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**INF WITHDRAWAL AND THE
FUTURE OF ARMS CONTROL:
IMPLICATIONS FOR THE SECURITY OF
THE UNITED STATES AND ITS ALLIES**

HEARING

BEFORE THE

SUBCOMMITTEE ON STRATEGIC FORCES

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
SUBCOMMITTEE ON STRATEGIC FORCES,
Washington, DC, Tuesday, February 26, 2019.

The subcommittee met, pursuant to call, at 2:00 p.m., in room 2118, Rayburn House Office Building, Hon. Jim Cooper (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. JIM COOPER, A REPRESENTATIVE FROM TENNESSEE, CHAIRMAN, SUBCOMMITTEE ON STRATEGIC FORCES

Mr. COOPER. The subcommittee will come to order. First let me ask unanimous consent that nonsubcommittee members be allowed to participate in today's briefing, after all subcommittee members have had an opportunity to ask questions. Is there objection? Hearing none, the subcommittee members who are here—nonsubcommittee members will be recognized.

Thanks to the graciousness of the ranking member, we have agreed in the interest of time to dispense with our opening statements because this is, after all, a hearing, not a speaking. But they will be inserted for the record with unanimous consent. Hearing no objection, that will be accomplished.

[The prepared statements of Mr. Cooper and Mr. Turner can be found in the Appendix on pages 25 and 26.]

Mr. COOPER. We are fortunate today in the first hearing of the subcommittee to have three very distinguished witnesses and, in my opinion at least, the first witness is particularly distinguished, one of the greatest U.S. Senators of our era, Senator Richard Lugar of Indiana. We appreciate your being here. But we are also deeply honored to have Ambassador Sandy Vershbow here, former Deputy Secretary General of NATO [North Atlantic Treaty Organization]; and finally, the Honorable Paula DeSutter, former Assistant Secretary of State for Verification, Compliance, and Implementation. Having had a chance to look at their testimony, we should all be grateful they did such an excellent job preparing and informing this subcommittee. So without further ado, let's hear from the witnesses, starting with Senator Lugar.

**STATEMENT OF HON. RICHARD G. LUGAR, FORMER U.S.
SENATOR FROM INDIANA**

Senator LUGAR. Thank you, Mr. Chairman. I thank you and the ranking member for this opportunity. My contribution——

Mr. COOPER. If you could get a little closer to the microphone that would be great.

Senator LUGAR. Yes, indeed. My contribution to the discussion today is based [less] upon analyzing the technical aspects of the Trump administration's decision to withdraw from the INF [Intermediate-Range Nuclear Forces] Treaty than on broader historical lessons that I have learned during 4 years of intensive work on reducing the threat of weapons of mass destruction.

I was one of the original co-chairs of the Arms Control Observer Group, put together by President Ronald Reagan in the 1980s to ensure a unity of purpose between the executive and legislative branches on arms control. I was a floor manager for every arms control treaty that came before the Senate from the INF Treaty in 1987 to the New START [Strategic Arms Reduction] Treaty in 2010. In conjunction with the Nunn-Lugar program, I have witnessed the safeguarding, or dismantling, of just about every type of weapon of mass destruction imaginable from Typhoon submarines and SS-18s, to Backfire bombers, millions of VX artillery shells, and laboratories housing anthrax and plague.

Our relationship with Russia and our mutual interests in constraining the threat from weapons of mass destruction is a long game, not a short one. That being said, there can be no breaks in our determination each day to prevent disaster.

I would like to offer a few principles that should inform deliberations on where we go from here.

First, the Russians are in violation of the INF Treaty, but Russian violations are not a new phenomenon. A major feature of every arms control debate since 1987 was discussion of actual or potential Russian violations. Every President has dealt with this. I believe it is easy to expose, counter, and reverse those violations of the INF Treaty than without it—that is, within the treaty than without it.

Second, arms control is not just about limits on weapons. Much of the value of agreements comes from verification provisions. There is safety in transparency. Our strategic relationship with Russia was never better than when Russian and American technicians were working together on Nunn-Lugar projects to circumscribe the decaying Russian arsenal under provisions of active arms treaties. We knew a lot about each other, and we were talking about it every day. The worst thing we can do is undercut verification procedures that give us a window on Russian activities and capabilities.

Third, effective arms control is less about negotiating brilliance than it is about the accumulation of leverage. Withdrawing from the INF Treaty does nothing to bolster our leverage. It foolishly plays into the hands of Russian propagandists by focusing global attention on our rejection of the treaty rather than Russian violations. It complicates relations with allies, and it signals to the Iranians, North Koreans, and others who would pursue a nuclear arsenal, that we are devaluing our own historic legacy as the guarantor of legal frameworks designed to prevent nuclear proliferation.

Finally, regardless of near-term decisions on the INF Treaty, drifting towards unrestrained arms competition would be an incredibly hazardous outcome. This does not mean the United States

cannot modernize elements of its nuclear deterrent. But allowing verification procedures to expire and basing our security on the hope of winning an expensive arms race would be the height of irresponsibility. This isn't 1981. We live in an increasingly [multipolar] world that features cyber warfare, suicidal terrorism, additional nuclear states, and increased avenues to nuclear proliferation. We also had a sobering budget deficit of \$779 billion in 2018.

The bottom line is that jettisoning treaties that provide a legal framework for exposing Russian violations achieves nothing. We should be pursuing a consistent strategy that strengthens the Western alliance, makes sensible defense investments, and builds leverage that could put the arms control process back on track. To do that, we need much more consistency of purpose. The successful launching of an era of arms control by Presidents Reagan and Gorbachev, and [George] H.W. Bush, was achieved largely because Presidents rejected—or rather, projected a consistent foreign policy that undergirded international law, stood up to dictators, commanded respect, and united the free world. The United States returning to that posture would be a major setback for Russian oligarchs, and would strengthen United States ability to press a new strategic dialogue based on mutual interests. I thank the Chair.

[The prepared statement of Senator Lugar can be found in the Appendix on page 28.]

Mr. COOPER. I thank the Senator. Ambassador Vershbaw.

**STATEMENT OF HON. ALEXANDER VERSHBOW, FORMER
DEPUTY SECRETARY GENERAL OF NATO**

Ambassador VERSHBOW. Thank you, Mr. Chairman, Ranking Member Turner, members of the subcommittee. Thanks very much for the invitation to offer my views on the implications of the imminent demise of the INF Treaty for the future of arms control and strategic stability with Russia. It is an honor to be here with Senator Dick Lugar, who has played such a fantastic and prominent role in preventing nuclear proliferation since the end of the Cold War, and it is also good to be here with my former State Department colleague, Paula DeSutter.

The INF Treaty had a transformational impact in ending the Cold War and stabilizing relations between the West and Moscow for more than three decades, and it came about thanks to the determination and resolve shown by the United States and its NATO allies when they adopted the dual-track decision in 1979 in response to Soviet deployment of the SS-20 intermediate-range ballistic missile. And it followed 2 years of very intense consultations within NATO, led by the United States.

The deployment of U.S. Pershing II and ground-launched cruise missiles restored the balance in Europe, and reinforced the credibility of the U.S. nuclear guarantee, depriving the Soviets of what the nuclear experts called escalation dominance. And the NATO offer of an arms control alternative was, of course, initially rejected by the Soviet Union, which walked out of the talks when the first U.S. missiles went in in 1983, hoping to derail those deployments by fomenting popular opposition. But NATO solidarity held, and Presidents Reagan and Gorbachev had the vision not just to limit INF, but to eliminate this entire class of systems.

So the dual-track decision was a powerful demonstration of how to negotiate from a position of strength, and it gave impetus to talks to reduce strategic weapons and conventional armed forces in Europe.

All that progress is now at risk with the U.S. decision to suspend its implementation of the INF Treaty, and withdraw from the treaty, together with Russia's decision to follow suit by suspending its implementation, as well.

The risk is only heightened by the significant deterioration in the wider relationship between the West and Russia as a result of Putin's aggression against Ukraine and aggression against Western democracy writ large.

