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[H.A.S.C. No. 114–70]

RUSSIAN ARMS CONTROL CHEATING: VIOLATION OF THE INF TREATY AND THE ADMINISTRATION'S RESPONSES ONE YEAR LATER

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON STRATEGIC FORCES

OF THE

COMMITTEE ON ARMED SERVICES

MEETING JOINTLY WITH

SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE

OF THE

COMMITTEE ON FOREIGN AFFAIRS

[Serial No. 114–138]

HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

HEARING HELD
DECEMBER 1, 2015

U.S. GOVERNMENT PUBLISHING OFFICE

97–826 WASHINGTON : 2016

For sale by the Superintendent of Documents, U.S. Government Publishing Office
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RUSSIAN ARMS CONTROL CHEATING: VIOLATION OF THE INF TREATY AND THE ADMINISTRATION'S RESPONSES ONE YEAR LATER

HOUSE OF REPRESENTATIVES, COMMITTEE ON ARMED SERVICES, SUBCOMMITTEE ON STRATEGIC FORCES, MEETING JOINTLY WITH THE COMMITTEE ON FOREIGN AFFAIRS, SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE, *Washington, DC, Tuesday, December 1, 2015.*

The subcommittees met, pursuant to call, at 3:30 p.m., in room 2118, Rayburn House Office Building, Hon. Mike Rogers (chairman of the Subcommittee on Strategic Forces, Committee on Armed Services) presiding.

OPENING STATEMENT OF HON. MIKE ROGERS, A REPRESENTATIVE FROM ALABAMA, CHAIRMAN, SUBCOMMITTEE ON STRATEGIC FORCES, COMMITTEE ON ARMED SERVICES

Mr. ROGERS. Good afternoon. I would like to welcome everyone to this joint hearing of the House Armed Services Subcommittee on Strategic Forces and the House Foreign Affairs Subcommittee on Terrorism, Trade, and Nonproliferation on "Russian Arms Control Cheating: Violation of the INF Treaty and the Administration's Responses One Year Later."

Testifying today are the following witnesses: The Honorable Rose Gottemoeller, Under Secretary of State for International Security, Department of State; the Honorable Brian McKeon, Principal Deputy Under Secretary of Defense for Policy, Department of Defense.

This is an update to last year's hearing with these witnesses, and we are eager to learn what the administration has been doing since we met in open and closed sessions on this topic last December. Congress, as I promised last year, has not been sitting idle. The recently enacted fiscal year 2016 NDAA [National Defense Authorization Act] included section 1243, which directs the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to begin the research and development of military response options to Russia's violation.

INF [Intermediate-Range Nuclear Forces] is, of course, not the only treaty or agreement that Russia is violating. We learned from Ms. Gottemoeller during last year's hearing that on 8 of 12 treaties and agreements, Russia is not in compliance or is in outright violation of those obligations.

INF has earned a lot of attention, but what of the Chemical Weapons Convention, the Biological Weapons Convention, the Open Skies Treaty? Are we less concerned about Russian chemical

or biological weapons that can be used against the United States than intermediate-range missiles that cannot? No, of course not.

And this hearing is also the first opportunity for many members to ask the administration about the recent Russian disclosure of a nuclear-powered nuclear warhead that occurred during review of Russia's nuclear forces that included its President, Vladimir Putin. According to the Russian translations of what was disclosed, this weapon would provide Russia with a new capability to damage, quote: "The important components of the adversary's economy and coastal area, and inflicting unacceptable damage to the country's territory by creating areas of wide radioactive contamination that would be unsustainable for military, economic, or other activity for long periods of time," close quote.

[The graphic displayed can be found in the Appendix on page 55.]

Mr. ROGERS. What does that say about a country that feels that nuclear weapons are such a significant tool of its military and diplomatic strategy that it discloses systems in this manner? And what does it say about a country that would invest resources in such a weapon? It is just nuts.

Yet the only time the President talks about—our President talks about nuclear weapons is when he wants to propose reducing them. The world is paying attention. We need our President to change his rhetoric.

So we have a lot to talk about today. I am looking forward to learning what the administration has been up to since this time last year. I am looking forward to hearing, to learning about the military assessment and review of military options that the former Chairman of the Joint Chiefs of Staff, General Dempsey, produced, whether in the open hearing or the closed session.

With that, I would like to turn things over to Chairman Poe for any opening statement that he may have.

[The prepared statement of Mr. Rogers can be found in the Appendix on page 33.]

OPENING STATEMENT OF HON. TED POE, A REPRESENTATIVE FROM TEXAS, CHAIRMAN, SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE, COMMITTEE ON FOREIGN AFFAIRS

Mr. POE. I thank the chairman. Last year we held a hearing on this same topic in December of last year. It seems like it is Groundhog Day. Here we are again, and we all agree that Russia violated the treaty, but we are still talking about what the appropriate response should be. Russia is not someone that is our friend or ally, and we certainly can't take them for their word.

In 2008, the same year Russia violated the INF Treaty, it invaded a sovereign country, Georgia. I have been to Georgia. I have seen the Russian tanks on the hills. Seven years later, Russia still occupies a third of that nation.

Last year Putin was at it again. He told the world that Russian troops were not in Crimea while the world watched Russian tanks and little green men come into that area.

Russia is now conducting strikes in Syria to prop up a dictator who has murdered thousands of Syrians.

Putin seems to want to expand his empire, and the Russian bear is out of the cage, and it is time we recognize them for what they are doing. They are being aggressive.

It is no surprise that Russia is once again breaking its word when it comes to a signed arms control treaty. The Intermediate-Range Nuclear Forces Treaty is a treaty between the United States, which places limits on ground-launched ballistic and cruise missiles with ranges up between 500 and 5,500 kilometers. The United States has held up our bargain. The Russians have not.

Just according to press reports, it appears the Russians have tested a ground-launched cruise missile. They have responded that this is a sea-based missile, which does not fall under the treaty. That is nonsense. According to press releases also, the administration seems to have known about the violations back in 2008. It took 3 years for the administration to report concern about the Russian compliance in Congress; took 6 years for the State Department to officially find the Russians in violation; and this year the State Department repeated its findings that the Russians are in violation of the treaty.

Chairman Rogers and I have made several appeals to the State Department and Department of Defense about this issue. Candidly, the responses we have gotten back lead me to believe that we are not taking the issue as seriously as we should. We have so far made no substantial progress in bringing the Russians back into compliance. After 7 years, there have been no consequences for the violation of the treaty. We have told the Russians our concerns. And their response: the Russians deny they are violating the treaty.

What I would like to know is what I asked last year: What are the next steps? How are we going to convince the Russians that we do mean business—if we do mean business? What is the administration going to do to hold the Russians' feet to the fire and hold them accountable? There are some who want to go easy on the Russians in that they want to ignore this situation. I don't think that that is the appropriate response the United States should have toward the Russians and the stockpiling of these violations.

So I look forward to what the witnesses have to say, to be upfront, candid, blunt about what is the strategy? What are we doing? What is the United States and our allies doing? And then we have the problem of two rogue nations already developing very similar weapons that we and the Russians have supposedly agreed not to develop, and that would be Iran and Pakistan developing similar weapons. So what is the United States response going to be, and what do we plan to do about it?

And I will yield back to the chairman.

Mr. ROGERS. I thank the gentleman.

The Chair now recognizes my friend and colleague from Tennessee, the ranking member of the Strategic Forces Subcommittee, Mr. Cooper, for any statement he might have.

STATEMENT OF HON. JIM COOPER, A REPRESENTATIVE FROM TENNESSEE, RANKING MEMBER, SUBCOMMITTEE ON STRATEGIC FORCES, COMMITTEE ON ARMED SERVICES

Mr. COOPER. Thank you, Mr. Chairman. I think we would all like to welcome our colleagues from the Foreign Affairs Committee. We hope that they will treat us kindly at the next NDAA when it comes to sequential referrals or any issues like that. But you are always welcome in the Armed Services Committee room.

I also hope that our friends from Foreign Affairs can join us in the classified session to follow this hearing. In fact, it would be good if this public portion were kept as short as possible so that we can learn as much as possible in the classified session. Everyone knows that Mr. Putin doesn't conduct his business in public, and why give him an advantage by displaying our deliberations.

We have before us today two very distinguished public servants. I look forward to hearing their testimony, and I also hope that our colleagues will bear in mind that international relations are not black and white, particularly when it comes to Russia. I know that our chairman is very sensitive to the issue of the RD–180 rockets, which, unfortunately, we depend on quite heavily for U.S. assured access to space.

And it is kind of an amazing thing throughout the perils of the Cold War, we have always had a pretty reliable supply of those rockets. So nothing is black or white. No one is defending Mr. Putin. We know that they cheat. We are outraged by their takeover of Crimea, the invasion of Ukraine, their bombing of anti-Assad forces in Syria. But it is very important that really the meat of this hearing be held in the classified session that will be upcoming. So I look forward to seeing all of my colleagues upstairs in a few minutes.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Cooper can be found in the Appendix on page 35.]

Mr. ROGERS. I thank the gentleman.

The Chair now recognizes the gentleman from Massachusetts, Mr. Keating, for any opening statement he may have.

STATEMENT OF HON. WILLIAM KEATING, A REPRESENTATIVE FROM MASSACHUSETTS, RANKING MEMBER, SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE, COMMITTEE ON FOREIGN AFFAIRS

Mr. KEATING. Well, thank you, Chairman Rogers, and Chairman Poe, Ranking Member Cooper, for conducting this timely hearing. I also would like to thank our two witnesses for being here today to discuss the Intermediate-Range Nuclear Forces Treaty, both in this hearing and later on in the classified briefing to follow.

I understand that they are limited to what you can say and disclose in this setting, but I appreciate the opportunity to discuss publicly the issue of Russia's compliance with the INF Treaty, something I think that is important for the public to know but not necessarily details that will advantage the Russians.

Twenty-eight years after the INF Treaty was signed, it remains one of the most important nuclear treaties that the United States has ever signed with Russia. State Department and numerous ob-

servers have stated that Russia has developed, produced, and flight tested a ground-launched cruise missile in clear violation of the INF Treaty. Russian violation of the INF Treaty, as with the violation of any treaty, would be a serious matter. I look forward to further details regarding the particular Russian weapon system at issue, and a discussion of what its deployment would mean for Russia in terms of its military strategy and how it would impact the security in Europe and in Asia, importantly.

If Russia is found noncompliant with the treaty, the United States, in conjunction with our allies, should use all of the tools at our disposal to pressure the Russians into ending these offending activities. While the question of noncompliance by Russia must squarely and seriously be dealt with, it is critical that the United States for the time being continue to observe the treaty. A withdrawal would only free Russia to legally pursue testing and deployment of intermediate-range missiles that currently violate the terms of the treaty.

I look forward to hearing from our panel this afternoon on the threat posed by Russian development, production, and testing of intermediate-range cruise missiles; Russia's intention with respect to the INF Treaty; and, importantly, U.S. responses.

With that, I yield back.

Mr. ROGERS. I thank the gentleman.

The Chair now recognizes Ms. Gottemoeller for 5 minutes to summarize your opening statement.

STATEMENT OF HON. ROSE E. GOTTEMOELLER, UNDER SECRETARY FOR ARMS CONTROL AND INTERNATIONAL SECURITY, U.S. DEPARTMENT OF STATE

Secretary GOTTEMOELLER. Thank you, Mr. Chairman. Chairman Poe, Chairman Rogers, Ranking Members Keating and Cooper, and distinguished members of the House Foreign Affairs Committee and Armed Services Committee, thank you for hosting this hearing and for having me here today. This subject is one on which I previously briefed these same committees, including last year at around this time as was already indicated. To permit time for a good discussion today with your permission, I would like to abbreviate my remarks and submit my full testimony for the record.

Mr. ROGERS. Without objection, so ordered.

Secretary GOTTEMOELLER. Thank you, sir.

Let me begin by saying that the United States does not undertake arms control and disarmament as an end to itself, nor do we look at arms control and disarmament in isolation from deterrence in the general strategic environment, including the changing security environment in Europe. Together, arms control and deterrence help to create the conditions for a more durable and predictable form of strategic stability. Therefore, together, they benefit U.S. national security. Arms control frameworks are one available and important instrument in our foreign policy toolkit to advance global stability and the security of the United States, our allies, and our partners. This has been true for over four decades for both Republican and Democratic administrations, for a wide variety of nuclear and conventional security issues of concern. We have worked closely with our allies and our partners to develop the arms control

framework that we have today, and both we and our allies and partners continue to see enormous value in these agreements.

Over the last three decades, there have been compliance and implementation issues with first the Soviets and then the Russians on a variety of agreements. Former officials of both Republican and Democratic administrations and their colleagues in Congress were forced to grapple with many of the same problems we face today. How do we resolve violations when faced by blatant denials? How do we work with allies and partners on these challenges to ensure a unified and proportionate response? These are not easy questions to answer. This is not easy work to accomplish.

Let me assure these committees once again that the administration takes compliance with all arms control agreements extremely seriously. For this reason, this administration worked hard to produce a compliance report in July of 2010, the first delivered to Congress after a 5-year lapse, and has produced one every year since as required by statute.

The focus of today's hearing is Russia's violation of the INF Treaty, so I would like to focus my remaining remarks on that important topic. As a first comment and in response to some of our opening comments, I just wanted to say that we had no information or indication in 2008 that the Russian Federation was violating the treaty. That information emerged in 2011, and I know we will want to discuss this more during the hearing and also in our closed session, but I did want to put that out right at the beginning.

In May of this year, in the unclassified portion of the annual compliance report, the United States repeated its determination that Russia is in violation of its INF Treaty obligations. Since 2013, we have raised with Russia our serious concerns regarding conduct that we ultimately determined to be a violation of the INF Treaty and have held senior-level and technical-level bilateral discussions with the aim of returning Russia to verifiable compliance with its treaty obligations. Throughout the course of this year, we have raised this issue with Russian officials on repeated occasions and at various levels and in various departments within the Russian Government in order to resolve U.S. concerns. We have made very clear that this is not a technicality, a one-off event, or a case of mistaken identity.

Again, it was mentioned, the notion of this being a sea-launched cruise missile. However, this is a serious Russian violation of one of the most basic obligations under the INF Treaty. While the United States is engaging diplomatically with Russia as noted above, we have devoted a great deal of attention in 2015 to consulting with our allies and partners in the interest of pursuing a coordinated response to the Russian violation. Our allies have made clear their interest in preserving the INF Treaty, and their continued wish that the United States remain in the treaty and seek to bring the Russian Federation back into compliance.

Russia continues to be unwilling to acknowledge its violation or address our concerns. We have shared more than enough information with Russian officials for them to look through their own records and identify the relevant program. Their denials and counteraccusations clearly attempt to deflect attention from their own violation. Therefore, we continue to work closely with allies on a se-

ries of diplomatic, economic, and military measures to protect the interests of the United States and our allies, and I know that my colleague Mr. McKeon will want to say more about the military aspects of this.

