear proliferation because nuclear testing no longer is necessary for the development of a nuclear weapon.

Question:

As a longtime advocate for curbing wasteful government spending on cold-war era weapons systems I was particularly troubled by a Carnegie Endowment report earlier this year estimating that the US is spending at least \$52 billion on either nuclear weapons or items related to the nuclear enterprise. The majority of these funds support our nuclear deterrent forces.

What potential cost-savings can the United States expect to realize over time by reducing, or eliminating the United States nuclear arsenal?

Answer:

The U.S. would undoubtedly be compelled to spend more money on defense requirements if it were to eliminate the nuclear arsenal. This is because the burden on U.S. non-nuclear forces for deterrence and defense goals undoubtedly would increase significantly with the elimination of U.S. nuclear weapons and their costs would be considerably more than any savings realized by eliminating U.S. nuclear forces.

Question:

In your opinion, how might a willingness to change our nuclear strategy to move away from a Cold War posture of massive attack readiness impact ongoing U.S.-Russia negotiations, as well as larger nuclear non-proliferation and disarmament efforts?

Answer:

The United States has moved far from a Cold War massive attack strategy. Progress was first made in Clinton Administration's 1994 Nuclear Posture Review. It moved U.S. policy toward a new, post-Cold War strategic approach intended to rely less on nuclear weapons. The Bush Administration's subsequent 2001 Nuclear Posture Review reinforced and extended this movement away from the Cold War nuclear arsenal and reliance on nuclear weapons. It was on the basis of these revisions to Cold War thinking and planning that the 2002 Moscow Treaty included a two-thirds reduction in strategic nuclear forces limits--from START 1's 6000 warheads to the 1700-2200 range of the Moscow Treaty. It is a common misnomer that there has been little nuclear policy change since the Cold War. In fact, there was considerable progress under both the Clinton and Bush Administrations.

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Questions for the Record

Response from The Honorable Thomas Graham, Jr., Thorium Power Ltd.

Rep. Barbara Lee

Question:

The Nuclear Non-Proliferation Treaty, of which the United States is a party, clearly states that “each of the Parties to the treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.”

Has the progress made towards disarmament of all states under Article VI of the Non-Proliferation Treaty (NPT), perceived by many parties as insufficient after nearly forty years since the treaty’s entry into force, undermined efforts to enforce the international framework for nonproliferation safeguards and controls?

How might a START-I replacement treaty which results in new and substantial progress toward significant nuclear arms reductions strengthen the viability of the Nuclear Non-Proliferation Treaty (NPT) and advance nuclear non-proliferation efforts?

Answer:

The Nuclear Non Proliferation Treaty, the NPT, is the centerpiece of world security and its survival is essential to U.S. and world security. But its relative success to date is no accident. The Treaty is rooted in a carefully crafted central bargain. In exchange for a commitment from the non-nuclear weapon states (today more than 180 nations, most of the world) not to acquire nuclear weapons and to submit to international safeguards to verify compliance with this commitment, the NPT nuclear weapon states (the United States, United Kingdom, France, Russia and China) pledged unfettered access to peaceful nuclear technologies and undertook to engage in nuclear disarmament negotiations aimed at the ultimate elimination of their nuclear arsenals. It is this basic bargain that for the last three decades has formed the central underpinnings of the international nonproliferation regime.

However, one of the principal problems with all this has been that the nuclear weapon states have never fully delivered on the disarmament part of this bargain and in recent years it appears to have been largely abandoned. The essence of the disarmament commitment in 1968 and thereafter was that pending the eventual elimination of nuclear

weapon arsenals the nuclear weapon states would: agree to a treaty prohibiting all nuclear weapon tests, that is a comprehensive nuclear test ban, a CTBT; negotiate an agreement prohibiting the further production of nuclear bomb explosive material, a fissile material cut-off Treaty or FMCT; undertake obligations to drastically reduce their nuclear arsenals; and give legally binding commitments that they would never use nuclear weapons against NPT non-nuclear weapon states. None of this has been actually accomplished over 35 years later. The CTBT was negotiated and signed in 1996 but the U.S. Senate rejected it in 1999. While there were nuclear weapon reductions set forth in treaties negotiated in the past, there have been no negotiated real reductions of nuclear weapons since 1994; there has never been any progress toward an agreement prohibiting the further production of nuclear explosive material, or fissile material, for weapons; and even though political commitments were made by the NPT nuclear weapon states in 1995 in effect not to use nuclear weapons against their NPT non-nuclear weapon treaty partners, the national policies of the United States, Britain, France and Russia are the opposite--holding open this option.