Today's Russian leaders may be more prepared to use their nuclear weapons coercively than Soviet leaders in the 1970s and 1980s as part of their strategy to weaken NATO and reestablish domination over Russia's neighbors.

Now, the administration's decision to withdraw from the treaty is legally justified but I believe it was politically questionable. Legally Russia is clearly in material breach of its obligations and the administration has a certain logic in arguing that it is difficult to justify continuing to comply with a treaty that the other side is violating. And our NATO allies, having seen the evidence of Russia's violation, have supported the U.S. decision to withdraw as a legal matter, and they haven't bought into Russia's dubious counter-charges that it is the United States, not Russia, that has violated the treaty.

But our allies are concerned that politically we may have given a gift to President Putin, who has long sought to escape the INF Treaty's limitations so that Russia could counter INF missiles of countries like China and Pakistan not subject to the treaty's constraints. And it appears, based on the saber-rattling we have heard just last week from President Putin, that Russia is bent on deploying additional INF systems and other new nuclear capabilities as part of a strategy of intimidating NATO and recapturing the escalation dominance that Russia lost when it scrapped the SS-20.

And our withdrawal from the treaty will give Russia free rein to rapidly deploy ground-launch versions of its newest cruise missiles and hypersonic weapons in addition to the illegal 9M729. The U.S. and its allies have kept the door open to a diplomatic solution. They have made clear that if Russia agrees to dismantle its illegal missile, the U.S. could reverse its decision to suspend and withdraw from the treaty. But last-ditch negotiations have been going nowhere and it now seems inevitable that the treaty will become a dead letter on August 2, 6 months after the administration gave its notice to withdraw.

In my view, however, we shouldn't give up on other possible arms control solutions that could at least mitigate the effects of the loss of the INF Treaty. So far, it appears that Russia's illegal cruise missile, while capable of carrying a nuclear warhead, has only been deployed as a conventional system.

The United States and NATO, for their part, have downplayed any intention to deploy new nuclear-armed missiles in Europe. So one possible solution would be to challenge Russia to agree to a mutual renunciation of all nuclear-armed, land-based INF-range

missiles, including the 9M729, and to agree to mutual inspections to verify that no nuclear-armed versions are deployed by either side.

And as part of this arrangement the U.S. and its allies could agree to Russian inspections of the U.S. missile defense sites in Romania and Poland to confirm that they have no offensive capability as Moscow has alleged. The sides could also, perhaps, agree to numerical limits on the permitted conventionally armed systems.

Another solution would be for the United States and Russia to agree to refrain from deploying any land-based INF systems in or within range of Europe, while permitting some agreed number of such systems in Asia. We could even invite China to participate in such an arrangement, as President Trump suggested in his State of the Union address.

A successor agreement along the above lines could help maintain stability and avert an unconstrained competition in intermediate-range systems, and it could improve the climate for talks on an extension or strengthening of the New START Treaty prior to its expiration in 2021, which I would strongly favor.

Until we have exhausted the possibilities for a successor to the INF Treaty, we should proceed cautiously on the question of military countermeasures. We should review the options in close consultation with our NATO allies as we did in the 1970s in preparing the dual-track decision, since the allies are the ones that could literally be caught in the cross fire of any new U.S.-Russian missile competition in Europe.

NATO has a lot of work still to be done to strengthen its overall defense and deterrence posture in Europe. Deploying new intermediate-range land-based missiles in Europe is not essential to these efforts and could be politically divisive within the alliance. And, in fact, I think there are many existing U.S. programs that could be adapted to negate the military advantage the Russians hope to gain with the 9M729, without developing a new intermediate-range ground-launch cruise missile of our own, and I mentioned these in detail in my prepared statement. We could also deploy additional missile defense systems to protect key military installations against Russian cruise missile threats.

Now, I strongly believe NATO's assessment of the options should focus on conventional solutions, but we and our allies should make clear to Moscow that if Russia deploys nuclear-armed INF missiles along NATO's borders, we don't rule out new nuclear arms systems of our own. We should keep the onus on Moscow, however, for any new arms competition in Europe.

One final point: There may be a stronger case for deploying conventionally armed intermediate-range missile systems, both cruise and ballistic, in the Asia-Pacific region than in Europe. They could counter China's significant INF capabilities, and its threat to U.S. bases in Japan and Korea.

Having said this, it remains to be seen if our allies, the Japanese and the Koreans, would agree to host these systems once they were developed or whether it would be more realistic to continue to rely on air- and sea-launch systems with these missions. Thank you very much. I look forward to your questions.

[The prepared statement of Ambassador Vershbow can be found in the Appendix on page 31.]

Mr. COOPER. Thank you. Ms. DeSutter.

STATEMENT OF HON. PAULA DeSUTTER, FORMER ASSISTANT SECRETARY OF STATE FOR VERIFICATION, COMPLIANCE, AND IMPLEMENTATION

Ms. DeSUTTER. Thank you, Mr. Chairman, Ranking Member Turner. It is an honor to be able to address you on what I believe is an important issue, and I think it is timely. Arms control agreements can be viewed as lines in the sand. The better agreements have that line as far as possible from the central elements of your national security and that of your allies. It is also important that they be effectively verifiable so that the U.S. can see if the line has been crossed, and if so, how far? This is important in order to provide time for the U.S. to detect and verify violations, seek their reversal, or to undertake action alone or with allies to take measures to deny the violator the benefits of his violation.

When another party to an agreement crosses the line by violating the agreement, either they made a mistake, and that has happened numerous times across agreements, or they did it deliberately. One way to tell the difference is that if it was a mistake, once raised with them, you can expect them to take corrective action. In the case of the Russians, throughout the history of the INF Treaty we very often—they never admitted that it was a violation, said they were sorry or did anything like that, but they changed the behavior, they changed the practice, and came back into compliance.

So if a country refuses to correct a violation, then it is a safe bet that the action was deliberate. Deliberate violations are undertaken to gain unilateral advantage over the party or parties that are compliant, and it provides early warning of a failure of deterrence. We all have heard that one of the purposes of verification is to deter the other party from violating the agreement and undertaking actions inconsistent with it. When you have a pattern of violations, it is a warning that deterrence writ large may be failing.

When the United States draws a line in the sand and tells a country not to cross it, but then does not respond to willful repeated crossings of that line, that line and every other line we have drawn becomes more anemic. They are more likely to—that country that has crossed the line and the other countries observing it may calculate, perhaps correctly, that they can violate the agreement, gain unilateral advantage, and will not be forced to pay any price.

I am chagrined at the failure of the Obama administration to raise Russia's violation of the INF Treaty between 2010 and 2013. The violation has been raised with Russia since 2013, but to no avail. After years of acquiescence followed by more years of diplomatic efforts to persuade Russia to eliminate the missile and come back into compliance, in my view, unilateral compliance was no longer an option.

Some have argued that rather than withdraw from what has become a unilateral treaty, we should pursue the option of suspending operation of the treaty, in whole or in part, indefinitely. The problem with that is that we have an example where that has been tried unsuccessfully for over a decade.

Russia suspended its implementation of the Conventional Forces in Europe, or CFE, Treaty in 2007. It has continued to violate it and has said it will not resume implementation of the treaty over a decade. But I do not believe that withdrawal from the INF Treaty is a sufficient response to Russian violation and circumventions of the INF Treaty.

I believe that President Reagan's response to Soviet noncompliance offers lessons. First, he reported all cases of possible, probable, and certain violations to Congress and the public. If the language of the legislation that mandates the annual noncompliance report was read by the Obama administration as meaning the only issues that are clear violations need to be reported, or that only issues that have already been raised with the other party need to be reported, then perhaps the language needs to be clarified. Without this, Congress cannot be the strong ally it needs to be on these matters, particularly early on in the process.