I assure this committee that the Obama administration is committed to bringing Russia back into compliance with the INF Treaty. While our public determination and diplomacy has yet to lead to Russia returning to compliance, our announcement of Russia's violation and reaffirmation of continued U.S. commitment to the treaty has imposed significant costs on Russia. Its covert GLCM [ground-launched cruise missile] program has been exposed, and Moscow is not free to pursue this effort unconstrained, as this would confirm for the world that Russia has been violating an agreement that has been a key instrument of stability and security for nearly three decades. Thank you, Mr. Chairman.

[The prepared statement of Secretary Gottemoeller can be found in the Appendix on page 36.]

Mr. ROGERS. Thank you.

The Chair now recognizes Mr. McKeon for 5 minutes.

STATEMENT OF HON. BRIAN P. MCKEON, PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY, U.S. DEPARTMENT OF DEFENSE

Mr. MCKEON. Thank you very much, Mr. Chairman. Chairman Rogers, Chairman Poe, members of the committee, I appreciate the opportunity to testify before you today.

I will not belabor the point that you already know and which Under Secretary Gottemoeller has already discussed, that the Russian Federation is in violation of its obligations under the INF Treaty. Since making this determination, our objective has been to preserve the viability of the treaty by convincing Russia to come back into compliance. We believe it is in our national security interest and our allies' interest that the treaty remain in force and that Russia remain a state party to the treaty and complies with its obligations. This means that Russia must cease its noncompliant activity and eliminate all INF Treaty-prohibited missiles and launchers in a verifiable manner.

Equally important, our approach is focused on ensuring that Russia gains no significant military advantage from its violation. Doing so will ensure that our efforts to bring Russia back into compliance will not come at the expense of our security or that of our friends and allies.

As a result of Russia's actions, in 2014 the Joint Staff conducted a military assessment of the threat posed by Russia if it were to deploy an INF Treaty-prohibited ground-launched cruise missile in Europe or the Asia-Pacific. This assessment tells us that the deployment of such a system would increase the risk to our allies and pose an indirect threat to the United States. My Joint Staff colleague can address this in more detail in the closed session. This assessment led us to review a broad range of military response options and to consider the effect each option would have on convincing the Russian leadership to return to compliance with the treaty and on countering the capability of a Russian INF Treaty-prohibited system. This assessment occurred at the same time we

were confronting the new strategic reality in Europe: a Russia that is modernizing its military capabilities, a Russia that has destabilized the European security order by purporting to annex Crimea, and a Russia that is actively seeking to undermine NATO [North Atlantic Treaty Organization]. Finally, Moscow's nuclear saber-rattling has raised questions about Russia's commitment to strategic stability.

In light of this new strategic reality, the administration determined that we needed to consider Russian actions with regard to the INF Treaty in the context of its overall aggressive and bellicose behavior that flouts international legal norms and destabilizes the European security order. Russia is not violating the INF Treaty in isolation from its overall aggressive behavior. Therefore, we concluded that our responses cannot focus solely on the INF Treaty. Stated another way, this is not just an arms control issue, but it represents a broader challenge to transatlantic security. Accordingly, we are developing a comprehensive response to Russian military actions and are committing to investments now that we will make irrespective of Russia's decision to return to compliance with the INF Treaty.

And while we do not seek to make Russia an enemy, and we will cooperate with Russia where it is in our interest to do so, such as in the P5+1 [China, France, Russia, the United Kingdom, and the United States, plus Germany] negotiations with Iran, the President has made clear that we will uphold our Article 5 obligation under the North Atlantic Treaty. Our core objective remains the same: to ensure that Russia does not obtain a significant military advantage from its INF violation.

We believe that our overall efforts to prepare for the defense of Europe can achieve this goal and ensure that the INF violations do not leave Russia with any appreciable advantage over us or our allies. As we consider the changed strategic environment in Europe we are factoring Russia's increased cruise missile capabilities, including its INF violation, into our planning. Our responses to Russia's activities in Ukraine as well as the complex security challenges in the south of Europe involve a broad range of efforts within the Department, bilaterally with the allies and partners, and within the NATO Alliance.

First, we have focused on posture and presence. In the last year, under the European Reassurance Initiative, for which Congress generously provided nearly $1 billion in fiscal 2015, we have maintained a persistent rotational air, land, and sea presence of U.S. forces in the Baltics and Central Europe to reassure our allies and build up their capacity.

We are also transforming our posture in Europe to be more responsive and sustainable for the 21st century. American rotational forces need to move more quickly and easily to participate in training and exercises in Europe. That is why we are prepositioning tanks, artillery, infantry fighting vehicles, and other equipment to rapidly respond to crises and provocation. Six states in Europe, the three Baltic states plus Bulgaria, Romania, and Poland, have agreed to host company- to battalion-sized elements of this equipment, which will be moved around the region for training and exercises.

Second, the United States and the alliance are focused anew on planning and shaping our future military activities in Europe. We have energized planning and resourcing efforts in response to the changed security environment in and around Europe.

Third, we are working to improve our defensive measures to deny Russian offensive capabilities by modifying and expanding air defense systems, including addressing the difficult challenge posed by cruise missiles. As Secretary Carter stated in a recent speech, we are investing in the technologies that will be most relevant to Russia's provocations, developing new unmanned systems, a long-range bomber, a new long-range standoff cruise missile, and a number of innovative technologies.

Fourth, we are leading the alliance to prepare for the new challenges posed by Russia and instability and terrorism in itself in the south of Europe. We are working to implement agreements made at the Wales Summit and to plan for the next summit of leaders in Warsaw next July. NATO has reorganized the NATO Response Force, set up new command centers, and established the Very High Readiness Joint Task Force. We are pressing our allies to fulfill the commitment made at Wales to invest more in defense with a particular focus on new capabilities.

We continue to look for ways to improve alliance capabilities and decisionmaking. With regard to NATO's nuclear deterrence mission, allies remain strongly committed to burden sharing as a foundational element of NATO's deterrence and defense posture. Our dual-capable F–35A is on track and should complete operational testing of its dual capability in 2024. The B61–12 nuclear gravity bomb life-extension program, a critical element in both our NATO commitment and our strategic forces, is on schedule and on budget to meet a March 2020 first production unit goal.

In confronting this challenge, we will take a strong and balanced approach. We will not go back to the old Cold War playbook of having hundreds of thousands of forces in Europe. We are also mindful that we do not need to, nor should we, return to a world where we match every Russian action with a direct and mirror-imaged reaction. We will use a smaller footprint, high-impact rotational presence, build partner capacity, and integrate planning between space, cyber, conventional, and nuclear forces.

In some, we will take the necessary steps to build U.S. and NATO capabilities, posture, and plans to deter Russia's destabilizing influence, coercion, and aggressive actions, all while keeping the door open for cooperation when and if Russia is willing. These efforts will require expenditures we were not planning to make and which will be challenging under a constrained budget. But make no mistake, we will undertake these efforts. Our security and that of our NATO allies requires an effective response and comprehensive strategy.

Let me conclude by reiterating that the pursuit of strategic stability remains in the interest of both the United States and Russia. And we hope Russia will remember why the Soviet Union signed the treaty in the first place. By agreeing to the treaty, the United States and the Soviet Union ensured that both parties benefitted from the removal of weapon systems that posed a real and credible threat to regional and international security.

We appreciate the attention of the Congress to these issues, and we will keep you informed of developments. Thank you again for the opportunity to be here.

[The prepared statement of Mr. McKeon can be found in the Appendix on page 43.]

Mr. ROGERS. I thank both the witnesses, and I will recognize myself now for the first series of questions.

Ms. Gottemoeller, I was just listening to your opening statement, and you made the point that you didn't realize that Russia was violating the INF Treaty until 2011. I am looking at an interview you did with The Denver Post 2 weeks ago on the 13th—it was published—of November, and you stated, "Russia tested starting in 2008 a ground-launched cruise missile that flies to ranges banned by the treaty." And you go ahead and explain what a ban means. If you didn't know until 2011, how do we reconcile that statement in The Denver Post with what you testified a few minutes ago?

Secretary GOTTEMOELLER. Sir, we saw that they were starting to test a cruise missile during that time period, but this is, you know, a situation where it was only over time did we accumulate the information that it was a ground-launched cruise missile. So the testing series—and again, this is something we can talk about in more detail—the testing series did begin in 2008, but it was only later in that time period did we see that it was a ground-launched cruise missile. So I was not aware of how The Denver Post had put that information together, but that was not correct in the way they quoted the information.

Mr. ROGERS. Okay. But you do recognize that disparity, and it raises concerns for me that it took us 3 years. If we knew they started testing in 2008, it took 3 years for us to realize that they were violating the ranges that were committed under the INF Treaty.

Secretary GOTTEMOELLER. It is worth bearing down on this point for a moment, sir, because under the INF Treaty, sea-launched cruise missiles and air-launched cruise missiles are permitted. And there is no reason why the Russians could not have been developing during that period a new sea-launched or air-launched cruise missile. We simply did not know until later in the test series that it was a ground-launched system.

Mr. ROGERS. Was any of that data shared with the Senate during the 2010 hearings on the New START [Strategic Arms Reduction] Treaty.

Secretary GOTTEMOELLER. Sir, we did not understand at that point of time, and again, I would like to talk about this further in our closed session along with some of our colleagues, but we did not know that it was not a sea-launched or air-launched system and completely in accord with the INF Treaty.

Mr. ROGERS. Okay. This question will be for either one of you. We were told last year in our hearing on this topic that there were a range of responses that had been prepared and were ready for consideration at the principal level. And these joint committees then wrote a letter to the Chairman of the Joint Chiefs urging action on those range of responses. And I will introduce that letter for the record. Did the principals ever meet to consider those responses? If so, when, and what did they decide? If not, why not?

[The information referred to can be found in the Appendix on page 56.]

Secretary GOTTEMOELLER. I will start. I will say that we have had a series of interagency meetings on this matter up to the senior level of principals, so it hasn't been a single event by any means. And I will turn to Mr. McKeon to pick up on what is next.

Mr. MCKEON. Mr. Chairman, some of the things I have described in my opening statement are decisions and responses that we are undertaking. I can say more in closed session about a couple of specific matters that involve the NATO Alliance that are also decisions of the government.

Mr. ROGERS. Okay. Well, I won't belabor that in open session because I do want to pursue it in closed session, and my guess is you are going to tell me you couldn't say it anyway. But I am interested in knowing exactly how you are proceeding and when you are going to proceed and if we need to do any reprogramming in fiscal year 2016 or 2017 to accommodate those measures.

Mr. MCKEON. Well, part of what I should underscore, Mr. Chairman, from my opening statement, is as we looked at the INF issue, we were also confronting the broader Russia challenge and how to respond to it, and didn't think it was appropriate to respond just specifically to the possibility of a new ground-launched cruise missile in Europe, but a broader challenge to European security. So many of the things that I outlined are part of a response to broader Russian behavior, including the INF violation.

Mr. ROGERS. You see, that is my fear: is that this set of responses that have been prepared a year ago for consideration are now going to just blend into the new challenges that we have to face. And we are going to get no action on the violations of the INF Treaty. That is a longstanding violation that needs an appropriate response by this Nation, and it should not be impeded or blended into any other concerns that we are having with Russia's new activity.

Let me ask this, Ms. Gottemoeller, is it in America's interest to continue to unilaterally comply with the INF and these other treaties when Russia is not doing so?

Secretary GOTTEMOELLER. Sir, we judge this treaty to be in our national security interest, and I should say, sir, that this is not a bilateral treaty. All of the successor states of the Soviet Union are also signatories of this treaty. So it is a significant treaty sustaining stability in Eurasia. We judge—and our partners and allies in Asia and in Europe—judge it to be in their national security interests as well. So I will say that—and by the way, we judge that Russia in some ways has had itself brought up short by our calling them out on this violation of the treaty.

Mr. ROGERS. I would love to know how.

Secretary GOTTEMOELLER. Well, they have been saying quite regularly and publicly that they are in compliance with the INF Treaty, which we don't buy, but also that they are not preparing to withdraw from the treaty, which I think is a good thing because it allows us to continue to drive forward pursuing them diplomatically as well as with other responses and countermeasures.

Mr. ROGERS. I don't know why they would want to withdraw. They are not having to comply with it anyway. They don't have any

pressure on them. We are the only ones that are in compliance, and I just think it is foolhardy.

But, with that, I will stop and turn to Chairman Poe.

Mr. POE. I agree with the chairman's comments about we are the only ones complying.

Let's talk about the specific types of missiles in a broader scale. The United States and Russia and the former Soviet Republics have agreed to limit the number of missiles. Is that correct?

Secretary GOTTEMOELLER. Yes, that is.

Mr. POE. However, there are other countries that are pursuing these very specific types of missiles, such as Iran, Pakistan, North Korea, China, possibly. So, to your knowledge, either one of you, are those four countries and maybe others pursuing the development of these very types of missiles?

Secretary GOTTEMOELLER. It is common knowledge, sir, and indeed the Russians have said publicly that there are other countries developing intermediate-range nuclear and ballistic and cruise missiles. So they do talk about that publicly as being a reason why they have a debate going on in the Russian Federation today about the treaty.

Mr. POE. It is not a gotcha question. I am just looking at the global situation. The United States has said, we are going to do this. We are going to limit the number of missiles we have. We are working with the Russians and the former Soviet Republics. We all agree, we are going to limit, but out there in the world, you have got probably some rogue countries, like North Korea, Iran, Pakistan, and then you have the Chinese who are not bound by this treaty or any other treaty to limit these types of missiles. Is that a concern of the United States?

Secretary GOTTEMOELLER. Let me recollect for just a moment, and then I will turn to Mr. McKeon for what he would like to add. But say for just a moment that it is useful to remember the reason we entered into this treaty in the first place back in 1988. That is that these types of missiles represent very short flight time to target. And, therefore, they do pose a threat of short-warning attacks on important targets. That is a very great concern for our allies in both Europe and Asia, and for that reason, we continue to believe that it is important to sustain this ban on the treaty with regard to the Russian Federation.

Now, I will note that we have other means of responding to intermediate-range nuclear missiles being developed elsewhere or conventional missiles, for that matter, and I will turn to Mr. McKeon now.

Mr. POE. Well, I don't know that I understood your answer. Does that concern us that these types of missiles—North Korea could send them to South Korea. Pakistan could send them to India. China could send them to Russia. I mean, there are all different scenarios of the short-range capability of these missiles. Does that fact alone concern us as a nation? Mr. McKeon, you can answer it.

Mr. MCKEON. Mr. Chairman, if I could first address part of your question which is, the INF Treaty only bans a type of missile, a ground-launched cruise missile and associated launcher. It doesn't ban a number of other types of missiles. And we have an ample supply of sea-launched and air-launched conventional cruise mis-

siles in our inventory. So we are not limited in any respect from those capabilities.

As Under Secretary Gottemoeller said, Iran has a missile program which we are quite concerned about, medium-range program that they have engaged some testing and they have ambition for a longer-range system. That is part of the reason for the European Phased Adaptive Approach to missile defense in Europe, which is progressing. We are concerned about North Korea's missile program. There is no question about that. It is why we made some of the investments we have made in the homeland missile defense in the last few years.