And now the other side of the bargain has begun to fall apart. India and Pakistan eroded the NPT from the outside by each conducting a series of nuclear weapon tests in 1998 and declaring themselves to be nuclear weapon states. India, Pakistan and Israel continue to maintain sizable unregulated nuclear weapon arsenals outside the NPT. North Korea withdrew from the NPT in 2003, may have built up to eight to ten nuclear weapons and has conducted two nuclear weapon tests. In addition, the DPRK has now terminated its participation in disarmament discussions. The A. Q. Khan secret illegal nuclear weapon technology transferring ring based in Pakistan has been exposed but who can be sure that we have seen more than the tip of the iceberg? Iran is suspected of having a nuclear weapon program and admitted in late 2003 that contrary to its IAEA safeguards agreement it failed to report its acquisition of uranium enrichment technology.

And why might Iran want the nuclear fuel cycle and the attendant option to construct nuclear weapons? The nuclear program is very popular in Iran. It appears that some countries believe that ultimately the only way that they can gain respect in this world, as President Lula of Brazil declared during his first election campaign, is to acquire nuclear weapons. During the Cold War, nuclear weapons distinguished Great Powers from other countries. The permanent members of the Security Council are the five NPT recognized nuclear weapon states. Forty years ago Great Britain and France both asserted that status was the real reason that they were building nuclear weapons. India declared in 1998 that it was now a big country; it had nuclear weapons. This high political value of nuclear weapons, which it was the goal of the NPT to end, has not changed since the Cold War. To quote President John F. Kennedy from March 1963 this threatened proliferation is "...the greatest possible danger and hazard."

A START replacement Treaty would be the first completed step in fifteen years to further implement the NPT basic bargain. The agreement between the United States and Russia announced in Moscow on July 6, 2009 to negotiate a reduction of strategic nuclear warheads to a range between 1500 and 1650 represents approximately a 75 percent reduction from current START levels and the proposed reduction in strategic nuclear

delivery vehicles (long-range missiles and bombers) would be in a range of 30 to 50 percent. The entry into force of a Treaty based on these principles would be a welcome step forward in NPT Article VI implementation. Of course there will still be a long way to go.

Question:

How important is the Comprehensive Test Ban treaty in all of this?

Answer

As said above, the essence of the NPT disarmament commitment in 1968 and thereafter was that pending the eventual elimination of nuclear weapon arsenals the nuclear weapon states would: agree to a treaty prohibiting all nuclear weapon tests, that is a comprehensive nuclear test ban, a CTBT; negotiate an agreement prohibiting the further production of nuclear bomb explosive material; undertake obligations to drastically reduce their nuclear arsenals; and give legally binding commitments that they would never use nuclear weapons against NPT non-nuclear weapon states. The CTBT is of special importance. There was one specific measure that many non nuclear weapon delegations negotiating the NPT wanted included in the treaty as an objective above all others, a comprehensive test ban, a CTBT; the idea was that if nuclear weapon states could not significantly reduce their nuclear weapon stockpiles in the near future, at least they could stop conducting explosive tests of nuclear weapons. Sweden proposed for the January 1968 draft treaty a reference to seeking the discontinuance of all test explosions of nuclear weapons and it was included in the final treaty text as preambular paragraph 10. Ever since, progress toward the Test Ban has been the litmus test of NPT nuclear weapon state willingness to meet their NPT nuclear disarmament obligations in the eyes of the NPT non-nuclear weapon states. The CTBT was negotiated and signed in 1996 but a U.S. Senate dominated by conservative political philosophy rejected it in 1999, thereby greatly damaging the NPT.