Second, President Reagan created the Arms Control Verification Committee, or ACVC as it was called, because we are arms controllers and we can't talk without acronyms. It was chaired by the National Security Adviser, and he did that in order to ensure ongoing high-level attention to the problem of noncompliance to ensure that verification is given high priority before, during, and after negotiations, to ensure the assessments of compliance and verification were robust and timely, and that these matters would be integrated into U.S. policies and programs. The high level of verifiability of the START I and INF treaties reflected the awareness of the importance the President placed on verification and compliance. I believe President Trump should recreate the ACVC, and make my successor, the Assistant Secretary for Verification and Compliance, the co-chair of that group.

Third, President Reagan took action to deny the Soviet Union the benefits of their violations. He pursued forced modernization, but more importantly, he pursued missile defense. It certainly would be the easiest course of action for the Trump administration to just extend the New START Treaty, but doing so would be neither sufficient to address the ballistic missile threat to the U.S. and our allies from nations such as China, Iran, and North Korea, nor, in my opinion, would extending the new START be sufficient to constrain the rapidly growing ballistic missile threat from Russia.

As for new multilateral agreements to constrain the missile threat to the U.S., I wonder what possible incentive other countries might have? I found a fun quote from 2013 when then-Deputy Prime Minister, now Kremlin Chief of Staff, Sergei Ivanov explained, "When I hear our American partners say let's reduce something else, I would like to say to them excuse me, but what we have is relatively new. They, the U.S., have not conducted any upgrades for a long time. They still use Trident missiles."

So we are also talking about the possibility of multilateral agreements with serial violators and proliferators. The probability of cheating by some or all will be significant and if the agreement is not effectively verifiable, we are unlikely to verify the cheating until too late to take effective action.

But missile defense is offering an insurance policy against further and future cheating on arms control agreements, and so then,

to me, the answer is deploy as rapidly as possible an effective layered missile defense to protect the American people from the threat of nuclear attack by our enemies, disincentivize investments by our current and future foes in offensive missiles tipped by weapons of mass destruction, and it is also true that deployment of a robust, expandable, layered missile defense could make future strategic and theater missile agreements, including multilateral ones, more viable as an effective tool in America's tool kit. I believe that this is a road that our country can take, and this committee can play a central role in facilitating that path. Thank you.

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

Mr. COOPER. I thank the witnesses for their testimony. In view of the upcoming votes probably within the next 15 minutes, we will probably reconvene the hearing after votes, but I would like to get in as many questions and questioners as possible prior to that. So I will limit myself to one question initially.

I would like to follow up with Ambassador Vershbow about his suggestion that we separate conventional from nuclear warheads in our consideration of salvaging what is left of the INF Treaty, so that we can at least protect our European friends from nuclear threats. Would you like to elaborate on that?

Ambassador VERSHBOW. Yes, thank you, Chairman. It is not necessarily an easy solution, I think, as Paula can explain probably with more authority. When we signed the INF Treaty we followed the "looks alike, counts alike" rule because it is difficult to distinguish between versions of missiles, one with the nuclear and one with the conventional warhead. But I think, you know, we have gained a lot of experience both with the INF Treaty itself and with the New START Treaty in terms of very intrusive inspections. So if there were political will on the Russians' part to cooperate, I think we could have sufficient confidence that Russia honored an obligation only to deploy conventionally armed versions of this 9M729 and any future INF systems that they have in the pipeline.

So it would, I think, avoid the kind of nuclear instability questions about the reliability of the U.S. guarantee. It would avoid getting into scenarios where the Russians would use nuclear-armed INF systems as part of their "escalate to de-escalate" strategy, and limit the competition to conventionally armed systems, which may be sufficient to achieve most military tasks that we have in mind. I think that is why the administration has made clear it is not looking at nuclear options at this time as counterweight measures to the Russian system. So it could make a virtue—or necessity of virtue, or virtue of necessity, I am not sure which it would be. Thank you.

Mr. COOPER. Thank you. The ranking member is recognized.

Mr. TURNER. Thank you, Mr. Chairman. I have a series of questions that all go together, so they are kind of bunched, and of one theme. Senator Lugar, you had said that one of the most important aspects of arms control treaties is their verification provisions, and I agree with you. I do want to point out that our understanding of the INF Treaty violations by Russia were not necessarily disclosed under the verification process of the INF Treaty. But I have a question for you that goes to what Secretary General Rasmussen just

testified about before the Intelligence Committee this morning, and you have knowledge of this. And that is, that the United States had knowledge that the INF Treaty was being violated by Russia for a period of time, and as Ms. DeSutter was indicating, that some of this information wasn't even shared with the Senate, some of it was not shared with our allies.

Secretary General—former Secretary General Rasmussen of NATO indicated that there is a gap between the U.S. sharing this type of information with our allies, and certainly that is one of our trust issues. Senator Lugar, do you share a similar concern about as we get information of violations in Russian activities of our lack of, perhaps, speed or boldness in sharing that information with our allies?

Senator LUGAR. Yes, I do share that problem very much. I indicated, as a matter of fact, that in this entire discussion right now, by getting out of the INF Treaty, once again, in a way, we undercut some of our leadership responsibilities with regard to our NATO allies in particular and European allies generally. This is not the first occasion of that sort during this administration, and it is a serious difficulty because we really need to be moving the other way. We need to be indicating our leadership with regard to NATO, with regard to our European alliances, and a good way of attempting to fortify that, or maybe for them to change the attitude now, is to think through precisely what you have suggested, that we make known when violations occur, or the very best of our intelligence about this situation because currently one of the reasons why we have entered the INF Treaty was to stop development of weapons that could cause grave destruction in Europe. And so we really needed to do the other part of the project, and that is to gain great support among European defense officials and those involved in intelligence and particularly in missile technology about new information that we receive.

Mr. TURNER. Thank you. Sandy, as you know, I have a high regard for both your career and your contribution to, you know, international security, and certainly our country's security. In your opening statement you reference your work in the late 1970s on the INF Treaty, and, of course, its establishment in 1987 as a significant milestone.

When the treaty was signed in 1987, did Russia possess weapons at that time that would have been in violation of the treaty that required them to destroy or dismantle weapons? It wasn't just a restriction on future capabilities, right? Wasn't it actually a restriction on capabilities that they possessed?

Ambassador VERSHBOW. Yes, Congressman, absolutely. They still had in their arsenal the SS-20, as well as earlier generation intermediate-range ballistic missiles, SS-4s and SS-5s, I think they were, and also some shorter range systems, which were also subject to the treaty going down to the 500-kilometer range threshold that captured, I think, some other existing systems. So it was a—that is why the treaty was such a significant event. It led to the destruction of several different categories of missiles.

Mr. TURNER. And, Sandy, they can do that now, right? Since we have known since 2010 of the violations we have made it—they aware of our assertion of the violations since 2013, and this admin-

istration, prior to beginning the process of withdrawing, gave Russia notice and said we want you to come into compliance with the treaty. They could do that now, right? They could destroy the weapons that are not in compliance, so they could come into compliance.

Ambassador VERSHBOW. Yes, that is correct. The administration has had several meetings with the Russians where they have, you know, reaffirmed the judgment that this missile is unequivocally in violation of the treaty, based on the evidence we have of observing its flight test. It is not just extrapolation; we have seen it fly the ranges in excess of the INF limit. And that the only way to restore compliance, restore the integrity of the treaty, would be to dismantle and destroy all such missiles that have been produced, and I think they have 100 at least fielded. There may be more in production.

Mr. TURNER. And this violation has not just an element of the treaty or a minor provision, it goes to the core of the treaty itself, does it not?

Ambassador VERSHBOW. Indeed it does, and I think that is why, in legal terms, we are using the very strong term material breach. It goes to the essence of what the treaty was—

Mr. TURNER. You can't have a treaty of one, that is why the NAC [North Atlantic Council] at NATO and certainly the NATO Summit, both the NAC and the world leaders at the NATO Summit made very strong statements identifying that Russia was in violation of the INF Treaty. Would you agree with that?