Mr. POE. I am not suggesting that we should get out of the treaty. I am just suggesting that we are bound by a treaty to limit certain types of missiles. Russia is the only other country and the former Soviet Republics are the only other entities that are bound by this. Other nations are not. That was my question. And does that concern us as a nation?

Mr. MCKEON. Sir, as a matter of our ability to protect the United States and our allies, as I noted in the statement, the Russian capability does pose a threat, but it continues to be our view in the Department that we have sufficient capability to meet our defense requirements at present.

Mr. POE. How about our allies like South Korea?

Mr. MCKEON. Our work with our allies in South Korea is an ongoing, continuing project. They are doing well in investing. We are having conversations with them about certain capabilities which—and they are worried more about short-range missiles, not any medium-range missiles that exist, and wouldn't, even if this treaty applied to the Koreans, wouldn't affect the short-range system.

Mr. ROGERS. The Chair now recognizes Mr. Cooper for any questions he may have.

Mr. COOPER. Thank you, Mr. Chairman.

Ms. Gottemoeller, I believe in your testimony you said that there was a 5-year lapse in reporting that the State Department had to Congress. There were no reports between 2005 and 2010, but then reporting was resumed.

Secretary GOTTEMOELLER. Yes, sir. That is correct. I will underscore that the so-called annual compliance report is an interagency effort. It is not just the Department of State that carries it out, although the Department of State is responsible for leading the effort. But there was a period between 2005 and 2010 when it was not published on an annual basis.

Mr. COOPER. But since 2010, the reports have been made annually.

Secretary GOTTEMOELLER. Yes, that is correct.

Mr. COOPER. The Intermediate Nuclear Force Treaty is of primary benefit to our allies, for example, in NATO and in Asia. What is their reaction from your diplomatic experience? Do they want us to stay members of the treaty? Are they urging Russian compliance? What is their general attitude?

Secretary GOTTEMOELLER. Sir, they have been very keen to ensure that the INF Treaty remains in force. They have been very keen to see Russia reenter into full compliance with the INF Trea-

ty, and they have really been very eager to work with us in this regard.

Mr. COOPER. Can you refresh my memory, since you have been on duty at the State Department, how many times you have briefed Congress or informed us of what is going on in this area? Because I think some of my colleagues have the mistaken impression that we have been uninformed on these issues. And I think it is a number of times. Could you refresh my memory on that?

Secretary GOTTEMOELLER. Sir, we went back and looked it over. In my experience, we have not briefed any issue more than we have briefed this particular issue, and it is not only me alone, but a number of colleagues at both the political and expert level, and the number of briefings, hearings, and meetings amounts to about 60.

Mr. COOPER. Sixty. Like six-zero?

Secretary GOTTEMOELLER. Correct.

Mr. COOPER. That is quite a number. And there are many disturbing Russian activities, as my colleagues have pointed out, so for this issue to have received disproportionate attention would seem to indicate that Ukraine, Syria, Crimea, other issues, such as Russian military doctrine talking about escalatory dominance, the preemptive use of nuclear weapons, that would be a topic nuclear related that we should perhaps give as much attention to as this.

Secretary GOTTEMOELLER. Sir, there are many troubling issues with the Russian Federation right now. And this is among a number of very troubling issues. I will only say that.

Mr. COOPER. I thank you.

Mr. Chairman, I yield back the balance of my time. I look forward to the classified session.

Mr. ROGERS. I thank the gentleman. I would agree this issue has received a lot of talk. Unfortunately, it has received no action.

The Chair now recognizes Mr. Keating for any questions he may have.

Mr. KEATING. Thank you, Mr. Chairman.

I am curious how much you could comment on the fact that, in my view, Russia has an enormous stockpile of strategic and other nuclear weapons already, and I am just trying to think of a real good reason why this is so strategically important to them. I am just curious what your thinking might be. What are Russia's real gains doing this, given their stockpile and the other assets that they have at their disposal already?

Secretary GOTTEMOELLER. It is a very good point, Mr. Keating, that all of the potential targets around the Eurasian periphery for intermediate-range, either cruise or ballistic systems, could be handled by their central strategic forces. The Russians have also been developing very capable cruise missiles, both air-launched and sea-launched. So to be honest with you, sir, we are puzzled as to why they think they need a ground-launched cruise missile that is in violation of this important treaty because we see they have, in our view, adequate capabilities to cover these threats with other systems at their disposal and that are entirely in accord with the INF Treaty.

Mr. KEATING. Yeah, do you see any, you know, in terms of Asia, in terms of Japan, South Korea, China, are they worried at all

that, you know, those countries are advancing somehow and getting a strategic edge? Is that part of what their thinking might be? I know you are asking to get yourself inside of Putin's head. We have had many hearings trying to do that with little success.

Secretary GOTTEMOELLER. I can only say, sir, following on my earlier answer, Mr. Putin himself said in public last August that he is concerned about the emergence of intermediate-range systems—missile systems in China, in India, and Pakistan, and in Iran. So, you know, I understand that there is that concern that has been perhaps present in the Kremlin, in Moscow, but I am only really speculating and based on what he had to say publicly.

Mr. KEATING. And then it is very tricky especially at a hearing dealing with verification issues. But it is clear that the evidence is there. They can deny it and then seek more information, and in doing so, we might be giving our sources and means of intelligence that we don't want to give to them indirectly.

But, you know, looking at things, has there been discussion to set up an Intermediate-Range Nuclear Forces Treaty Special Verification Commission [SVC] as provided for in the INF Treaty? Has that been a source of discussion?

Secretary GOTTEMOELLER. Mr. Keating, if we had some inkling that the Russians would acknowledge this missile and would engage productively in an SVC discussion to try to resolve these concerns, we would be happy to convene an SVC session. Recognizing the complexities I mentioned earlier, saying this is a multilateral treaty with a number of countries who are now members of the treaty from across the former Soviet Union, but nevertheless, if we had some inkling that it would help, we would be delighted to convene an SVC session.

Mr. KEATING. That leads us to the issue of responses, which I am afraid is going to really be a subject matter in the classified setting.

So I yield back, Mr. Chairman.

Secretary GOTTEMOELLER. Thank you.

Mr. ROGERS. The Chair now recognizes the gentleman from Nebraska, Mr. Oklahoma—the gentleman from Oklahoma—I have got too many people talking to me up here—Mr. Bridenstine. Sorry about the Nebraska comment.

Mr. BRIDENSTINE. Thank you, Mr. Chairman.

I just had a question. Of course, the INF violation is of high importance to everybody here, but I think it is emblematic of many larger issues that I think this committee is bringing up and I think appropriately so. One is a question that I have about the Open Skies Treaty. Admiral Haney, commander of U.S. Strategic Command, stated quote: "The treaty has become a critical component of Russia's intelligence collection capability directed at the United States. In addition to overflying military installations, Russian Open Skies flights can overfly and collect on DOD and national critical infrastructure. The vulnerabilities exposed by exploitation of this data and costs of mitigation are increasingly difficult to characterize," unquote. Do you agree with Admiral Haney that Russia can use Open Skies to surveil national critical infrastructure? Ms. Gottemoeller.

Secretary GOTTEMOELLER. Sir, the Open Skies Treaty is designed, in fact, for overflight of other territories. We overfly the

Russian Federation in the same way. In fact, we find it quite useful to overfly their rail lines, for example. I wanted to stress that one of the advantages of the Open Skies Treaty is that information, imagery that is taken is shared openly among all of the treaty parties. So one of the advantages with the Open Skies Treaty is that we know exactly what the Russians are imaging because they must share the imagery with us. So that has an advantage over the so-called national technical means of the Russian Federation, where we are not sure exactly what they are imaging.

Mr. BRIDENSTINE. So are they imaging national critical infrastructure that has nothing to do with defense?

Secretary GOTTEMOELLER. What I can say is, based on, again, the Open Skies Treaty regime is producing imagery that is open to all, and they have imaged a number of sites around the country.

Mr. BRIDENSTINE. Does possible surveillance of U.S. national critical infrastructure fit with Russia's warfighting doctrine?

Secretary GOTTEMOELLER. Well, sir, I would say that under the Open Skies Treaty, we are all basically opening up our territory so that the other countries can have a chance to overfly and observe, you know, what is going on in the country. That was the original idea behind President Eisenhower's proposal of the treaty back in the late 1950s, that it would permit predictability and confidence-building among all the parties to the treaty. So it has been very valuable from that perspective.

Mr. BRIDENSTINE. So a lot of technological advancements have happened since Eisenhower was President. Will the administration permit Russia to fly over the United States with a new advanced digital electro-optical sensor?

Secretary GOTTEMOELLER. Well, sir, the digital sensors that are permitted under the Open Skies Treaty are permitted to all parties to the treaty. So——

Mr. BRIDENSTINE. So will the administration permit Russia to fly over the United States with a new advanced digital electro-optical sensor?

Secretary GOTTEMOELLER. As I said, sir, digital sensors are permitted to all treaty parties. Not only to Russia——

Mr. BRIDENSTINE. So the answer is yes?

Secretary GOTTEMOELLER [continuing]. The United States and our European allies and partners; to all treaty parties.

Mr. BRIDENSTINE. Would information on U.S. national critical infrastructure facilitate targeting of that infrastructure with a Russian cruise missile, for example?

Secretary GOTTEMOELLER. I think it is worthwhile considering, sir, in this context what increment of information the Russia Federation receives from the Open Skies Treaty to all of the other sources of information that they have, including their national——

Mr. BRIDENSTINE. So you are suggesting that maybe we don't need it anymore?

Secretary GOTTEMOELLER. No, sir, I am not. I am suggesting——

Mr. BRIDENSTINE. But it is not of value?

Secretary GOTTEMOELLER. I am suggesting that you need to look at the incremental value of the treaty in particular settings. I can say it has been of enormous value over Eastern Ukraine, in that setting in this current crisis. And it is important again to bear in

mind the importance that our allies and partners place upon this treaty and to make a good calculation of what particular risks predictability and openness have for our national security. We judge that this treaty does not pose such risks to our national security.

Mr. BRIDENSTINE. Regarding our allies that you mentioned, to the extent that allies value the imagery that they collect from Open Skies, has the administration assessed what commercial imagery the United States could provide to allies without exposing us to the risk of Russian aircraft with Russian sensors being allowed to overfly the United States? What other could we provide our allies using other sources, other methods to our allies that do not include us having to give up overflight rights of the United States?

Secretary GOTTEMOELLER. Well, I think it is a good point, sir, to underscore that a lot is available on commercial imagery now to everyone—every country around the world, whether it is the Russian Federation, or our allies and partners. What is valuable, again, about the Open Skies Treaty, is that every image is taken by any plane flying, by any party over any territory, is that all parties have it available to them. And, for that reason, we know exactly what is being gained by overflights of our territory.

Mr. BRIDENSTINE. Last question in my last few seconds. Have you asked the National Geospatial-Intelligence Agency for their analysis on this?

Secretary GOTTEMOELLER. Sir, again, I think this is the kind of discussion that would be good to have if you wish to pursue it in our closed session.

Mr. BRIDENSTINE. Roger.

Thank you, Mr. Chairman.

Mr. ROGERS. I thank the gentleman.

The Chair now recognizes the gentleman from California, Mr. Garamendi, for 5 minutes.

Mr. GARAMENDI. Sixty times we have gone through this, and still I am not sure we really recognize the long history of these treaties, compliance and noncompliance over a long, long period of time, dating back to Ronald Reagan and the question of enforcement at that time of the treaties. And so we have gone back and forth. There really has been a tit for tat over these maybe almost 40 years now. But the bottom line is significant progress has been made, a very, very significant reduction in nuclear weapons, warheads, as well as delivery systems. And while this INF issue is a big one, it is not the only one.

And, Mr. McKeon, I am taken by your testimony, and——

Mr. MCKEON. In a good way, I hope.

Mr. GARAMENDI. And, frankly, it is a testimony that basically says: We are going to go at this in a very aggressive way. And I am looking here at—"Russia does not obtain a significant military advantage from its INF violation." And then you go on to discuss how we can do that. Would you like to elaborate a bit on how we can be assured that they do not have a significant military advantage from their INF violation?

Mr. MCKEON. Congressman, as I explained in my opening statement, and there is a longer statement for the record, we are looking at the challenge posed by Russia's military modernization and its activities in Europe, including the INF violation, as a whole,

and looking at the Department as to what investments we are already making, what new investments we will need to make in the coming years to come to grips with that challenge. I would not—I have characterized it as aggressive, but prudent planning in response to what we see in terms of Russian capability, Russian intent.

Mr. GARAMENDI. So this is from your testimony, new unmanned systems, new long-range bomber, new long-range standoff cruise missile, a number of innovative things, including the B61 bomb life-extension programs and on and on. Bottom line, are we at a disadvantage vis-a-vis Russia with our military standing today?

Mr. MCKEON. Congressman, we still have the most capable military on the planet.

Mr. GARAMENDI. And these additional investments would make us even more so?

Mr. MCKEON. We need to keep pace with the modernization of both Russia and China and militaries of both countries as we look around the globe. Those are the two peer or near-peer competitors. And as I said, we see capability on the part of Russia that is growing as well as the Chinese. It is hard to measure President Putin's intent, but we have seen some of his actions in Europe, so we can——

Mr. GARAMENDI. There is an interesting line in one of your testimonies—I will ask this question of both of you—that Russia thinks that we have violated the INF. Could you quickly tell us why, what Russia thinks we have done that violates it?

Mr. MCKEON. Yes, when we met with them in Moscow a year ago September, we went through this in some detail. A couple of things that they raised. One, they complained about our armed unmanned aerial vehicles, saying that they violate the terms of the treaty. Secondly, they claim that our Aegis Ashore capability, which we are putting in place under the European Phased Adaptive Approach——

Mr. GARAMENDI. That would be both Romania and Poland.

Mr. MCKEON. The one in Romania is essentially nearing completion, and it will reach operational capability later this year, and IOC [initial operational capability] next year, and Poland is a couple of years away.

Mr. GARAMENDI. That is an anti-missile system. How can that be considered to be anything but?

Mr. MCKEON. Their claim, which we have rebutted, is that it is simply a Tomahawk cruise missile system set off, that is not on a ship but is on land, and can be postured to fire cruise missiles in their direction.

Mr. GARAMENDI. Are they right?

Mr. MCKEON. They are not right.

Mr. GARAMENDI. Why?

Mr. MCKEON. It doesn't have all of the same capabilities and fire control system that you see on a Tomahawk setup on a Navy ship.

Mr. GARAMENDI. How long did it take Ronald Reagan to get Russia back in compliance with the ABM [Anti-Ballistic Missile Treaty]?

Mr. MCKEON. I believe it was 7 or 8 years. It is some time in the mid-1980s where we identified the Krasnoyarsk radar as a vio-

lation, and it was worked through, to the end of the Reagan administration and into the first Bush administration before in negotiations. It was before the Soviet Union collapsed. I think it was in 1989 and conversations between Secretary Baker and then Foreign Minister Shevardnadze where they came to an agreement——

Mr. GARAMENDI. When did the United States withdraw from the ABM Treaty?