In 1995, in the process of negotiating the permanent extension of the NPT at the 25 year conference envisioned by the treaty for this purpose, the basic bargain, including its nuclear disarmament elements was reaffirmed and other elements added. This recommitment was again reaffirmed at the 2000 NPT Review Conference. However, in 2005 the NPT Review Conference was a complete failure on all issues. Thus, forty years after signature of the NPT and 38 years after its entry into force, the balanced obligations between NPT nuclear weapon states and NPT non nuclear weapon states that comprise the basic bargain have not been achieved. The NPT nuclear weapon states in general and the United States in particular, thus stand in the position of never having accomplished the obligations that compose their part of the NPT bargain that underlies this Treaty regime which is essential to their security.

But the United States to a large degree may have it within its power to take a long step toward returning the NPT to the viability that it appeared on its way to enjoy after the permanent extension of the NPT in 1995. If the United States could ratify the CTBT,

the most important disarmament obligation of the nuclear weapon states by far, which has languished in the hands of the Senate for over a decade, this would open the door to its entry into force and reinvigorate the NPT community. The President expressed his support for ratification of the CTBT during the recent political campaign. This should be the highest priority of U.S. nuclear policy this year, on this may hang the future viability of the most important international security treaty on the books. In this area the U.S. Senate approving CTBT ratification is one of the most important things the 111th Congress, or any other Congress, can do.

But what are the chances of it or any major nuclear initiative during this time of economic crisis? In being honest one has to admit not good. Economic policy, because the stakes are so high, and because it will be so difficult to return our country to prosperity after all the damage that has been done, is likely to take all the oxygen out of everything else. Also, the CTBT is a subject not free from controversy as we remember well from its Senate defeat in 1999. The Secretary of Defense and the Secretary of State as well as the President are all on record supporting CTBT ratification, but there are many other international security issues which demand attention and the investment of political capital. One has only to name some of them to make the point: Gaza, Palestine, Iraq, Afghanistan, and the most dangerous of all Pakistan.

However, in the interest of U.S. security it is of paramount interest that the NPT regime not further deteriorate. Overwhelmingly the best first step to ensure that this does not happen is to seek ratification of the CTBT, and to seek it this year before we are too close to the 2010 elections. And while the U.S. National Laboratories likely will have concerns as in the past, after 10 years the answers to those questions are available. As difficult as this will be, it can be done by Congress. Combined with a replacement START Agreement, the ratification by the U.S. of the CTBT would send a powerful message to the 2010 NPT Review Conference.

If the United States and the world community are to avoid a return of the nightmares that haunted President Kennedy in the 1960's, if the NPT, the most important international security treaty of this era is to be returned to viability, if the nuclear twin dangers of further proliferation and nuclear terrorism are to be overcome, the United States and the world community need the CTBT. The ratification of the CTBT is something that can be achieved and that must be achieved in this Congress.

Question:

As a longtime advocate for curbing wasteful government spending on cold-war era weapons systems I was particularly troubled by a Carnegie Endowment report earlier this year estimating that the US is spending at least \$52 billion on either nuclear weapons or items related to the nuclear enterprise. The majority of these funds support our nuclear deterrent forces.

What potential cost-savings can the United States expect to realize over time by reducing, or eliminating the United States nuclear arsenal?

Answer:

Traditionally arms control and disarmament measures do not save considerable amounts of money because of the costs of hedging programs and of verification systems. So the amount of savings that would be actually realized would depend on how elaborate the hedging programs are, for example maintaining the readiness of the National Laboratories and how comprehensive the verification system must be, which would depend on the degree to which other countries are truly willing to cooperate and allow inspectors full run of their country, thus reducing the urgency for remote technical systems. But \$52 billion is a large number, surely a substantial portion of this amount could be saved if nuclear arsenals should be drastically reduced or eliminated.