Ambassador VERSHBOW. Yes. Going back to several of the ministerial meetings last year, also at the Summit in Brussels, the communicator made a very strong statement about the treaty violation. Although allies—coming back to this issue of intelligence sharing, allies only this year kind of accepted very conclusive unequivocal language because the U.S. finally showed them the more sensitive details underpinning our assessment that have been done either in the first year and a half of the Trump administration or during the Obama administration. And this is partly an intelligence community issue about not compromising sources and methods, but I think in this case it got in the way of an allied consensus.

Mr. TURNER. Great. And then my final question. Many people state that our allies are very concerned about the U.S. withdrawal, but I know you are aware because we were in the same hearing together that former Secretary General Rasmussen of NATO said that he supports the decision of the United States to withdraw. At the Munich Security Conference, Merkel, Chancellor Merkel, made the statement that she supports the United States withdrawal—not just that she supports the U.S. determination that there is an INF violation, which they were slow to come to, but supports the withdrawal and, in fact, went the next step, which I thought was extraordinary, calling on Russia and China to join with the United States to initiate a new phase of INF. And, in fact, I believe—you know, I was just at the NATO Parliamentary Assembly, and many members of the NAC but certainly Secretary General Stoltenberg made similar comments that this now represented an opportunity for Russia, the United States, and China, all to come together.

So you are aware that some very significant allies of the United States have made statements in support of our withdrawal?

Ambassador VERSHBOW. Yes, that is absolutely true, and I think the administration did a good job in—after perhaps a few false steps at the beginning in how this decision was rolled out, but they did a good job in consulting with allies and step-by-step building a strong consensus which you heard at the Munich Security Conference.

Mr. TURNER. Thank you, Mr. Chairman.

Mr. COOPER. Thank you.

Mr. Moulton.

Mr. MOULTON. Thank you, Mr. Chairman. Ms. DeSutter, I would like to begin with you. You note in your prepared testimony that Rose Gottemoeller, your successor at the State Department, was responsible for producing a compliance report by law every year. Is that correct?

Ms. DESUTTER. Yes.

Mr. MOULTON. So was the Department also legally obligated to doing the same during your time as Assistant Secretary from 2002 to 2009?

Ms. DESUTTER. Yes.

Mr. MOULTON. And do you happen to know how many times the Obama administration delivered a compliance report to Congress?

Ms. DESUTTER. Mr. Moulton, I will be the first one to say that my successor did a far, far better job than I did at getting out the annual reports. I will also note, some of you may remember that the intelligence community was in the process, during some of that time, of reevaluating how they were going to write intelligence reports and footnotes, and the biggest mistake I made is that for years I was the one that held the pen on the noncompliance report, and I was afraid as Assistant Secretary that if I got too involved with it, I would get swept back up and consumed by it.

It is one of the big mistakes I made as Assistant Secretary, so they were far more significant. We had a report. We just couldn't get it put to bed. And it was—it was massive, and very thorough.

Mr. MOULTON. I appreciate your candor. Thank you. Senator Lugar, in your testimony, you specifically mention the importance of leverage and verification in arms control. How can the U.S. best develop leverage to get to and to negotiate an INF replacement? What does follow-on verification look like?

Senator LUGAR. Well, in addition to the comments that have been made about better cohesion with our European allies, it seems to me we need to be thinking more about missile defense than about really the ways in which we negate the value of these missiles or the warheads and what have you. This is a very complex and controversial subject all by itself, but at the same time, in response to your question, it has a way at least of moving the subject along in terms of negotiation, and, likewise, in terms of safety for the parties that are involved.

Mr. MOULTON. May I ask the Ambassador, at an event in Washington on December 14, Senator Tom Cotton said that the Pentagon should rapidly develop new intermediate-range missiles despite uncertainty about where they could be fielded, quote, "Basing questions can obviously be controversial, but that will be a decision

to be made for the future.” To your knowledge, have any countries in Europe agreed to host U.S. ground-launched intermediate systems within their border?

Ambassador VERSHBOW. None have agreed to host them, because they haven’t been asked. This is still a hypothetical possibility, depending on how the review of the different options unfolds inside NATO, but the administration has not asked anyone to host these missiles, either in Europe or in northeast Asia.

Mr. MOULTON. Well, let me ask you this, I mean, do you sincerely believe that NATO supports, quote, “fully withdrawing from the treaty”? You know, many foreign ministers and key noted NATO leaders have previously made public statements urging the U.S. not to withdraw. How do you square that with what we have heard today?

Ambassador VERSHBOW. Well, I think different allies have slightly different nuances in their position. I think they all have come around to the conclusion that the Russians are in material breach, and that there is a justification for withdrawing, and that there is really no alternative. But I think many of them are emphasizing the need to, you know, make the last ditch effort before the treaty literally goes out of business on August 2 to see if there is a way of rescuing the treaty through arms control, and if not, many have also spoken of some kind of successor agreement to keep some form of constraint on this category of systems if we can’t save the INF Treaty itself.

Mr. MOULTON. Senator Lugar, back to you, a successor agreement like the Ambassador states is something that many of us would like to see if the INF Treaty goes away. Many of us would also like to see it expand into the Asia-Pacific region. Walk us through how that might occur, how we might build an INF Treaty to encompass the threat from China?

Senator LUGAR. Well, first of all, I suspect that—first of all I suspect that we would make that point to the Russians. We would indicate literally that this isn’t the end of the story, and that even if the INF Treaty finally falls by the wayside, something else is going to follow that is more comprehensive and of greater safety to more countries.

Mr. MOULTON. Thank you, Senator, and thank you, Mr. Chairman.

Mr. COOPER. The gentleman’s time has expired. Mr. Wilson, we have a few minutes here before we have to go.

Mr. WILSON. Yes, and thank you, Chairman Jim Cooper, and I would like to thank all of you for being here, but particularly Senator Lugar. You have benefited my constituents. The family of Chip Andre, your former Chief of Staff, Taylor Andre, you inspired to become the legislative director in our office. He was trained also by Senator Lindsey Graham, and now he is the Chief of Staff to Congressman Mike Gallagher, because of your inspiration, so thank you very much.

And indeed, Ms. DeSutter, in your written statement and you stated when the United States draws the line in the sand and tells the country not to cross it, but does not respond with repeated willful crossing, that line and every other line we will have drawn will become anemic. Russia has repeatedly and willfully violated the

treaty and it is irrational that we remain the only actor in compliance. With that, the question I am particularly concerned about the constraints of the INF Treaty on our ability to execute the National Defense Strategy with regard to great powers competition. We must be able to counter strategic threats from our two competitors, Russia and China. How is China exploiting our compliance in order to advance their missile arsenal threatening the interests of the Indo-Pacific region?

Ms. DESUTTER. Thank you, Mr. Wilson. One of the things about how the United States conducts itself with regard to arms control is that not only would the U.S. never, by law and by process, intentionally violate an arms control obligation. Moreover, the process is designed to make sure that we never even get close to that line. And so, it is not just that the treaty would prohibit certain things, but more that it tells the Pentagon, don't go in that direction.

Mr. WILSON. Thank you very much. And also with Russia violating the treaty, and as pointed out by Congressman Turner, NATO has supported withdrawal. What is the advantage of remaining in an unenforced treaty? Won't the withdrawal demonstrate peace through strength in that it would incentivize Moscow to return to the negotiating table while enabling the United States to better protect our allies and national security interest?

Ms. DESUTTER. Yes. I believe that the withdrawal—and I must say that I don't recall a violation where there has been such widespread consensus that it was not only a violation, but a material breach. But the withdrawal, since we have been unable since 2013 to get them to come back into compliance, and it is very similar, disturbingly, to the situation with the CFE Treaty: continued compliance by the United States, they would believe that we won't really do it, we won't really get out, and they will be able to continue to have us constrained and no one else.

So while they wanted out of the treaty for a long time, it was only after the United States indicated we might get out that they suddenly thought the INF Treaty was a good thing that they wanted. It is not only important for Russia, but it is important for every other country that we might be concerned about because they watch. These countries watch what happens. And if they see Russia continue to get away with this, especially since it has been public since 2013 and 2014, they will believe that the United States does not take compliance seriously, and does not—is not willing to belly up to the bar to pay the price to either bring them back into compliance or to respond to deny them the benefits.