Mr. MCKEON. In 2001 or 2002, under President Bush.

Mr. GARAMENDI. Was that a unilateral withdrawal?

Mr. MCKEON. It was, yes, sir.

Mr. GARAMENDI. Thank you. I yield back.

Mr. ROGERS. The Chair now recognizes Mr. Perry for any questions he may have.

Mr. PERRY. Thank you, Mr. Chairman.

Ms. Gottemoeller, or Secretary Gottemoeller, about a year ago, as I recall, we had a very similar hearing to this one.

Secretary GOTTEMOELLER. Uh-huh.

Mr. PERRY. And you had enumerated, and through the course of the conversation, we came to an understanding of the alleged violations. And I think, at that time, we kind of realized or kind of confirmed that it took years—I mean, the administration knew years had passed at that point that the violation had been made, but we hadn't been made aware of them. And at that time I asked you very specifically what was going to be done? What was the panoply of options that might be available to us? And I think we reserved that for an executive session, but I am wondering at this point, because it is also my understanding that by now the Chairman of the Joint Chiefs has offered a series of options to remedy the situation to bring Russia back into compliance, is there any plan to implement any of them? And if there is a plan, is it available to be heard in open session?

Mr. MCKEON. Well, Congressman, I have laid out in my opening statement our overall response to Russia's behavior, including its INF violation. There is more that I can say in closed session about some measures we are going to undertake in partnership with our NATO allies.

Mr. PERRY. Is there a plan to implement it, though? I know there are options, but is there a plan to implement it with a timeline? The administration seems to be happy to give our adversaries timelines when we will withdraw from countries and combat, et cetera. Is there a timeline when Russia can expect implementation of this plan?

Mr. MCKEON. Sir, there are a number of capabilities that we are investing in, some of which were already on the books, some of which will be new or increased in the fiscal year 2017 budget and built into the Future Years Defense Program. And so it will be a continuing effort, as I said, to respond to what we see in terms of Russia's growing military modernization and its capabilities and its behavior, including its INF violation. So there won't be a specific point where you will say, "Aha, everything is in place." We are working to counter what we see as the threat posed by Russia's activities, including the INF violation.

Mr. PERRY. So we don't have milestones that we can measure their accountability and their compliance, are there milestones?

Mr. MCKEON. Well, sir, I am outlining for you what the Department of Defense is going to be doing over the coming year and into the future past this administration, assuming these plans are carried forward. We continue to have a separate conversation with Russia about coming into compliance with the treaty. They will see these activities, and they will see them in our budget, and they will start to understand, we believe, that this response is not making them any more secure.

Mr. PERRY. Well, with all due respect—and I will end my questioning—it seems to me that our response years and years in the making without any forced compliance, without any repercussions to failure of compliance, is just going to lead Russia to believe that they can continue to be in noncompliance without any accountability. And that is what I have seen. That is what I learned a year ago, and it doesn't seem to me that much has changed in the year between now and then, with all due respect.

With that, I yield back.

Mr. ROGERS. I thank the gentleman.

The Chair now recognizes Ms. Kelly for 5 minutes.

Ms. KELLY. Thank you, Mr. Chair.

Mr. McKeon, in your assessment, other than the INF Treaty, are there any arms control obligations that Russia is not complying with or is in violation of treaty agreements with the United States?

Mr. MCKEON. Congresswoman, I would probably defer to Under Secretary Gottemoeller, who controls the pen on the compliance report. The Conventional Forces in Europe [CFE] Treaty is one of them. We have concerns, compliance concerns, about other treaties, including the Open Skies Treaty.

Secretary GOTTEMOELLER. Ma'am, I will only add that as far as the additional treaties, we have long-standing concerns about the Chemical Weapons Convention and the Biological Weapons Convention. We cannot confirm Russian compliance with those treaties because they have not provided, as we believe, full information and data about Soviet-era programs, their past programs before the Soviet Union fell apart.

Nevertheless, they are good treaty partners. In the Chemical Weapons Convention, they are continuing to destroy tons and tons of Soviet-era chemical weapons and are doing so according to an agreed schedule. So—and they are working with us in Syria to bring to final conclusion Syria's destruction and elimination of its chemical weapons arsenal.

Ms. KELLY. Where they are not good partners, what are we doing about that?

Secretary GOTTEMOELLER. Where they are not good partners, in my world, we are continuing to make sure that they are aware that they must come back into compliance with the INF Treaty specifically, that that is in their interest as well as for the rest of the international community.

In the case of the CFE Treaty, we actually took countermeasures inside the treaty context and ceased implementing the treaty with regard to the Russian Federation, but, again, the CFE Treaty, the Conventional Forces in Europe Treaty, brings a lot of predictability and mutual confidence to other partners and signatories of the treaty, especially during this period of crisis, not only in Ukraine

but in other places such as Georgia and so forth. So it is helpful to continue to ensure that information is flowing, that inspections take place, and notifications of activities are flowing.

Ms. KELLY. Thank you.

I yield back.

Mr. ROGERS. The Chair now recognizes the gentleman from Arizona, Mr. Franks, for 5 minutes.

Mr. FRANKS. Well, thank you, Mr. Chairman.

Thank you for both for being here.

Ms. Gottemoeller, I understand that Ambassador Thomas Graham has suggested publicly that the administration is looking to circumvent the Constitution and allow—or actually pursue a prohibition of nuclear testing through a U.N. Security Council resolution. I, obviously, would recoil at any security council dictating American defense policy.

Can you assure this committee that the administration is not pursuing this idea?

Secretary GOTTEMOELLER. Sir, I have been in constant battle with our NGO [nongovernmental organization] colleagues over this issue. We do not agree with this notion.

Mr. FRANKS. All right. Well, and I appreciate that. And you are assuring me that that is not being pursued?

Secretary GOTTEMOELLER. Correct.

Mr. FRANKS. Okay. That is good. See, answers can happen.

Knowing that, since the 1996 era, three countries have broken the de facto comprehensive nuclear test ban moratorium and tested nuclear weapons—that is India and Pakistan in 1998, and then North Korea in 2006 and 2009 and again in 2013. Your compliance report this year states that each state with a testing moratorium complied with it in 2014. So is it—in other words, is it correct now to state that no state last year conducted a nuclear weapons test that produced a nuclear yield?

Secretary GOTTEMOELLER. Sir, within this century, the only state that has tested nuclear weapons is—in a way that produced a nuclear yield—is North Korea, so since the beginning of this century.

Mr. FRANKS. So are you saying India and Pakistan in 1998, that did not occur?

Secretary GOTTEMOELLER. No, sir. Since 2000, is what I am saying.

Mr. FRANKS. Oh, I am sorry.

Secretary GOTTEMOELLER. The only state that has tested to nuclear yield is North Korea.

Mr. FRANKS. And so no state last year conducted any nuclear yield tests or any tests that resulted in any nuclear yield?

Secretary GOTTEMOELLER. Correct.

Mr. FRANKS. All right. Well, listen, that is all the questions I have.

And I thank you, Mr. Chairman. I yield back.

Mr. ROGERS. The Chair now recognizes Mr. Fleming for any questions he may have.

Dr. FLEMING. Thank you, Mr. Chairman.

For both of our panelists today, I would like to ask this question. You both mentioned in your testimony that the administration continues to reiterate to Russia its need to come into compliance with

the INF Treaty. Do you have any specific details of actions taken by Russia to suggest that Russia actually intends to come into compliance with the INF, that the administration's urgings are having any effect?

Secretary GOTTEMOELLER. Sir, what I can say is that the Russian Federation claims that it is in full compliance with the treaty. It does not acknowledge this violation that we have regularly expressed grave concerns to it about, it does not acknowledge the missile, the ground-launch cruise missile. So it claims it is in compliance with the treaty, number one, and it also in that context asserts its commitment to continue for the present time to stay in the INF Treaty. And so that is the position that we hear from the Russians time and time again.

Dr. FLEMING. I assume you confront them with the actual data. How do they respond when you actually show it to them?

Secretary GOTTEMOELLER. I have told them, you know, that they have received from us sufficient information to be able to determine what missile we are talking about, but they claim that they cannot tell what missile we are talking about.

Dr. FLEMING. Do you feel like their unwillingness to comply with INF may actually get worse; they may actually continue in the wrong direction?

Secretary GOTTEMOELLER. Well, one, I think, benefit of calling them out on their violation of the INF Treaty is that they are aware that the world is watching, watching very closely, and that we are watching very closely their continued behavior with regard to the Intermediate-Range Nuclear Forces Treaty, so I do believe that it is having an effect upon them.

Dr. FLEMING. Has the U.S. implemented any economic sanctions because of their failure to comply with INF?

Secretary GOTTEMOELLER. We have been working with our allies to consider economic sanctions. And you are aware, sir, that we have imposed a wide range of economic sanctions in complete agreement with the European Union [EU] to respond to their incursion into Crimea, and that, I think, has been extraordinarily effective. We continue to consider economic measures with regard to the INF Treaty, but up to this point, we have not pursued it.

Dr. FLEMING. When you say "effective," what is the metric for that? How do you know that is being effective?

Secretary GOTTEMOELLER. Well, I think effective is, in the case of economic sanctions, it is clear that it is having an economic impact.

Dr. FLEMING. It is hurting their economy, you are saying?

Secretary GOTTEMOELLER. Right. Right.

Dr. FLEMING. Is that mostly in the oil and gas type of venue or is——

Secretary GOTTEMOELLER. Well, when we look across the range of sanctions, and this is a topic that if you are interested in deserves a separate briefing, but when we are looking across the range of sanctions undertaken with the EU, it is not only the oil and gas sector. It is manufacturing. It is across the board, really.

Dr. FLEMING. Mr. McKeon, you mentioned in a hearing last year that the DOD [Department of Defense] is examining a range of military options to respond to Russia's INF violations. Congress

has moved this process along. This year's NDAA just signed by the President last week included language to require the DOD to make plans of, again, development of the kind of systems that you outlined in your testimony. So what can you tell me about that?

Mr. MCKEON. Well, in terms of the report, Congressman, we are aware of the reporting requirement and will endeavor to meet it on time, although I will confess I know we are not always the best at being timely with our reporting because we have a lot of reporting requirements.

In terms of capabilities that we are looking at, I outlined those in some detail in my statement, and I will go into a little bit more in closed session on some ideas that we are going to pursue in Europe.

Dr. FLEMING. Okay. So if the administration's urgings to Russia regarding INF compliance are not changing Russian behavior, we see that it may have some effect on their economy, but not their behavior, and in fact, Russia's behavior may be moving in the opposite direction. Why is the administration delaying other economic and military lines of effort that would actually have an effect on the diplomatic line of effort? For either one or both.

Mr. MCKEON. Well, sir, I don't think we are delaying implementation of military measures, and we can talk about that in the closed session. These investments we are—some of these investments we are going to make, we weren't planning to make 2 or 3 years ago. They are in response not just to the INF violation but other Russian activity.

In terms of economic measures, I would defer to Rose on that, but if we continue down this course and the measures we are taking do not lead to Russian compliance, we can always assess whether to take other measures.

Secretary GOTTEMOELLER. If I may just very quickly comment, sir. In addition to the points that Mr. McKeon has made about denying Russia any significant military advantage if it persists in its violation of the INF Treaty, so that is at the top of the list, but nevertheless, I do believe that it is important to back diplomacy up with strong action in these other areas.

Dr. FLEMING. Okay. Thank you.

Mr. ROGERS. Mr. McKeon, I want to clarify something—or get clarification on something you just talked about. You are not just required to present a report. Aren't you supposed to start carrying out the responses under 1243?

Mr. MCKEON. Mr. Chairman, I will defer to you on what your language says because I have not studied it closely. So I will get back and read it when I get back to the Department. I am generally aware of a list of requirements that you have put into the new NDAA, but I will confess I have not read them closely.

Mr. ROGERS. I thank you. The Chair now recognizes Mr. Turner for any questions he may have for 5 minutes.

Mr. TURNER. Thank you, Mr. Chairman.

Ms. Gottemoeller, you were very, very prepared with the question from the ranking member as to how many times you have been here, and I appreciate the quantification of the number of times that you and people from your office, as you said, have made themselves available. I think what you understand is it is not how

many times you appear before us; it is what you say. And on the "what you say," there are two categories that are important to us. One, action. That is what most of our questions to both of you today have been: What are we doing, and what is going to happen as a result of the change in the circumstances in the world or what our non-allies, what Russia is doing? The second is information. It is, what do you tell us? If you come before us and you are not telling us the whole story, then it doesn't matter if you are here 170 times. If we don't get the whole story, it is a worthless exchange of dialogue between us.

And we all know that there is considerable consternation between this administration and this committee on the fact that the administration knew in intelligence information of Russia's violation in 2008 of the INF Treaty and waited until 2014 to announce the violation publicly. And as we all know, as we were going through the critical negotiations of the New START Treaty, that type of information was incredibly important. So, action and information.

So my first question is about information. Ms. Gottemoeller, Russia recently has admitted to the disclosure of the existence of a nuclear-armed, nuclear-powered undersea delivery system. It is not really necessarily a missile because it is not coming off of a sub or of a ship. It is its own undersea delivery system. It is not an ICBM [intercontinental ballistic missile] because it is not in the air, but it is in effect the same thing; it is only traveling under the water.

So back to our two concerns with this dialogue. Ms. Gottemoeller, were you aware of the existence of this system when you were in negotiations with the New START Treaty? †

Secretary GOTTEMOELLER. Sir, if I may, I would just like to say the answer to that question is an unequivocal no, but if you want to get into talking about this system in more detail, it is very good to do so in our closed session, and we will be——

Mr. TURNER. Well, I would be glad to do it in closed session, but one of the great aspects of having this conversation with you—because it is always so much more convenient for us to talk behind closed doors because the accountability obviously isn't as difficult for you—is that this is something that is openly being discussed. I didn't hear of this from a classified briefing from you where I am now asking you a question about it. It is in the news, and Russia is admitting or is apparently, you know, indicating that it has been developing the system.

So I want to ask you, though, if you say unequivocally no—that means you didn't know—if you didn't know, should it have been included in the treaty? I mean, is this system a problem when you look at the overall balance that you were trying to accomplish in the New START Treaty?

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† The Department of State witness at this hearing misunderstood the nature of the question and later provided a detailed response to the closed hearing. The administration, through the work of the Intelligence Community, regularly provided Congress assessments of what the U.S. knows and does not know on this topic. The Director of National Intelligence has a responsibility to protect sources and methods while being as transparent as possible. The public's interest is considered to the maximum extent possible while protecting information as necessary, protecting the safety of those who work in or with the IC, or otherwise protecting national security.

Secretary GOTTEMOELLER. Well, I think, sir, that it will have to be, you know, considered in the context of where the Russians go with the system.

Mr. TURNER. Well, their intention is to go here, ma'am. I mean, let's be clear. Right?

Secretary GOTTEMOELLER. No.

Mr. TURNER. I mean, it is not—they are not going from, you know, one area of Russia to another. Their intent is to go here.