Mr. WILSON. And we have seen the consequence of not following a red line, and so thank you for raising that. How does withdrawal from the INF Treaty impact Russia's ability to acquire new systems and technological or strategic advances with intermediate-range missiles? Would Russia have acquired similar systems and weapons in continued direct violation of the treaty if the U.S. had not withdrawn?

Ms. DESUTTER. I believe that they—they've undertaken some effort to try to muddy the waters about whether or not it was a violation, and certainly, in preparation for this hearing, I have been pretty amazed at how many programs they have where, for example, they use the standard launcher for many different systems

that are very confusing. And one other thing that I would mention is we did have experience with the issue of nuclear versus non-nuclear warheads with the SS-23 missiles, and so your staff can go back and look at that, but we had no idea that Russia had given to the Czech Republic, Eastern Germany, and Poland, SS-23 missiles. Originally, they said that they were just conventional warheads. We did find conventional warheads, but then we found that they had also been given the connecting sections to deploy a nuclear warhead. Russia obviously—Soviet Union certainly never would have given command and control of the nuclear warheads to their allies because they liked them even less than they liked us, but they would have come in and taken control.

It is very difficult to do and, you know, the Verification Commission that is part of the INF Treaty would have to be very deliberate in trying to make new agreements in order to figure out how to implement any subsequent limitations.

Mr. WILSON. Thank you very much. My time is up.

Mr. COOPER. The subcommittee will stand in recess. We will return, and we will take at least 20 minutes, but immediately after the last vote we will be back. Thanks.

[Recess.]

Mr. COOPER. The subcommittee will come to order.

I apologize. I thought it was two votes we had. It turned out to be four votes. It took a little longer than we thought.

Until other members come, I was going to ask a few questions. We haven't focused as much on New START as we probably need to. And it seems like the options are either to extend it, to renegotiate it, to not extend it, and one where the witnesses even suggested returning to the SORT [Strategic Offensive Reductions Treaty] agreement previous.

So, Senator Lugar, I would like to start with you, and ask what you think it would take to successfully negotiate either an extension or an improvement on the New START agreement?

Senator LUGAR. I believe that the verification provisions of New START are important, to begin with, leaving aside anything else. It seems to me to be really a safety net there.

But I think—I go back in my own memories to a debate on the START, New START, to begin with.

It was quite a debate within the Republican Party at that time. Senator McConnell, our leader, and Jon Kyl, particularly outspoken, were not in favor, really, of reducing the number of warheads and missiles and whatever were involved in New START.

We have been moving from the time of Nunn-Lugar all the way down from roughly 10,000 warheads, and New START is 1,550 as it wound up. And there were some in—not only the Congress, but the administration, who thought it was time to rebuild some of our armament, not to be reducing the number of weapons.

Now, fortunately, a two-thirds majority was finally found, but not easily. I remember vividly that the vote on New START occurred after Christmas in that year of 2010 over the protests of many Members wanting not to come back for something of that variety. And 23 days before the end of the year, a two-thirds majority was found with a good number of Republicans voting against it.

That I mention because subsequent to New START, there has not really been any movement in the Senate, that I can recall, for a reduction of the 1,550 to a lower total, quite apart from many of the elements of the New START situation.

I think, in terms of the safety of the world, it would be a good idea to consider that. But it has not been on the table for 9 years. No one really has made any initiative in the administration or in the Senate.

So we have left at least those limits and the verification aspect of it that may back up some other arms control agreements that could occur that we have been discussing earlier in the hearing.

But it is important to be renewed. To absent, leave the INF Treaty, and then to leave New START altogether, really calls for a total new beginning. And right now, I don't see that kind of initiative in the administration or the Congress.

So we had best hold onto what we have there, at least offers, at least some, not necessarily safety net, but at least some provisions that are helpful, it seems to me, in terms of safety.

Mr. COOPER. The press has reported that the President is interested in perhaps winning a Nobel Prize for his work with North Korea. Perhaps he could be persuaded to win a Nobel Prize by reducing nuclear weapons, because I think as Churchill said, we already have enough to make the rubble bounce.

And perhaps 1,000 would be sufficient, or another number like that, if other countries could also be persuaded to reduce theirs.

Ambassador Vershbow, would you say that we should extend, renew, improve, terminate the New START agreement?

Ambassador VERSHBOW. I favor extending it, which isn't mutually exclusive from also seeking, over the longer term, to improve it. But I think the treaty itself allows for a straight extension for up to 5 years. It could be extended for a shorter period if there was an effort to already begin work on a follow-on agreement. I would worry that they were trying to get a whole new agreement in the time remaining before the expiration of New START might be insufficient.

But I think the agreement, as it stands, even with the current ceilings, is a contribution to stability, predictability. And as important as the limits in the agreement, are the verification and transparency requirements, which I know our military is very attached to because it gives them far more understanding of Russian strategic forces and where they are going, enables them to avoid worst-case assessments of the Russian programs.

So I think it would be in our interest to extend it. If we think that there is some technologies that need to be factored into the treaty that aren't covered, then the treaty has some provisions allowing for discussion and amendment of the treaty to do that.

The INF issue, if it can't be resolved in a standalone agreement, could conceivably be addressed in a follow-on agreement. But I would start by extending it, building a little more cushion of time to consider any additional constraints.

Paula DeSutter mentioned missile defense. There is no contradiction between continuing to develop and deploy missile defense systems while maintaining the New START agreement. I think there is still questions about our ability to effectively counter the sophis-

ticated Russian strategic forces, which are getting even more sophisticated with these hypersonic glide vehicles and other things.

But missile defense does have a place in our overall deterrence strategy, and it can be done while we maintain a new START.

Mr. COOPER. My final question is whether the State Department today is even staffed adequately to negotiate some of these new agreements, because it is our impression that several executive agencies are short-staffed.

Do either of you happen to know?

Ms. DESUTTER. Mr. Cooper, my impression is that the Verification Bureau not only had to take on responsibility for some arms control negotiations, but I think that they are losing staff. And I think that they are going to need—it can be a very technical issue.

And so when the State Department came and said, you know, Paula, you have to do a diversity report, I am, like, well, what?

And he said, How many people, what color, and background.

And I said, Okay. I have four different kind of nuclear people: Nuclear engineers, nuclear chemists. You know, I have three different kinds of chemists. It is very diverse, and it is very technical. And they are going to need to be bulked up in a way that I think that they have not been.

Mr. COOPER. Thank you.

Mr. Carbajal.

Mr. CARBAJAL. Thank you, Mr. Chair. And welcome to all the witnesses here.

You know, first, there was the withdrawal of the JCPOA [Joint Comprehensive Plan of Action] and now the INF. Obviously, the message and the trend that we are establishing go towards what I feel is damaging and destabilizing. These agreements, these treaties, go beyond their objectives to prevent development and proliferation of lethal weapons. And more importantly, they continue a framework of communication and access to information that we otherwise would not have. And I am concerned that, without those treaties in place, we are at a major disadvantage and going backwards instead of forward in reducing proliferation.

This administration and some former officials have stated that China is not limited by the INF Treaty and that U.S. withdrawal would benefit U.S. military planning in the Pacific.

I have four questions, but I am going to ask two of them at a time to not overwhelm you. The first question: Does the INF prevent the United States from meeting its military requirements against China? And, two, do you believe it is militarily necessary for the United States to deploy INF weapons in the Pacific region?

To any and all of you.

Ambassador VERSHBOW. I will go first.

First of all, I agree with you, Congressman, that the erosion of all the different agreements and constraints on arms competition and on proliferation is worrisome, particularly when we are dealing with a far more aggressive Russia and a more aggressive China as well.