Secretary GOTTEMOELLER. I know we are concerned about it, of course we are concerned about it as a threat to the United States, but if it turns into a system that is widely put into operational deployment, you know, that is——

Mr. TURNER. Widely. One would probably be sufficiently troubling, right?

Secretary GOTTEMOELLER. I think it is a troubling system, sir. There is no question about it.

Mr. TURNER. Now we are going to get to the second aspect of this communication of the over 60 times that you and your staff have been here, is action. It is in the public. It is not like no one knows that it is occurring. What have you done? What has the State Department done in communicating to Russia concerning this system? I mean——

Secretary GOTTEMOELLER. I can assure you, sir, that I never hesitate to raise issues of concern, including——

Mr. TURNER. I didn't ask you if you hesitate.

Secretary GOTTEMOELLER [continuing]. Including about this——

Mr. TURNER. I asked you, what did you do?

Secretary GOTTEMOELLER [continuing]. Including about this system with my Russian counterparts.

Mr. TURNER. You have? What did you do? Did you——

Secretary GOTTEMOELLER. I never hesitate to raise issues of concern.

Mr. TURNER. What does "raise" mean? I mean, you are this, you know, Under Secretary of State for International Security. "Hey, I saw this in the news"?

Secretary GOTTEMOELLER. It makes it clear to them that it is a concern, an official concern of the United States of America.

Mr. TURNER. I think you probably didn't need to tell them that. I think they probably understood it was a concern.

Did you tell them anything else about what our official policy was, what action the United States might be taking, what consequences would occur as a result of this being a threat to the United States?

Secretary GOTTEMOELLER. I will be very happy to talk to you more about this, sir, in closed——

Mr. TURNER. I am looking forward to that.

Secretary GOTTEMOELLER. Thank you.

Mr. ROGERS. The Chair now recognizes the gentleman from Colorado, Mr. Lamborn, for 5 minutes.

Mr. LAMBORN. Thank you, Mr. Chairman.

And thank both the chairmen for having this hearing.

Thank you both for being here.

I want to dwell a little bit more on what we knew about the INF violating the—excuse me, Russia violating the INF Treaty before

2011, that you said just now that that is when you knew for sure that they were in violation, but you had suspicions before 2011, didn't you?

Secretary GOTTEMOELLER. No, sir. As I said, the system could be sea-launched, air-launched. And it is perhaps worthwhile to say that, starting in 2011, we had the opportunity to talk to the Hill about it, but we have never—we have never ever kept any information back about this system at all, and I want to assure these two committees of that matter. We have been very upfront and come up here repeatedly to inform you when we knew about this system being not in compliance with the INF Treaty.

Mr. LAMBORN. When did you first have suspicions?

Secretary GOTTEMOELLER. Sir, I have said it was the end of 2011 when we first had indications that this missile was a missile of concern.

Mr. LAMBORN. I am not sure that is my recollection of what we have talked about in earlier hearings. You haven't—you didn't even have suspicions before 2011?

Secretary GOTTEMOELLER. No, sir.

Mr. LAMBORN. Let me visit another subject here. You stated recently that the Russians have been pretty good partners over the years, frankly, yet you have also said that they, the Russians, are cheating or are not in compliance with the INF Treaty, the Chemical Weapons Convention, the Biological Weapons Convention, the Treaty on Conventional Forces in Europe, the Open Skies Treaty, the Budapest Memorandum, and other agreements. So with that track record, how can you say they have been, frankly, pretty good partners over the years?

Secretary GOTTEMOELLER. Sir, I think it makes sense to look at specifically where the partnership has been effective. The list that you just read out is attached to certain nuances, which is very important to understand. They are in outright violation of the INF Treaty and the Conventional Forces in Europe Treaty. In certain areas, like the Open Skies Treaty, we have what we call compliance concerns, and that is natural in any treaty environment. There are concerns that come up in its implementation, and those are discussed in the implementation bodies of those treaties. We work to resolve them. And so that is why there are some differences here.

In the case of the Chemical Weapons Convention and the Biological Weapons Convention, actually, we have never been able to confirm the Soviet-era holdings. They have never provided us information on that. But it is in that context I said that they have been a good partner in the Chemical Weapons Convention. They really worked with us to get 1,300 tons of chemical weapons out of Syria, which I am very glad are no longer in Syria at this moment. We continue to have concerns about what Syria is doing with chemical weapons, and we will continue to wrestle with that problem. But it is in that context that I said the Russians have been a good partner.

Mr. LAMBORN. Well, in view of all those violations, I guess we have different definitions of what makes a pretty good partner.

Mr. Chairman, I yield back.

Mr. ROGERS. I thank the gentleman.

The Chair would point out that we have just been called for votes. I apologize. They didn't ask me about when to call them. But we will recess temporarily while we go vote, and then reconvene immediately after votes in room 2216. We now stand in recess.

[Whereupon, at 4:51 p.m., the subcommittees proceeded in closed session.]

A P P E N D I X

December 1, 2015

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

DECEMBER 1, 2015

Statement of Hon. Mike Rogers, Chairman, Subcommittee on Strategic Forces

HEARING ON

Russian Arms Control Cheating: Violation of the INF Treaty and the Administration's Responses One Year Later

December 1, 2015

I'd like to welcome everyone to this joint hearing of the House Armed Services Subcommittee on Strategic Forces and the House Foreign Affairs Subcommittee on Terrorism, Trade and Nonproliferation on "Russian Arms Control Cheating: Violation of the INF Treaty and the Administration's Responses One Year Later".

Testifying today are the following witnesses:

The Honorable Rose Gottemoeller
Under Secretary of State for International Security
Department of State

The Honorable Brian McKeon
Principal Deputy Under Secretary of Defense for Policy
Department of Defense

This is an update to last year's hearing with these witnesses and we are eager to learn what the Administration has been doing since we met in open and closed session on this topic last December.

The Congress, as I promised last year, has not been sitting idle.

The recently enacted FY16 NDAA included section 1243 which directs the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to begin the research and development of military response options to Russia's violation.

INF is, of course, not the only treaty or agreement that Russia is violating. We learned from Ms. Gottemoeller during last year's hearing that on 8 of 12 treaties and agreements, Russia is not in compliance or is outright violating its obligations.

INF has earned a lot of attention, but what of the Chemical Weapons Convention? The Biological Weapons Convention? The Open Skies Treaty?

Are we less concerned about Russian chemical or biological weapons that can be used against the United States than intermediate-range missiles that cannot? No, of course not.

And this hearing is also the first opportunity for many members to ask the Administration about the recent Russian disclosure of a nuclear-powered, nuclear

warhead that occurred during a review of Russia's nuclear forces that included its President, Vladimir Putin.

According to the Russian translations of what was disclosed, this weapon would provide Russia a new capability to damage "the important components of the adversary's economy in a coastal area and inflicting unacceptable damage to a country's territory by creating areas of wide radioactive contamination that would be unsuitable for military, economic, or other activity for long periods of time."

What does it say about a country that feels that nuclear weapons are such a significant tool of its military and diplomatic strategy that it discloses systems in this manner?

And what does this say about a country that would invest resources in such a weapon? This is just nuts.

Yet, the only time our President talks about nuclear weapons is when he wants to propose reducing them.

The world is paying attention. Where is our President?

So, we have a lot to talk about today. I'm looking forward to learning what the Administration has been up to since this time last year.

I'm looking forward to learning about the military assessment and review of military options that the former Chairman of the Joint Chiefs, General Dempsey, produced, whether in the open hearing or the closed session.

With that, I would like to turn things over to Chairman Poe for any opening comments he might have.

Statement of Hon. Jim Cooper, Ranking Member,
Subcommittee on Strategic Forces

HEARING ON

Russian Arms Control Cheating: Violation of the INF Treaty and the Administration's Responses One Year Later

December 1, 2015

Thank you, Mr. Chairman, for holding this important hearing on Russian cheating on one of the key international arms-control treaties, the INF treaty.

It is hardly news that Russia cheats on treaties, or is guilty of numerous other outrages such as the takeover of Crimea, the invasion of Ukraine, the bombing of anti-Assad forces in Syria, etc. But we also know that, for the time being, that America is somewhat reliant on the reliable supply of Russian RD-180 missiles for assured U.S. access to space, so the U.S.-Russian relationship is not, and never has been, black and white.

The purpose of the hearing today is what we can learn from specific instances of Russian INF cheating, their implications for Europe, our allies, and the United States, and what the appropriate U.S. response should be. We should approach this in a bipartisan manner, and I hope that we can spend as much time as necessary in the classified portion of the hearing so that we can get all the answers we need to these important questions.

Thank you, Mr. Chairman.

Rose E. Gottemoeller
Under Secretary of Arms Control and International Security

Statement for the Record

Joint Hearing

House Foreign Affairs Committee, Subcommittee on Terrorism, Nonproliferation, and Trade

House Armed Services Committee, Subcommittee on Strategic Forces
Rayburn House Office Building

December 1, 2015

Chairmen Poe and Rogers, Ranking Members Keating and Cooper, distinguished Members of the House Foreign Affairs and Armed Services Committees, thank you for hosting this hearing and for having me here today. This is a subject on which I previously briefed these same committees, including last year around this time. Since that time, both my staff and my Defense colleagues have worked to keep you and your staffs apprised of work in this area.

Let me begin by saying that the United States does not undertake arms control and disarmament as an end in and of itself. Nor do we look at arms control and disarmament in isolation from deterrence and the general strategic environment, including the changing security environment in Europe. Together, arms control and deterrence help create the conditions for a more durable and predictable form of strategic stability. Therefore, they benefit U.S. national security.

Arms control frameworks are one available and important instrument in our foreign policy toolkit to advance global stability and the security of the United States, our allies, and our partners. This has been true for over four decades, for both Republican and Democratic administrations, for a wide variety of nuclear and conventional security issues of concern. We have worked closely with our Allies

and partners to develop the arms control frameworks we have today, and both we and our Allies and partners continue to see enormous value in these agreements. The United States and its allies are made safer and more secure by such agreements since, for all parties to the agreement, they limit weapons and their destructive potential while providing transparency and predictability.

Arms control has both benefits and challenges, like any other tool in the U.S. toolkit. With regard to concerns about Russian implementation of its arms control obligations, it is a serious matter that must be addressed. When there are violations, these must be raised publicly and forcefully with Russia at the highest levels, as this Administration has done. When there are open questions related to Treaty implementation, these concerns are discussed within the U.S. interagency and then raised with treaty counterparts in various technical-level committees and commissions. The goal is to resolve these issues and, oftentimes, we do.

Over the last three decades, there have been compliance and implementation issues with first the Soviets and then the Russians on a variety of agreements. At the same time, we also have worked together to successfully implement treaties and agreements, such as the original START agreement, that have had enormous historical and military importance and benefits over the ensuing years for bilateral and regional security.

Former officials in both Republican and Democratic administrations and their colleagues in Congress were forced to grapple with many of the same problems we face today – How do we resolve violations when faced by blatant denials? How do we work with allies and partners on these challenges to ensure a unified and proportionate response? These are not easy questions to answer; this is not easy work to accomplish.

Let me assure these committees once again that the Administration takes compliance with all arms control agreements extremely seriously. For this reason, this Administration worked hard to produce a compliance report in July of 2010 – the first delivered to Congress after a five-year lapse – and has produced one every year since, as required by statute. While the State Department has the lead in drafting the report, the Department of Defense contributes and is fully consulted

throughout the process, consistent with the Arms Control and Disarmament Act. Producing the compliance report also requires concurrence from the Intelligence Community and consultation with the Department of Energy. We have diligently kept Congress updated via documents such as the Annual Compliance Report and, the Report on Noncompliance by the Russian Federation with its Obligations Under the INF Treaty required every 90 days by the Ukraine Freedom Support Act of 2014, and ongoing compliance work such as the four annual briefings to Congress on the work of the New START Treaty Bilateral Consultative Commission or BCC.

The focus of today's hearing is Russia's violation of the INF Treaty so I would like to focus my remarks on that important subject.

In May of this year in the unclassified portion of the Annual Compliance Report, the United States repeated its determination that Russia is in violation of its INF Treaty obligations not to possess, produce, or flight-test a ground-launched cruise missile with a range capability of 500 to 5,500 kilometers, or to possess or produce launchers of such missiles. The INF Treaty, negotiated and ratified during the Reagan Administration, eliminated an entire class of ballistic and cruise missiles, capable of delivering nuclear and non-nuclear warheads.

Since 2013, we have raised with Russia our serious concerns regarding conduct that we ultimately determined to be a violation of the INF Treaty and have held senior-level and technical-expert level bilateral discussions with the aim of returning Russia to verifiable compliance with its Treaty obligations. Throughout the course of this year, we have raised this issue with Russian officials on repeated occasions and at various levels and departments within the Russian government in an effort to resolve U.S. concerns. We have made very clear that this is not a technicality, a one-off event, or a case of mistaken identity, but a serious Russian violation of one of the most basic obligations under the INF Treaty. Russian officials have denied violating the Treaty and told us the issue was closed. We do not accept this response. Instead we continue to pursue resolution of U.S. concerns with Russia, as the INF Treaty benefits the security of the United States, our allies, and Russia, and contributes to stability in Europe and the Asia-Pacific regions. We continue to remind Russia why it signed this Treaty in the first place, and why

Russia's continued violation would only lead to a needless and costly action-reaction cycle to the detriment of Russia's security.

While the United States is engaging diplomatically with Russia as noted above, we have devoted a great deal of attention in 2015 to consulting with our Allies and partners in the interest of pursuing a coordinated response to Russia's violation. Our Allies have made clear their interest in preserving the INF Treaty, and their continued wish that the United States remain in the Treaty and seek to bring Russia back into compliance. Let me repeat the language from the NATO Summit in Wales, where Allies noted: "it is of paramount importance that disarmament and non-proliferation commitments under existing treaties are honored, including the Intermediate-Range Nuclear Forces (INF) Treaty, which is a crucial element of Euro-Atlantic security. In that regard, Allies call on Russia to preserve the viability of the INF Treaty through ensuring full and verifiable compliance."

Outreach with key allies involves several important lines of effort: explaining the requirements of the INF Treaty and the nature of the Russian violation, highlighting the importance of the Treaty to regional security, sharing more available information with key allies and partners on the Russian violation and Moscow's underlying reasons for developing such a system, updating allies and partners on our continued engagements with Russian officials, and informing allies and partners of progress on potential response options. All of these efforts will continue as we focus on potential response options that will be endorsed by our allies.

Russia continues to be unwilling to acknowledge its violation or address our concerns. We have shared more than enough information with Russian officials for them to look through their own records and identify the relevant program; their denials and counteraccusations clearly attempt to deflect attention from their own violation. Therefore, we continue to study and work closely with allies on a series of diplomatic, economic, and military measures to protect the interests of the United States and our Allies.

I assure this committee that the Obama Administration is committed to bringing Russia back into compliance with the INF Treaty, and has worked diligently to that

end throughout the last year. At the same time, the Administration will continue its work to identify and implement appropriate response options to ensure our security and that of our Allies is maintained should Russia continue its violation of the INF Treaty. Ultimately, the security of the United States and its allies is not negotiable, particularly when there is a serious violation of one of the cornerstone arms control agreements for European and Asian security.

While our public determination and diplomacy has yet to lead Russia to return to compliance, our announcement of Russia's violation and reaffirmation of the continuing U.S. commitment to the Treaty has imposed significant costs on Russia. Its covert GLCM program has been exposed, and Moscow is not free to pursue this effort unconstrained, as this would risk confirming for the world that Russia has been violating an agreement that has been a key instrument of stability and security for nearly three decades.

Additionally, I'd like to underscore the actions taken by the United States to address Russia's non-compliance with the Conventional Armed Forces in Europe (CFE) Treaty; and our continuing questions about Russia's adherence to the Open Skies Treaty.

The Russians are in violation of the Conventional Armed Force in Europe (CFE) Treaty; Russia unilaterally "suspended" its implementation of CFE in 2007. The Treaty does not provide for such an action. Russia's action has had a serious impact on military transparency and confidence in Europe. The United States and NATO Allies made several diplomatic efforts to bring Russia back into compliance after 2007.

Finally, as a legal countermeasure, in 2011 the United States ceased implementing CFE vis-à-vis Russia. This action was taken in solidarity with our 21 NATO Allies who are also CFE States Parties, as well as Georgia and Moldova, who joined us in ceasing implementation of CFE vis-à-vis Russia.

The United States continues to maintain a cessation of implementation of certain CFE Treaty obligations (notifications, data exchange, and inspections) vis-à-vis the Russian Federation due to Russia's ongoing nonperformance of its obligations to

the United States under the CFE Treaty. This measure was closely coordinated with NATO Allies, Moldova, and Georgia, who also implemented similar steps in their respective national capacities. Russia has not challenged this action. The United States continues to perform its obligations under the CFE Treaty vis-à-vis all other States Parties.

We continue to have concerns with Russia's implementation of the Open Skies Treaty, in particular, with Russia's continued denial or restriction of observation flights over portions of Russian territory. We are redoubling our efforts to raise these issues with Russia, both in bilateral dialogue, as well as through the Open Skies Consultative Commission, along with other States Parties, as we sustain strict implementation of the Treaty.

Both of these treaties have made enormous contributions and are critical to European security, and we continue to raise issues of concern with Russia while coordinating with our European allies.

Thank you for your partnership in this effort, and I look forward to answering your questions.

Rose E. Gottemoeller was sworn in as the Under Secretary for Arms Control and International Security (T) on March 7, 2014. As Under Secretary, Gottemoeller advises the Secretary on arms control, nonproliferation and disarmament. She had served as Acting in this position since February 7, 2012. While Acting, Gottemoeller continued to serve as Assistant Secretary of State for the Bureau of Arms Control, Verification and Compliance, a position she was appointed to on April 6, 2009. She was the chief U.S. negotiator of the New Strategic Arms Reduction Treaty (New START) with the Russian Federation, which entered into force on February 5, 2011.

Prior to the Department of State, in 2000, she became a senior associate with the Carnegie Endowment for International Peace, where she also served as the Director of the Carnegie Moscow Center (January 2006 – December 2008).

In 1998-2000, as Deputy Undersecretary of Energy for Defense Nuclear Nonproliferation and before that, Assistant Secretary and Director for Nonproliferation and National Security, she was responsible for all nonproliferation cooperation with Russia and the Newly Independent States.

Prior to her work at the Department of Energy, Ms. Gottemoeller served for 3 years as Deputy Director of the International Institute for Strategic Studies in London. From 1993 to 1994, she served on the National Security Council staff as Director for Russia, Ukraine, and Eurasia Affairs, with responsibility for denuclearization in Ukraine, Kazakhstan, and Belarus. Previously, she was a social scientist at RAND and a Council on Foreign Relations International Affairs Fellow. She has taught on Soviet military policy and Russian security at Georgetown University.

Ms. Gottemoeller received a B.S. from Georgetown University, and a M.A. from George Washington University. She is fluent in Russian.

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HOUSE COMMITTEES ON ARMED SERVICES AND FOREIGN AFFAIRS

STATEMENT OF

HONORABLE BRIAN P. MCKEON
PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE
FOR POLICY

BEFORE THE HOUSE
COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON STRATEGIC FORCES
AND
COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE

DECEMBER 1, 2015

NOT FOR DISTRIBUTION UNTIL RELEASED BY
THE HOUSE COMMITTEE ARMED SERVICES

Chairman Rogers, Chairman Poe, Ranking Member Cooper, Ranking Member Keating, distinguished members, thank you for the opportunity to testify on Russia's Intermediate-Range Nuclear Forces (INF) Treaty violation and the Obama administration's responses.

Russian Compliance with Arms Control Treaties and Agreements

I will not belabor the point you already know and which Under Secretary Gottemoeller has already discussed: the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile with a range capability of 500 to 5,500 kilometers, or to possess or produce launchers of such missiles. We also have reported in the most recent arms control compliance report our concerns with regard to Russian adherence to several other arms control treaties.

Our determination on the INF Treaty violation has not changed since we first announced the violation in July 2014. There has been some speculation about what missile the United States is referring to and whether we have mistaken its testing for a treaty-compliant sea-based cruise missile. The evidence is conclusive. Russia has tested this ground-based system well into the ranges covered by the INF Treaty. We are talking about a real system and not a potential capability.

Since determining that Russia is in violation of its INF Treaty obligations, our objective has been to preserve the viability of the INF Treaty by convincing Russia to come back into compliance with those obligations. We believe it is in our national security interest and our allies' interest that the INF Treaty remains in force and that Russia remains a State Party to the Treaty and complies with its obligations. This means Russia must cease its noncompliant activity and eliminate all INF Treaty-prohibited missiles and launchers in a verifiable manner.

Equally important, our approach has focused on ensuring that Russia gains no significant military advantage from its violation. Doing so will ensure that our efforts to bring Russia back into compliance will not come at the expense of our security or that of our friends and allies.

Diplomatic Engagement with the Russian Federation

Under Secretary Gottemoeller has described how we began raising our concerns through diplomatic discussions with Russia in May 2013 and have repeated them on numerous occasions since that time. We have conveyed to Russian officials that we expect the Russian Federation to cease any further development, testing, production, and deployment of this noncompliant system and to eliminate the existing missiles and launchers in a verifiable manner. Since I last testified on this issue, U.S. and Russian technical experts met to discuss the issue. Unfortunately, the meetings did not resolve our concerns. Russia has not been forthcoming with any information, nor has it acknowledged the existence of the noncompliant cruise missile. Russia instead used the meetings as an opportunity to repeat tired and long-ago addressed accusations of the United States violating the INF Treaty.

We remain ready to have a discussion with the Russian Federation on this serious matter, but we cannot, and will not, have a one-way dialogue. Russia needs to take responsibility for its actions and the resultant consequences for European and Asian security.

Military Assessment

As a result of Russia's actions, in 2014, the Joint Staff conducted a military assessment of the threat posed by Russia if it were to deploy an INF Treaty-prohibited ground-launched cruise missile in Europe or the Asia-Pacific region. The assessment tells us that the deployment of such

a system by the Russian Federation would increase the risk to our allies and an indirect threat to the United States. My Joint Staff colleague can address this in the closed session.

The Joint Staff assessment led us to review a broad range of military response options and to consider the effect each option could have on convincing Russian leadership to return to compliance with the INF Treaty and on countering the capability of a Russian INF Treaty-prohibited system. This assessment occurred at the same time that we were confronting a new strategic reality in Europe: a Russia that is modernizing its military capabilities across a range of its systems, a Russia that has destabilized the European security order by purporting to annex Crimea and through its illegal activities in eastern Ukraine, and a Russia that is actively seeking to undermine NATO and to erode the security and economic ties that bind us all together. Finally, Moscow's nuclear weapons saber rattling has raised questions about Russia's commitment to strategic stability. As Secretary Carter said in Berlin six months ago, these reckless comments cause us to wonder whether Russia continues to respect the profound caution that world leaders in the nuclear age have shown with regard to the brandishing of nuclear weapons or nuclear-inspired rhetoric.

Military responses to Russia's actions

Over the course of the last year, the Administration determined that we needed to consider Russian actions with regard to the INF Treaty in the context of its overall aggressive and bellicose behavior that flouts international legal norms and destabilizes the European security order. Russia is not violating the INF Treaty in isolation from its overall aggressive behavior; therefore, we concluded that our responses cannot focus solely on the INF Treaty.

Stated another way: this is not just an arms control issue, and it represents a broader challenge to Trans-Atlantic security.

Accordingly, we are developing a comprehensive response to Russian military actions and are committing to investments that we will make irrespective of Russia's decision to return to compliance with the INF Treaty due to the broader strategic environment we face. And while we do not seek to make Russia an enemy, and we will cooperate with Russia where it is in our interests to do so – such as in the P5+1 negotiations with Iran – the President has made clear that we will uphold our Article 5 obligations under the North Atlantic Treaty.

Our core objective remains the same: to ensure that Russia does not obtain a significant military advantage from its INF violation. We believe that our overall efforts to prepare for the defense in Europe can achieve this goal and ensure that Russia's INF violations do not leave them with any appreciable advantage over us or our allies. As we consider the changed strategic environment in Europe, we are factoring Russia's increased cruise missile capabilities, including its INF violation, into our planning.

Our responses to Russia's activities in Ukraine as well as the complex security challenges in the South involve a broad range of efforts – within the Department, bilaterally with Allies and partners, and with the NATO Alliance.

First, we have focused on posture and presence. In the last year, under the European Reassurance Initiative, or ERI, for which Congress generously provided $985 million in FY 2015, we have maintained a persistent, rotational air, land, and sea presence of U.S. forces in the Baltics and in Central Europe, to reassure our Allies and to build up their capacity. ERI also enables us to expand our bilateral and multilateral exercises in Europe, in order to improve interoperability and to strengthen our warfighting capability in the face of these newer threats.

We are planning to continue ERI, with $789.3 million requested in FY 2016, and I expect that the Administration will continue to seek funding for ERI in FY 2017.

We are also transforming our posture in Europe in order to be more responsive and sustainable for the 21st Century. American rotational forces need to move more quickly and easily to participate in training and exercises in Europe. That's why we are prepositioning tanks, artillery, infantry fighting vehicles, and other equipment to rapidly respond to crises and provocation rapidly. Estonia, Lithuania, Latvia, Bulgaria, Romania, and Poland have agreed to host company- to battalion-sized elements of this equipment, which will be moved around the region for training and exercises

Second, the United States and the NATO Alliance are focused anew on planning and shaping our future military activities in Europe. We have energized planning and resourcing efforts in response to the changed security environment in and around Europe.

Third, we are working to improve our defensive measures to deny Russia offensive capabilities by modifying and expanding air defense systems, including addressing the difficult challenge posed by cruise missiles. As Secretary Carter stated last month at the Reagan Defense Forum in California, we are investing in the technologies that are most relevant to Russia's provocations, developing new unmanned systems, a new long-range bomber, a new long-range stand-off cruise missile, and a number of innovative technologies. We are also following through with plans announced in the 2010 Nuclear Posture Review to modernize our nuclear arsenal – strategic and non-strategic – to be safe, secure, and effective to both deter nuclear attacks and reassure our allies.

Fourth, we are leading the NATO Alliance to prepare for the new challenges posed by Russia and instability and terrorism in the South. We are working to implement agreements

made at the Wales Summit and to plan for the next leaders' summit in Warsaw in July 2016. NATO has reorganized the NATO Response Force, set up new command centers, and established the Very High Readiness Joint Task Force. We are pressing our NATO Allies to fulfill the commitment made at the Wales Summit to invest more in defense, with a particular focus on new capabilities.

Let me provide two recent examples. We have energized defense activity focused on security challenges to NATO's Nordic region, as evidenced by Deputy Secretary Work's travel earlier this fall to Iceland and Norway; in Oslo, he joined a multilateral meeting with his counterparts from NATO Allies Norway, Denmark, and Iceland, as well as non-NATO partners Finland and Sweden, where they discussed opportunities to further cooperate and to address threats to the region. With the United Kingdom, the Department worked closely with our counterparts during the development of the 2015 Strategic Defense and Security Review, and we appreciate the UK's announcement last week of its plans to invest in a broad range of capabilities, focused on power projection, innovation, and deterrence.

We continue to look for ways to improve Alliance capabilities and decision-making. With regard to NATO's nuclear deterrence mission, Allies remain strongly committed to burden sharing as a foundational element of NATO's deterrence and defense posture. Our dual- capable F-35A is also on track and should complete operational testing of its dual capability in 2024. The B61-12 nuclear gravity bomb Life-Extension Program, a critical element of both our NATO commitment and our strategic forces, is on schedule and on budget to meet a March 2020 First Production Unit goal. We are also focusing on new threats to the Alliance, including cyberattacks, hybrid warfare, and the type of propaganda campaigns that we have seen emanating from Russia.

In confronting this challenge, we will take what Secretary Carter calls a strong and balanced approach. We will not go back to the old Cold War playbook of having hundreds of thousands of forces in Europe. We are also mindful that we do not need to, nor should we, return to a world where we match every Russian action with a direct and mirror imaged reaction. We will use a smaller footprint, high impact rotational presence, build partner capacity, and integrate planning between space, cyber, conventional, and nuclear forces.

In sum, we will take the necessary steps to build U.S. and NATO capabilities, posture and plans to deter Russia's destabilizing influence, coercion and aggressive actions, all while keeping the door open for cooperation when and if Russian is willing. These efforts will require expenditures we were not planning to make, and which will be challenging under a constrained budget. But make no mistake: we will undertake these efforts. Our security and that of our NATO Allies requires require an effective response and comprehensive strategy.

Conclusion

In conclusion, the pursuit of strategic stability remains in the interest of both the United States and Russia, and we hope Russia will remember why the Soviet Union signed the INF Treaty in the first place. Arms control agreements have enhanced our security for decades but they must be faithfully implemented, and we must be prepared to take effective steps should our treaty partners fail to meet their obligations. By agreeing to the Treaty, the United States and the Soviet Union ensured that both Parties benefited from the removal of weapons systems that posed a real and credible threat to regional and international security. The reintroduction of such weapons systems is destabilizing and not in the interests of the United States, Europe, Asia, or

Russia. Russia's violation of the Treaty, and its policies that challenge the European security order, will not go unanswered.

We appreciate the attention of the Congress to these issues, and will keep you informed of developments. Thank you for the opportunity to testify. I look forward to your questions.

Brian P. McKeon
Principal Deputy Under Secretary of Defense for Policy

Brian P. McKeon was confirmed as the Principal Deputy Under Secretary of Defense for Policy on July 28, 2014. He is responsible for advising the Under Secretary of Defense for Policy and the Secretary of Defense on all matters pertaining to the development and execution of U.S. national defense policy and strategy.

Previously, Mr. McKeon served as Deputy Assistant to the President, Executive Secretary of the National Security Council (NSC), and Chief of Staff for the National Security Council staff at the White House, a position he held from 2012-2014. In this position, he was the Chief Operating Officer for two National Security Advisers, managing all administrative, budget, and personnel matters for the NSC staff. Prior to joining the NSC staff, Mr. McKeon served as the Deputy National Security Advisor to the Vice President from 2009 to 2012, where he advised Vice President Biden on all national and homeland security matters.