But on the specific questions, there are already existing systems in our arsenal or in development that can meet the requirements in Asia-Pacific region. But there may be an advantage to having ground-launch systems in addition to the existing air-launched and

sea-launched systems, just because our naval vessels have multiple missions, and it is hard to do all the roles on one platform.

But we can target military targets deep inside of Chinese territory today, and, you know, we can deal with the Chinese Navy. But INF-range missiles, over time, as Chinese capabilities improve, could enhance our ability to do these kinds of deep strike, or anti-ship missions.

So we can do it now, but we might be able to do it better with INF. But it is choice whether this is the place to spend our money or not. And as I said in my statement, whether we would have an easy time convincing allies to host these systems on their territory, particularly Japan and Korea, which would be the logical place, is, in my view, doubtful. We saw tremendous controversy when we put the THAAD [Terminal High Altitude Area Defense] ballistic missile defense systems in Korea, which are defensive systems, the Chinese freaked out, and even imposed sanctions on Korea. And so, I think they will be a bit wary of going through that again. We can put them in Guam, but it is not the ideal location to deploy such systems.

So that is how I would respond to your question.

Ms. DESUTTER. Well, I would like to say that, for me, and I am not a Pentagon planner, I am not in the region making decisions about this, and so there may be offensive-related upgrades that need to be done. I don't know. But for me, the answer to an offensive buildup of the kind that China has pursued, which I must say, when all of this issue came up and I was having to speak about it, I did some research into what kind of ballistic missile deployments is China pursuing, and I was amazed.

I cannot see how we could counter with offense the Chinese buildup. And I don't think that is the way to go. I think the way to go is defense. And I think that had we had 10 years ago the kind of ballistic missile defense capabilities President Reagan envisioned, we wouldn't be seeing that kind of buildup in China.

What we need to do is deploy the missile defense so that they will see that they have wasted their money, they and the Russians.

Mr. CARBAJAL. I see I am out of time. I yield back.

Thank you very much.

Mr. COOPER. Thank you.

Mr. Keating.

Mr. KEATING. Thank you, Mr. Chairman.

I just had a question for Senator Lugar.

In your testimony, you made it clear that Russia was in violation of the INF Treaty. It is a belief I have and I think most of us have. It is a belief our NATO allies have had. I was there last week in Brussels, and they joined on with that statement.

However, they had a strong feeling, at least in discussions I was involved with, that they wanted to use a 6-month period to re-engage Russia into serious discussions about trying to revive the treaty, or aspects of that treaty.

And could you just share some of your experience dealing with other Presidents? Because violations of treaties are not—it is not a new phenomenon. It happens. But you have had some experience.

Can you share with us some possible inroads or techniques that could be employed that you have seen other Presidents try to use

to try and revive some of these discussions the way I think we are going to get great support if we begin doing that with our European allies as well?

Senator LUGAR. Well, first of all, I would comment that the President has to want to get back into the discussions. At this point, there is not evidence that that is the case. But leaving aside his current attitude, I think some of the allies, and if you have met with them recently, you would be well-informed, really are very hopeful for a United States leadership in this area, for some vision, some prospects of hope, as opposed to simply indicating if we are going to go to the end of the line, and that is it, and there is really nothing out there. There is really a desire for something to be out there.

So ideally, there would be members of the administration, maybe even Members of Congress, who would pick up the ball at this point and say it is time to get ahold of some Russians.

What is occurring in the press is President Putin is making all sorts of threats. He gave at least some type of press release the other day that listed specific targets in the United States that he found attractive to think about.

Well, this is a serious business. It really does require right now at the highest levels that we get back in touch with the Russians and discuss what is going on. It seems to me it has been convenient for the administration to say, after all, these violations have been going on now for several years and it is simply time to wind that [inaudible] up. While at the same time, Putin is coming back and saying that he is really prepared to sock it to them. And we better take that seriously. We really need to engage the Russians right now and reassure our European allies that we are prepared to do that, maybe even enlist some of them to be a part of that situation.

Mr. KEATING. Yeah. I agree with you in your belief that—there is no indication that I received last week that we are taking this period and using it to try and revive talks or gain further commitments, which is disappointing, but it is also disappointing to our allies.

Senator LUGAR. Yes.

Mr. KEATING. And there is something you touched upon briefly that I think is worth emphasizing. And that is the fact that even our attempt to do so would continue to put us in a more mantle—a greater mantle of leadership on these rather than being seen, even though they are the violators, even the perception that we are the ones retreating from this.

And also, I was really struck with some of the real fissures that are there with our allies right now. And to me, there is a positive benefit in—for no other reason, showing them that we want to work along lines that they so strongly feel, as their allies, even if it is not successful.

Do you have any comments on that?

Senator LUGAR. Well, we have already been through a period in which the President attacked NATO in a way by saying the allies have got to pay their fair share, that they are not meeting their obligations, and almost implying that it is not America's role to defend all these nations of NATO regardless of World War II and

subsequent developments. That is a very dangerous attitude to take.

What we really need right now is a revival of NATO, a revival of the spirit of the allies, clarity on our part that we are prepared to be a leader. And their excitement, or, at least, approval of the fact that that is the case, that they want us around, they want us to be helpful in this respect.

This won't help to keep condemning treaties as the worst one ever made. There really has got to be a time now in which we get together with our partners.

Now, we could use this time because of this discussion we are having about the INF Treaty to say this is a good time to turn things around and begin to have these talks, begin to have this planning.

Mr. KEATING. Well, thank you.

I yield back.

Mr. COOPER. I thank the gentleman.

The last question will be the ranking member's.

Mr. TURNER. Thank you.

Senator, following on what you have said about recently we have had Putin making very aggressive statements that are also coupled with his nuclear modernization.

I have a question for the Ambassador.

When we look at what Putin is doing in his modernization, he is developing nuclear weapon systems that are outside of the INF and New START, which he is bragging about and is obviously very destabilizing. For example, his hypersonic weapons, a nuclear-powered cruise missile, and a nuclear-powered underwater drone called Poseidon, which apparently are outside of the New START.

How do you believe we should respond to the fact that—obviously there is significant proliferations, significant increase that is occurring to the United States with these weapons, these types of weapons, and instability as we approach the renewal of New START.

Ambassador VERSHBOW. Thank you, Congressman.

Putin certainly has been making a lot of aggressive statements lately, and he seems quite excited by all these new technologies and wonder weapons that his scientists are producing. Most of the other scientists in Russia are emigrating. But at least in the military, they are going strong.

But I think we will have to, first of all, assess whether these new systems, if they do get deployed, whether they are covered or not. I think, you know, the hypersonic weapons may be delivered by ballistic missiles, intercontinental ballistic missiles, in which case we should try to insist that they are covered and subject to numerical limits, although that still doesn't address potential qualitative edge that the Russians may gain.

The nuclear cruise missile, that one I am skeptical ever will be fielded to have a nuclear reactor on each missile so it can fly endlessly around the world. But the range clearly would be intercontinental, so presumably, that would count as well. And this Poseidon underwater drone that surfaces off the coast and devastates everything within hundreds of miles, that one does defy categorization.

So we do have to potentially look to expand the coverage of the New START Treaty. That doesn't mean we shouldn't extend it on

its own terms, at least as a short-term stabilization measure. But we are clearly going to have to figure out ways to address these new technologies and others that may emerge in the coming years.

A traditional paradigm for arms control goes back to the 1970s. Clearly, we will have to find ways to incorporate restrictions and verification measures that work for new technologies if arms control is to remain viable.

But I think it is worth pursuing that. Even with the Russian violation of the INF Treaty, it is in our interest to kind of limit their ability to deploy and to gain the transparency about their new technologies so that we are not, kind of, caught by surprise in the coming years.

Mr. COOPER. That concludes the questioning.

I would like to thank the witnesses for their expertise, for their testimony, and for their patience.

The hearing is adjourned.

[Whereupon, at 3:57 p.m., the subcommittee was adjourned.]

A P P E N D I X

FEBRUARY 26, 2019

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

FEBRUARY 26, 2019

Statement of Hon. Jim Cooper
Chairman, Subcommittee on Strategic Forces
Hearing on
INF Withdrawal and the Future of Arms Control:
Implications for the Security of the United States and Its Allies
February 26, 2019

Good afternoon. The purpose of this hearing is to discuss the Trump Administration's decision to withdraw from the Intermediate-Range Nuclear Forces (INF) Treaty, as well as how the Administration should approach the upcoming extension of the New START Treaty. These two issues are not only vitally important for the security of United States, but also of our Allies and indeed the world.

Here today to testify are former Senator Richard Lugar, former Ambassador Alexander Vershbow, and former Assistant Secretary of State Paula DeSutter. Thank each of you very much for testifying at this, the first hearing of the Subcommittee on Strategic Forces.

It is primarily the Russian government's fault that we are facing INF withdrawal. The Russians have been violating the INF Treaty for years but, instead of focusing world opinion against the Russians, the Trump Administration decided to withdraw from the Treaty. Instead of punishing the Russians, the Administration has announced it would sink to the level of the Russians.

I think that Ronald Reagan would be terribly disappointed with the Trump Administration's abrogation of the INF Treaty that Reagan himself negotiated. The INF Treaty has long been a cornerstone of security and stability in Europe, particularly for our NATO allies. Russia's decision to violate INF by deploying battalions of intermediate-range missiles threatens our NATO allies, as well as U.S. troops deployed in Europe. The last thing NATO wanted was for the Trump Administration to give up on the Reagan policy of protecting Europe from Russian threats.

In less than two years, New START will expire unless it is renewed. Unlike the INF Treaty, the Russians are complying with New START. New START provides effective arms control that also gives the United States significant insight into the Russian strategic nuclear forces. I look forward to hearing your views on extending the New START Treaty, an extension that would give the United States five more years of predictability and transparency—as well as keeping a lid on Russia's nuclear forces capable of reaching the United States.

Now, let's hear from the Ranking Member, and then our witnesses.

Statement of Hon. Michael R. Turner
Ranking Member, Subcommittee on Strategic Forces
Hearing on
INF Withdrawal and the Future of Arms Control:
Implications for the Security of the United States and Its Allies
February 26, 2019

Thank you Mr. Chairman. I am honored to be serving as the Ranking Member on this subcommittee. I have been committed to the work of this subcommittee since entering Congress and am proud to be back in a leadership position on the Strategic Forces subcommittee.

This is the first open public hearing that the Strategic Forces subcommittee is having in the 116th Congress and I am pleased that it is on “INF and the Future of Arms Control.” I believe that the future of arms control is bright as long as it is rooted in enhancing our national security interests, robust verification regimes, and produces treaties that are adhered to by all parties. For all these reasons I support the decision to suspend our obligations under the Intermediate Nuclear Forces Treaty.

Too often arms control treaties are held up as sacrosanct idols of peace, when in fact arms control treaties are only a singular tool in statecraft to help enhance the national security interests of the participants and reduce the risk for miscalculation leading to armed conflict. They are not based on trust, but instead must be enforced with transparent robust verification regimes. Allowing any arms control treaty to continue existing while in contravention to these basic principles undermines the legitimacy of all other arms control regimes.

This administration was justified in walking away from INF. In 2013 the Obama Administration admitted that Russia was violating INF because of its 9M729 cruise missile. Over the next five years and across two administrations we attempted to incentivize Russia back into compliance. Those efforts failed. And so we were left in the position of self-imposed limitations, Russian INF-violating systems being developed, and the realization that China was fielding ground-launched ballistic and cruise missiles at an alarming rate.

And we weren’t the only ones seeing this disturbing trend. Our allies in NATO recognized all of these trends and laid the responsibility for the fate of INF at Russia’s feet in a very strongly worded statement issued by the North Atlantic Council on February 1, 2019.

People have speculated that U.S. suspension and withdrawal of INF implies that this administration will not extend New START, which is expires in 2021. To be clear, this administration has not yet made a decision on this issue, and has committed to remaining in compliance with New START.

I believe arms control can be an effective tool to help reduce the risk for miscalculation and enhance our national security. But only if it is adhered to and

verified. If Russia is interested in arms control, then it is Russian behavior that must change. We have stood by our commitments and will continue to do so with the support of our partners and allies around the world.

I look forward to hearing the perspectives of our witness and look forward to a robust dialogue.

Testimony before the House Armed Services Strategic Forces Subcommittee
INF Withdrawal and the Future of Arms Control
Rayburn House Office Building room 2118
Richard G. Lugar
February 26, 2019

I thank the Chairman and Ranking member. My contribution to the discussion today is based less on analyzing the technical aspects of the Trump Administration's decision to withdraw from the INF Treaty than on broader historical lessons that I have learned during four decades of intensive work on reducing the threat from weapons of mass destruction.

I was one of the original co-chairs of the Arms Control Observer Group, put together by President Reagan in the 1980s to ensure unity of purpose between the executive and legislative branches on arms control. I was a floor manager for every arms control treaty that came before the Senate from the INF Treaty in 1987 to the New Start Treaty in 2010. In conjunction with the Nunn-Lugar program, I have witnessed the safeguarding or dismantlement of just about every type of weapon of mass destruction imaginable, from Typhoon submarines and SS-18s, to Backfire bombers, millions of VX artillery shells, and laboratories housing anthrax and plague.

Our relationship with Russia and our mutual interest in constraining the threat from weapons of mass destruction is a long game, not a short one. That being said, there can be no breaks in our determination each day to prevent disaster.

I would like to offer a few principles that should inform deliberations on where we go from here.

First, the Russians are in violation of the INF Treaty. But Russian violations are not a new phenomenon. A major feature of every arms control debate since 1987 was discussion of actual or potential Russian violations. Every President has dealt with this. I believe it is easier to expose, counter, and reverse those violations with the INF Treaty than without it.

Second, arms control is not just about limits on weapons. Much of the value of agreements come from verification provisions. There is safety in transparency. Our strategic relationship with Russia was never better than when Russian and American technicians were working together on Nunn-Lugar projects to circumscribe the decaying Russian arsenal under provisions of active arms treaties. We knew a lot about each other, and we were talking every day. The worst thing we can do is undercut verification procedures that give us a window on Russian activities and capabilities.

Third, effective arms control is less about negotiating brilliance than it is about the accumulation of leverage. Withdrawing from the INF Treaty does nothing to bolster our leverage. It foolishly plays into the hands of Russian propagandists by focusing global attention on our rejection of the treaty instead of on Russian violations. It complicates relations with allies. And it signals to the Iranians, North Koreans, and others who would pursue a nuclear arsenal that we are devaluing our own historic legacy as the guarantor of legal frameworks designed to prevent nuclear proliferation.

Finally, regardless of near-term decisions on the INF Treaty, drifting towards unrestrained arms competition would be an incredibly hazardous outcome. This does not mean that the United States cannot modernize elements of its nuclear deterrent. But allowing verification procedures to expire and basing our security on the hope of winning an expensive arms race would be the height of irresponsibility. This isn't 1981. We live in an increasingly multipolar world that features cyberwarfare, suicidal terrorism, additional nuclear states, and increased avenues to nuclear proliferation. We also had a sobering budget deficit of \$779 billion in 2018.

The bottom line is that jettisoning treaties that provide a legal framework for exposing Russian violations achieves nothing. We should be pursuing a consistent strategy that strengthens the Western alliance, makes sensible defense investments, and builds leverage that could put the arms control process back on track. To do that we need much more consistency of purpose. The successful launching of an era of arms control by Presidents Reagan and George H.W. Bush was achieved largely because those Presidents projected a consistent foreign policy that undergirded international law, stood up to dictators, commanded respect, and united the free world. The United States returning to that posture would be a major setback for Russian oligarchs and would strengthen U.S. ability to press a new strategic dialogue based on mutual interest.