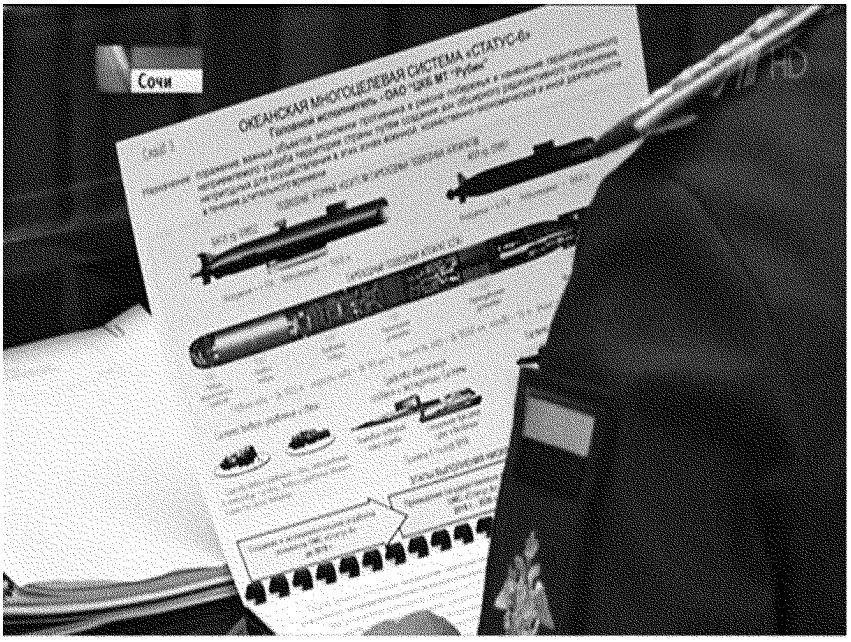
Before serving in the Executive Branch, Mr. McKeon was Chief Counsel for the Democratic members of Senate Foreign Relations Committee from 1997 to 2009; he served concurrently as Deputy Staff Director from 2007 to 2009. In addition to helping to manage the Committee's agenda and staff, he played a lead role on nominations, treaties, the management and operations of the Department of State, and was deeply involved in a broad range of regional and functional issues.

Mr. McKeon served as a law clerk to U.S. District Judge Robert G. Doumar of the Eastern District of Virginia in 1995 to 1996. Earlier in his career, he worked for Senator Joseph R. Biden, Jr. in various capacities from 1985 to 1995, including seven years as a Legislative Assistant for Foreign Policy and Defense.

Mr. McKeon received a B.A. in Government and International Studies from the University of Notre Dame and a J.D. from the Georgetown University Law Center.

DOCUMENTS SUBMITTED FOR THE RECORD

DECEMBER 1, 2015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Congress of the United States
House of Representatives
Washington, DC 20515–4302

October 3, 2014

The Honorable John Kerry
Secretary of State
2201 C Street NW
Washington, DC 20500

General Martin Dempsey
Chairman, Joint Chiefs of Staff
9999 Joint Staff Pentagon
Washington, DC 20301

Dear Mr. Secretary and General Dempsey:

We are writing to you in our respective capacities as Chairman of the Terrorism, Non-Proliferation, and Trade Subcommittee on the House Foreign Affairs Committee and Chairman of the Strategic Forces Subcommittee on the House Armed Services Committee to ask for your support in furthering the oversight of our respective subcommittees regarding Russia's continued violation of the Intermediate-range Nuclear Forces (INF) Treaty.

As you may be aware, our two subcommittees held a classified briefing by senior State and Defense Department officials on September 17, 2014. General Dempsey, at this briefing, we were informed of an ongoing review that you had initiated. We ask for your commitment to provide an interim briefing on this review not later than November 17, 2014. We further request a briefing on the final options and recommendations either as a part of our December 10, 2014 hearing on this subject, or as soon as practicable thereafter.

We further understand the Administration undertook the case-by-case analysis of the Russian RS-26 ballistic missile, about which concerns have been raised that it too is a violation of the INF treaty, as required by the official representations of the Reagan Administration in 1988 during the Senate's ratification of that treaty. We ask that we be provided a written and detailed, factual and legal explanation of the Administration's analysis of this matter.

Thank you for your attention to this matter. We look forward to your prompt response.

Sincerely,

TED POE
Member of Congress

MIKE ROGERS
Member of Congress

QUESTIONS SUBMITTED BY MEMBERS POST HEARING

DECEMBER 1, 2015

QUESTIONS SUBMITTED BY MR. ROGERS

Mr. ROGERS. On what date did Secretary Kerry last discuss Russian non-compliance with the INF Treaty with his Russian counterpart?

Secretary GOTTEMOELLER. Secretary Kerry has discussed Russian non-compliance with the INF Treaty with his Russian counterpart on several occasions. For specifics with regards to dates, I would refer to you the relevant portions of the Report on Noncompliance by the Russian Federation with its Obligations under the INF Treaty, required by Congress in response to Subsection 10(c) of the Ukraine Freedom Support Act of 2014 (P.L. 113–272), where this information is provided in detail.

Mr. ROGERS. Is there a Circular 175 that has been approved covering discussions or negotiations with Pakistan on nuclear weapons or related matters?

If so, as of what date was it approved?

Secretary GOTTEMOELLER. The Administration is not pursuing negotiations on a legally-binding international agreement with Pakistan on nuclear weapons or related matters and has accordingly not engaged in the Circular 175 process for authorizing the negotiation or conclusion of an international agreement.

Mr. ROGERS. Does the administration assess Russia plans to remain in the INF Treaty?

Secretary GOTTEMOELLER. The Administration believes that it is in the mutual security interests of all parties to the INF Treaty that Russia and the other 11 successor States to the Soviet Union remain parties to the Treaty and comply with their obligations. All levels of the Russian government have repeatedly reaffirmed Russia's commitment to the INF Treaty.

Mr. ROGERS. Is the ground-launched cruise missile (GLCM) the only system under development or in some stage of planning that could violate the INF?

If not, how many systems are you personally aware of?

How many systems do they (the Russians) have to be developing or plan to develop to suggest they don't plan to return to compliance with the INF treaty?

Secretary GOTTEMOELLER. There is an interagency process in place for assessing Parties' compliance with regard to systems under development or in some stage of planning that may have INF Treaty implications. This process involves the Intelligence Community's reporting on potential systems of concern, discussions and determinations by the interagency Verification and Compliance Analysis Working Group, and, ultimately reporting of compliance findings in the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments. I would refer to you the annual Compliance Report for questions on violations.

Mr. ROGERS. Please list your meetings with Russian officials to resolve it compliance with the Chemical Weapons Convention (CWC), Biological Weapons Convention (BWC), and Presidential Nuclear Initiatives (PNI).

Secretary GOTTEMOELLER. As the former Assistant Secretary for the Bureau of Arms Control, Verification and Compliance (AVC) and now as Undersecretary of State for Arms Control and International Security, it continues to be a top priority of mine and of the Administration to regularly consult with Russia on matters pertaining to compliance with arms control obligations and commitments. During my tenure as the Assistant Secretary for AVC, and since 2009, it has been my practice to directly engage the Russian Ambassador to the United States on matters of compliance, particularly in connection with the public release of the annual compliance report. At those meetings, I discussed U.S. concerns regarding Russia's compliance on a number of treaties, including the Chemical Weapons Convention (CWC) and the Biological Weapons Convention (BWC) and extended the opportunity for expert level discussions to resolve them. The United States has a consistent record of pursuing concerns with Russia regarding its compliance with the CWC and BWC, as both Treaties contribute to international stability and security. Since entry into force of the CWC in 1997, we have inquired and engaged Russia on numerous occasions regarding its obligations under the CWC. On matters regarding the BWC, U.S. experts at my direction engaged their Russian counterparts in November at the UN in Geneva on issues specifically related to the implementation of the BWC and on identifying areas of commonality to advance our shared interests. Nevertheless,

Russia has declined to respond positively or constructively to U.S. efforts to cooperate in resolving CWC and BWC compliance concerns. We will, however, continue to pursue opportunities for engagement. We have not held any meetings with Russian officials aimed specifically at resolving questions relating to Russia's adherence to the Presidential Nuclear Initiatives (PNIs). The PNIs were non-legally binding, unilateral commitments made by the United States and Russian Federation. These commitments did not provide for a verification regime to confirm that either side has fully implemented their pledges.

Mr. ROGERS. Under what circumstances is Russia, under the New START treaty, required to exhibit a new type of missile to the United States?

Does the RS–26 Rubezh meet that standard?

As of what date did it meet that standard?

Have State Department or other employees of the United States government asked Russia to exhibit it to the United States?

On what date? What was Russia's response?

Secretary GOTTEMOELLER. Paragraph 2 of Section VIII of Part Five of the Protocol to the New START Treaty provides that "[e]ach Party shall conduct exhibitions, and shall have the right to take part in the exhibitions conducted by the other Party, in order to demonstrate the distinguishing features and to confirm technical characteristics of each new type, variant, or version of an ICBM, SLBM, heavy bomber equipped for nuclear armaments, and, as provided for in Part Two of the Protocol, an ICBM launcher, in the periods of time specified in corresponding notifications." These exhibition requirements apply to the RS–26 Rubezh as a new type of ICBM. The Russian Ministry of has made public statements concerning an expected exhibition of the RS–26 ICBM in 2016.

Mr. ROGERS. What are the economic activities of the Russian firms Novator and Titan in the U.S.?

In terms of dollars, how much economic activity do they conduct in the U.S. each year?

Are they banned today from economic activity in the U.S. by any sanction or other U.S. Government action?

Secretary GOTTEMOELLER. While OKB Novator and Holding Titan-2 are not on the Specially Designated Nationals (SDN) list, they are subject to existing U.S. export control policies, including restrictions for any high technology defense articles or services for export to Russia, such as those announced on April 28, 2014. We are happy to discuss further details of U.S. policies in this area in the appropriate setting.

Mr. ROGERS. Following up on Mr. Franks's question, is it your belief that neither Russia nor China conducted any nuclear test-activity that produced any—I repeat any—nuclear yield (down to the level of even single or double digit tons of yield) since 2000?

Does the Intelligence Community share this view?

Secretary GOTTEMOELLER. The U.S. Atomic Energy Detection System has not detected any nuclear test by Russia or China since 2000. The Office of the Director of National Intelligence would be happy to provide further information on the subject as needed.

Mr. ROGERS. The INF Treaty prohibits flight-testing and production of ground-launched ballistic and cruise missiles between a certain range. It does not prohibit deployment, right?

We know from the administration that Russia has flight-tested a ground-launched cruise missile, but has Russia also produced any quantity of these systems? How many?

Do you agree that if Russia was training any of its forces in the use of this system, that would suggest that Russia intends to deploy it?

Does the administration have any reason to believe any of these systems have achieved an initial operating capability?

Secretary GOTTEMOELLER. The INF Treaty prohibits the possession, production, and flight-testing of ground-launched ballistic and cruise missiles with a range between 500 and 5,500 kilometers. The Article-by-Article Analysis for the Article VI of the INF Treaty noted that a flight-test ban is a natural element in any treaty that eliminates an entire class of missile systems and serves to strengthen the production ban, as any covertly produced missile could not be adequately flight tested without likely U.S. detection. The analysis further noted that without realistic testing, a Party's confidence in the operational capability of any covertly produced missile system would be degraded. The INF Treaty prohibits the possession of missile systems whether deployed or non-deployed. In regards to your specific questions pertaining to the Russian ground-launched cruise missile, I would refer to you the relevant portions of the Report on Noncompliance by the Russian Federation with its

Obligations under the INF Treaty, submitted to Congress in accordance with Subsection 10(c) of the Ukraine Freedom Support Act of 2014 (P.L. 113–272).

Mr. ROGERS. The President committed to modernize the U.S. nuclear triad, including the LRSO, which is the replacement of our air-launched cruise missile, as an element of ratification of the New START treaty, did he not? Do you believe there is anything inconsistent with the LRSO and the President's Prague Legacy? Do you believe dual-capable cruise missiles are destabilizing?

Secretary GOTTEMOELLER. As certified to the Senate in accordance with the New START Treaty Resolution of Advice and Consent to Ratification, the President is committed to modernizing U.S. nuclear forces, including replacing the air-launched cruise missile with the LRSO. The LRSO is not destabilizing and not inconsistent with the President's Prague Agenda. In his Prague speech, the President declared that "make no mistake: as long as these weapons exist, the United States will maintain a safe, secure, and effective arsenal to deter any adversary, and guarantee that defense to our allies." The LRSO cruise missile is a key element of our plan for ensuring our nuclear deterrent remains effective.

Mr. ROGERS. Can you tell me, during the period the JCPOA was being reviewed by the Congress, did the administration or any administration official receive any notification from or gain from any other means reason to believe that any other country in the region would seek a right to enrich uranium or possibly renegotiate its 123 Agreement with the United States? If so, were you one of those officials?

Secretary GOTTEMOELLER. I did not have any discussions with countries in the region regarding a right to enrich uranium or the renegotiation of a 123 Agreement during this time period. At your request, the Department of State would be happy to provide a classified briefing on any relevant conversations with other State Department officials that occurred during that time.

Mr. ROGERS. On what date did the Secretary of Defense last discuss Russian noncompliance with the INF treaty with his Russian counterpart?

Mr. MCKEON. Then-Secretary of Defense Hagel discussed Russian non-compliance with the INF Treaty with Defense Minister Shoygu on August 15, 2014, during a phone call that focused on events in Ukraine. As a result of Russia's illegal annexation of Crimea, the Department of Defense suspended military-to-military cooperation with the Russian Ministry of Defense and curtailed engagement to a bare minimum. In keeping with this, in September 2015, Secretary Carter spoke with Minister Shoygu to emphasize the importance of the safety for U.S. personnel in light of Russian air operations in Syria. No other topics were discussed during this phone call.

Mr. ROGERS. Does the administration assess Russia plans to remain in the INF Treaty?

Mr. MCKEON. Russian officials have repeatedly and publicly affirmed Russia's commitment to the INF Treaty, although it is uncertain at this point whether Russia will take the necessary steps to make good on that commitment. The Administration believes that it is in the mutual security interests of all parties to the INF Treaty that Russia and the other 11 successor States to the Soviet Union remain parties to the Treaty and comply with their obligations.

Mr. ROGERS. Is the Russian ground-launched cruise missile (GLCM) the only system under development or in some stage of planning that could violate the INF?

If not, how many systems are you personally aware of?

How many systems do they (the Russians) have to be developing or plan to develop to suggest they don't plan to return to compliance with the INF Treaty?

Mr. MCKEON. We would be happy to provide a classified briefing on this subject. I would additionally refer you to the Annual Report to Congress on Adherence to and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments, which reports on compliance questions and compliance findings.

Mr. ROGERS. Please take a look at Ms. Gottemoeller's answer to Mr. Keating's question: Is there a military benefit to Russia from its violation of the INF Treaty?

Does it help fill what Russia believes is a capability gap or targeting gap?

Mr. MCKEON. DOD's core objective remains the same: to ensure that Russia does not obtain a significant military advantage from its INF Treaty violation. Russia may gain some military benefit from its violation; however, that gain is limited since the Russian Federation already possesses deployed air- and sea-launched intermediate-range cruise missiles. Statements made by Russian officials over the last decade or more indicate that Russia believes that it has a capability gap that can only be filled by fielding missiles currently prohibited under the INF Treaty.

Mr. ROGERS. Please describe your understanding of the Department of Defense's obligations under section 1243 of the FY 2016 NDAA regarding the INF Treaty?

Mr. MCKEON. The Secretary of the Defense and the Chairman of the Joint Chiefs of Staff are obligated to submit the notifications and reports delineated in subparagraphs (c), (d)(5), and (d)(6) of Section 1243 of the National Defense Authorization Act (NDAA) for FY 2016.

Section 1243 also obligates the Department of Defense to submit a plan for the development of the military capabilities listed in subparagraphs (d)(1)(A), (d)(1)(B), and (d)(1)(C) unless the conditions of subparagraph (d)(1) have been met. The Secretary of Defense is to carry out the development of those capabilities that are recommended by the Chairman, using amounts authorized to be appropriated for FY 2016 by Section 201 of the NDAA for FY 2016.

Mr. ROGERS. Would you please explain why the modernization of the LRSO is a key component of the President's program to modernize our nuclear forces?

Mr. MCKEON. The Long-Range Standoff (LRSO) cruise missile is a key element of our plan for ensuring our nuclear deterrent remains effective. The LRSO replaces the aging Air-Launched Cruise Missile (ALCM), which is our only air-launched standoff nuclear capability and which is already decades beyond its planned service life. The LRSO strengthens our overall survivable deterrence capabilities and provides the President with credible options for signaling U.S. resolve and responding across a broad spectrum of crises. The LRSO will also provide an important hedge against technical problems in other parts of the Triad, and against problems with generating other nuclear forces to alert. The LRSO will extend the service life of our current bomber force by extending the effective range of stealthy and non-stealthy bombers through standoff. Finally, cruise missiles create an extremely difficult air defense problem for anyone seeking to negate the air leg of our deterrent.

Mr. ROGERS. Why did it take the U.S. a full six years from the time of Russia's violation of the INF Treaty in 2008 and three years from our determination in 2011 that it was a violation until we notified our NATO allies in 2014?

Mr. MCKEON. The United States did not have information in 2008 that the Russian Federation was violating the INF Treaty. We have repeatedly noted that prior to the ratification in December 2010 of the New START Treaty, the Intelligence Community was not aware of any Russian activity inconsistent with the INF Treaty. Information regarding this system's testing history, the intelligence reporting associated with this program, the compliance determinations, and our work with allies has been made available to Congress many times through appropriate channels. We are happy to again provide a briefing to clarify the timeline of the verification regarding Russia's violation.

Mr. ROGERS. It has now been 7 years since Russia first violated the INF Treaty. Last year, when we were in this same room, Ms. Gottemoeller and Mr. McKeon, you testified that a list of responses was being prepared for a principals meeting. Were any of those responses ever approved? If so, what is the plan to implement those responses? Will we see anything in the administration's fiscal year 2017 budget request? Will any of the fiscal year 2016 funds be re-appropriated to implement these responses? If not, when can we expect a decision on those responses?

Mr. MCKEON. The Department has reviewed a broad range of military response options and, with the interagency, considered the effect each option could have on either convincing Russian leadership to return to compliance with the INF Treaty or on countering the capability of the prohibited ground-launched cruise missile (GLCM) system. This assessment was conducted at the same time as we began confronting new strategic realities in Europe—a Russia that is destabilizing the European security order by purporting to annex Crimea and conducting illegal activities in eastern Ukraine, a Russia that is actively seeking to undermine NATO, and a Russia that is modernizing its military capabilities across a range of systems.

In 2015, the Administration determined that the United States needed to consider Russian actions with regard to the INF Treaty in the context of its overall aggressive and bellicose behavior that flouts international legal norms and destabilizes the European security order. Russia is not violating the INF Treaty in isolation from its overall aggressive behavior; therefore, the Administration concluded that responses cannot focus solely on the INF Treaty.

U.S. responses to Russia's increased aggressive actions, including its violation of the INF Treaty, involve a broad range of efforts—within the Department, bilaterally with allies and partners, and within the NATO Alliance. These responses include increasing posture and presence, refocusing planning and shaping of future military activities in Europe, and improving defensive measures to neutralize or undercut Russia offensive capabilities.

For example, DOD plans to continue the European Reassurance Initiative (ERI), with $789.3 million requested in Fiscal Year (FY) 2016. Under the ERI, the United States has increased our persistent, rotational air, land, and sea presence in the Baltics and in Central Europe to reassure Allies and to deter Russian aggression.

ERI also enables the United States to expand bilateral and multilateral exercises in Europe in order to improve interoperability and to strengthen U.S. warfighting capability in the face of newer threats from Russia. DOD will continue to seek funding for ERI in FY 2017.

QUESTIONS SUBMITTED BY MR. POE

Mr. POE. You stated in your testimony that "the Administration will continue its work to identify and implement appropriate response options." The INF Treaty established the Special Verification Commission to address compliance concerns. Why have we not yet called a meeting of the Special Verification Commission to address Russia's violation?

Secretary GOTTEMOELLER. If we had any indication that the Russians would acknowledge this missile and engage productively in a Special Verification Commission (SVC) discussion to try to resolve these concerns, we would consider convening an SVC session. We have yet to see the political will from Moscow that would make such an experts-level meeting productive. An additional complexity comes from the fact that an SVC session would be multilateral in nature, with additional countries, such as Belarus, Ukraine, and Kazakhstan, participating. That is because all the Soviet successor states became parties to the INF Treaty after the demise of the USSR. We will continue to raise our concerns bilaterally on multiple occasions and at various levels and departments with the Russian government.

Mr. POE. Why did it take the U.S. a full 6 years from the time of Russia's violation of the INF Treaty in 2008 and 3 years from our determination in 2011 that it was a violation until we notified our NATO allies in 2014?

Secretary GOTTEMOELLER. The United States did not have information in 2008 that the Russian Federation was violating the treaty. We have repeatedly noted that prior to the ratification in December 2010 of the New START Treaty, the intelligence community was not aware of any Russian activity inconsistent with the INF Treaty. Information regarding this system's testing history, the intelligence reporting associated with this program, the compliance determinations, and our work with allies has been made available to Congress many times through appropriate channels. This Administration believes that it is extremely important that this timeline be properly described and understood. Misunderstandings about the timeline could serve to confuse our allies or inadvertently obscure the nature of the Russian violation. We are happy to again provide a briefing to clarify the timeline of the violation.

Mr. POE. It has now been 7 years since Russia first violated the INF Treaty. Last year, when we were in this same room, Ms. Gottemoeller and Mr. McKeon, you testified that a list of responses was being prepared for a principals meeting. Were any of those responses ever approved? If so, what is the plan to implement those responses? Will we see anything in the administration's fiscal year 2017 budget request? Will any of the fiscal year 2016 funds be re-appropriated to implement these responses? If not, when can we expect a decision on those responses?

Secretary GOTTEMOELLER. We continue to consult with allies and review a range of appropriate options, including diplomatic, economic, and military options should Russia persist in its violation. Mr. McKeon can better speak to any potential budget requests and appropriations matters.

QUESTIONS SUBMITTED BY MR. COOPER

Mr. COOPER. Is it still the administration's position that Russia should return to compliance with the treaty? Why is this in our interests versus withdrawing from the treaty now?

Secretary GOTTEMOELLER. The INF Treaty benefits the security of the United States, our allies, and the Russian Federation and contributes to stability in Europe and the Asia-Pacific regions. Accordingly, the priority of the United States is to return Russia to compliance with the INF Treaty and to ensure the Treaty's continued viability. Since 2013, the United States has raised its concerns on multiple occasions and at various levels and departments within the Russian government in an effort to resolve this violation. It is in our national security interest and in our allies' interest that the INF Treaty remains in force and that Russia remains a State Party to the Treaty and complies with its obligations. We have made clear to Russia, however, that the United States will protect our security and the security of our allies and that Russian security will not be enhanced by continuing its violation. U.S. withdrawal from the Treaty at this time would be detrimental to the interests of the United States, our allies, and our partners for several important reasons. First,

as Mr. McKeon noted in his testimony, the United States currently has sufficient capability to meet our defense requirements through sea-launched and air-launched cruise missiles which are not prohibited by the INF Treaty. Second, withdrawal would allow Russia to proceed unconstrained with the production and deployment of this ground-launched cruise missile system. Russia remains under limitations associated with covertly producing a reliable system, while more and more public scrutiny and knowledge builds with respect to this ground-launched cruise missile program. Third, a U.S. withdrawal from the INF Treaty would free Russia from its legal obligations under the Treaty, essentially letting Russia off the hook for its violation. Russia now has to make the political decision whether to come back into compliance with its obligations by eliminating the missiles and launchers in question or to withdraw from the Treaty and accept the damaging consequences for European and Asian security while attempting to proceed with the development of a ground-launched cruise missile system under conditions of increased public visibility. We should not relieve Russia of the need to make this decision and allow it to attempt to shift blame to the United States for the demise of this Treaty.

Mr. COOPER. How long did it take for Russia to return to the ABM Treaty when President Reagan urged the Soviet Union to return to compliance with the Anti-Ballistic Missile Treaty in the 1980s? Did we stop nuclear weapons reductions and related negotiations during the Soviet violation of the ABM Treaty?

Secretary GOTTEMOELLER. It took six years for the Soviet Union to take any significant steps to return to compliance with the ABM Treaty after the United States first revealed in the summer of 1983 that it had detected a large early warning radar under construction at Krasnoyarsk in the Soviet Union. This installation was roughly 800 kilometers from the nearest border and thus in violation of the ABM Treaty (which required that all such radars be located on a party's periphery and oriented outward). The United States raised the issue with the Soviet Union in the fall 1983 Standing Consultative Commission (SCC) session dedicated to the ABM Treaty's second five-year review. In the autumn of 1989, the Soviet Union conceded that the Krasnoyarsk radar was a violation of the ABM Treaty and agreed to eliminate the radar without preconditions. Negotiations on both the Strategic Arms Reduction Treaty (1981–1991) and the Intermediate-Range Nuclear Forces Treaty (1981–1987) continued during the period of the Soviet violation of the ABM Treaty.

Mr. COOPER. Is it still the administration's position that Russia should return to compliance with the treaty? Why is this in our interests versus withdrawing from the treaty now?

Mr. MCKEON. The INF Treaty contributes to the security of the United States, our allies and partners, and the Russian Federation while also enhancing stability in Europe and the Asia-Pacific regions. Accordingly, the priority of the United States is for Russia to return to compliance with the INF Treaty and to ensure the Treaty's continued viability. Since 2013, the United States has raised its concerns on multiple occasions and at various levels within the Russian Government in an effort to address this violation. We have also made clear to Russia that the United States will protect its security and the security of our allies and partners and that Russian security will not be enhanced by continuing its violation.

U.S. withdrawal from the INF Treaty at this time would allow Russia to proceed unconstrained with the production and deployment of this ground-launched cruise missile system. A U.S. withdrawal from the INF Treaty would free Russia from its legal obligations under the Treaty, essentially eliminating the consequences of Russia's violation.

Russia now has to make the decision whether to come back into compliance with its obligations by eliminating the missiles and launchers in question or to withdraw from the INF Treaty and accept the damaging consequences for European and Asian security. We should not permit the Russians to avoid the onus of making this decision.

Mr. COOPER. Is there a military requirement to respond to the Russian violation?

Mr. MCKEON. The deployment of an INF Treaty-prohibited ground-launched cruise missile system by the Russian Federation would increase the risk to U.S. allies and pose an indirect threat to the United States. As a result, the Department reviewed a broad range of military response options to consider the effect each option could have on countering the capability of a Russian INF Treaty-prohibited system.

The Administration determined that the United States needed to consider Russian actions with regard to the INF Treaty in the context of its overall aggressive and bellicose behavior that flouts international legal norms and destabilizes the European and global security order. Since Russia is not violating the INF Treaty in isolation from its overall aggressive behavior, the Administration concluded that U.S. military responses cannot focus solely on the INF Treaty violation.

More broadly, DOD continues to develop a comprehensive response to Russian military actions, taking into account the broader strategic environment and Russia's aggressive behavior, including its violation of the INF Treaty. U.S. responses involve a broad range of efforts—within the Department, bilaterally with allies and partners, and within the NATO Alliance. These responses include increasing posture and presence, refocusing planning and shaping of future military activities in Europe, and improving defensive measures to neutralize or undercut Russia offensive capabilities.

DOD's core objective remains the same: to ensure that Russia does not obtain a significant military advantage from its INF Treaty violation.

Mr. COOPER. Does the Russian violation undermine U.S. military advantage or capabilities?

What additional target coverage does Russia's INF noncompliant GLCM provide that cannot be covered by Russia's existing air- and sea-launched cruises missiles?

Does the Russian violation pose additional threats to the United States or its allies? What kind?

Does the Russian violation undermine U.S. nuclear deterrent capabilities in any way?

Mr. MCKEON. [No answer was available at the time of printing.]

QUESTIONS SUBMITTED BY MR. TURNER

Mr. TURNER. During the December 1st hearing before the House Armed Services Subcommittee on Strategic Forces, I asked you a question regarding Russia's recent disclosure of the existence of a nuclear-armed, nuclear-powered undersea delivery system. Specifically, I asked you whether or not you were aware of the existence of this system when you negotiated the New START treaty?

During the open session, you stated that the answer to my question was an "unequivocal no!".

At this time, would you like to retract or revise your original answer?

Were you aware of the existence of a Russian nuclear-armed, nuclear-powered undersea delivery system when you negotiated the New START treaty?

Secretary GOTTEMOELLER. Thank you for your question. During the hearing, I misunderstood the nature of your question and I apologize for any confusion this may have caused. I appreciated the opportunity to be able to discuss this issue in detail during the closed session that immediately followed the open session. It was helpful to be able to talk in that environment, given the sensitivity of this issue. I understand that the Intelligence Community (IC) has reached out to the Committee regarding this issue, and I appreciate your attention to this matter. Further background information on this topic is also being provided to this Committee by the IC under separate cover as a classified annex. The Administration, through the work of the IC, regularly provides Congress with authoritative assessments of what the United States knows and does not know regarding Russian nuclear weapons systems. This sharing of information is done regularly to keep staff and members abreast of these issues, to better inform our diplomacy and policymaking in the Administration, and to aid in the legislative process. Following the December 1 public hearing, Administration briefers, including me, provided members and staff with information in a closed setting to respond in detail to a number of sensitive issues raised during the open hearing, in order to (1) inform both subcommittees with the most substantive, detailed information possible, and (2) best protect the sources and methods by which the IC obtains information. We are happy to continue to discuss this issue in the appropriate setting.

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