Senator Richard G. Lugar

Former United States Senator Richard G. Lugar is the President of The Lugar Center, a non-profit organization focusing on global food security, WMD nonproliferation, aid effectiveness, and bipartisan governance. Senator Lugar serves as a Professor of Practice and Distinguished Scholar at the School of Global and International Studies at Indiana University. He also serves as a distinguished faculty member in the Department of History and Political Science and leads the Richard G. Lugar Symposium for Tomorrow's Leaders at the University of Indianapolis.

A fifth generation Hoosier who left the United States Senate as the longest serving member of Congress in Indiana history, Senator Lugar is recognized as a gifted local and state leader, as well as a respected national and international statesman. During his tenure in the United States Senate, he exercised leadership on critical issues such as food security, nuclear non-proliferation, energy independence, and free trade. He holds 46 honorary degrees from colleges and universities in 15 states and the District of Columbia, and he was the fourth person ever named Outstanding Legislator by the American Political Science Association. He was the 2005 recipient of the American Foreign Service Association Lifetime Contributions to American Diplomacy Award and the 2016 recipient of the J. William Fulbright Prize for International Understanding. Her Majesty The Queen of England bestowed upon Senator Lugar the rank of honorary Knight Commander of the Most Excellent Order of the British Empire in honor of his work to make the world more secure from weapons of mass destruction and his commitment to the U.S.-U.K. alliance. President Barack Obama named Senator Lugar a recipient of the Presidential Medal of Freedom.

Senator Lugar graduated first in his class at both Shortridge High School in Indianapolis and Denison University in Granville, Ohio. He attended Pembroke College at Oxford University as a Rhodes Scholar, studying politics, philosophy and economics. Lugar volunteered for the U.S. Navy in 1957, ultimately serving as an intelligence briefer for Admiral Arleigh Burke, chief of Naval Operations.

**US and Russian Withdrawal from the INF Treaty:
Implications for the Future of Arms Control and Strategic Stability**

Statement by
Ambassador Alexander Vershbow
Distinguished Fellow at the Atlantic Council's
Scowcroft Center for Strategy and Security
before the
House Armed Services Subcommittee on Strategic Forces
February 26, 2019

Mr. Chairman, Members of the Subcommittee:

Thank you for the invitation to offer my views on the implications of the imminent demise of the Intermediate-Range Nuclear Forces Treaty for the future of arms control and strategic stability with Russia. It's an honor to be here with former Senator Richard Lugar, who has played such a prominent role in efforts to prevent nuclear proliferation following the end of the Cold War and the break-up of the Soviet Union, and with my former State Department colleague, Paula DeSutter.

The 1987 INF Treaty is the most significant arms control agreement negotiated between the United States and the Soviet Union. It had a transformational impact in ending the Cold War and stabilizing the relationship between the West and Moscow for more than three decades. I worked on the INF issue during my first assignment at the State Department in the late 1970s, and this led to a career-long involvement in efforts to transform NATO-Russia relations from conflict to cooperation. The loss of this landmark treaty as a result of Russia's violation worries me deeply on both the personal and professional level as it creates an uncertain future for the United States and its Allies.

The INF issue began as a transatlantic crisis, a crisis of confidence in the US commitment to the defense of Europe. Our NATO Allies, led by German Chancellor Helmut Schmidt, argued that the Soviet deployment of the SS-20 intermediate-range ballistic missile in the mid-1970s had destabilized the strategic balance which had been steadied by the SALT I agreements of 1972. The Allies' concern was that Russia's ability to strike Europe with the SS-20 could "decouple" the United States from its Allies by forcing the United States either to escalate to the use of strategic forces in response to an SS-20 strike – triggering World War III – or to capitulate.

To avoid this dilemma and bolster deterrence, Allies agreed in 1979 to counter the SS-20 with the deployment of US Pershing II and ground-launched cruise missiles in Europe, to begin in 1982. The Pershing and cruise missile systems would enable the United States and NATO to target Soviet territory with non-strategic INF systems, restoring a semblance of balance and depriving the Soviets of "escalation dominance."

But the short warning times inherent in both sides' INF deployments increased fears of a preemptive attack and heightened the risk of miscalculation and uncontrolled escalation in the event of a crisis. While the United States and NATO offered to restore the *status quo ante* with the "zero option," the Soviet reaction was to walk out of the negotiations when the first INF systems were deployed in 1983. They hoped to foment public opposition in NATO countries to derail the US deployments while retaining their SS-20s.

Fortunately, NATO solidarity held, and President Ronald Reagan and Soviet President Mikhail Gorbachev had the vision four years later not just to limit INF systems, but to eliminate this entire class of systems, both nuclear- and conventionally-armed. The INF Treaty increased stability in Europe and gave a strong impetus to reductions in strategic nuclear weapons. Although it was a bilateral agreement between Washington and Moscow, the INF Treaty became a cornerstone of European security and stability. NATO's dual-track decision – the offer to reduce US deployments if the Soviets agreed to reduce their SS-20s – proved to be a powerful demonstration of how to negotiate from a position of strength. It opened the way to progress in multilateral negotiations to reduce conventional armed forces in Europe in the 1990s.

All that progress is now at risk with the US Administration's decision to suspend its implementation of the INF Treaty and withdraw from the Treaty, together with Russia's decision to follow suit. The risk is only magnified by the significant deterioration in the wider relationship between the West and Russia in recent years. Over the past decade, we and our Allies have faced an increasingly aggressive, revisionist Russia that has upended the international order established at the end of the Cold War – invading and occupying parts of Ukraine and Georgia, changing borders by force, and undermining Western democracies using cyber attacks and information warfare. Today's Russian leaders may be more prepared to use their nuclear weapons coercively than were Soviet leaders in the 1970s and 1980s as part of their strategy to weaken NATO and reestablish domination over Russia's neighbors.

The Administration's decision to withdraw from the INF Treaty is legally justified, but politically questionable. From a legal standpoint, Russia is clearly in material breach of its obligations under the Treaty. US intelligence agencies all agree that Russia has for several years been developing and testing a ground-launched cruise missile with a demonstrated range that far exceeds the Treaty limit of 500 kilometers. Last year, it began to deploy the illegal system, called the 9M729 (or SS-C-8 in NATO terminology), with around 100 missiles now in the field.

The Administration has a point in arguing that it is difficult to justify the United States continuing to comply with a Treaty that the other side is clearly violating. Our NATO Allies, having seen the evidence of Russia's non-compliance, have supported the US decision to withdraw as a legal matter, and have not bought into Russia's dubious counter-charges that it is the United States, not Russia, that has violated the Treaty.

But our Allies are concerned that, politically, we have given a gift to President Putin, who has long sought to escape the INF Treaty's limitations. Since at least 2005, Putin has advocated withdrawing from the INF Treaty so that Russia could counter the INF missiles of countries like China and Pakistan not subject to the INF Treaty's constraints. Using Russia's allegations of US violations of the Treaty as justification, Putin now appears bent on deploying INF systems and other new nuclear capabilities as part of his strategy of intimidating NATO and recapturing the "escalation dominance" Russia lost when it scrapped the SS-20. Our withdrawal from the Treaty will give Russia free rein to rapidly deploy ground-launched versions of its newest cruise missiles and hypersonic weapons, in addition to the 9M729.

The United States and its Allies have kept the door open to a diplomatic solution to preserve the INF Treaty in the remaining months while it remains in force, albeit suspended. They have made clear that, if Russia agrees to dismantle its illegal ground-launched cruise missile, the United States could reverse its decision to suspend implementation and withdraw from the Treaty. But last-ditch negotiations have gone nowhere. Russia has dug in on its claims that the 9M729 is compliant with the INF Treaty and that the United States is to blame, making it unlikely that a diplomatic solution will be found. It seems inevitable that the Treaty will become a dead letter at the beginning of August, six months after the United States gave notice of withdrawal.

In my view, however, we should not give up on other possible arms control solutions that could, at least, mitigate the effects of the demise of the INF Treaty. President Trump mentioned the possibility of a "different treaty" in his State of the Union address, and President Putin said last week that Russia would not be the first to introduce new INF systems. So far, it appears that Russia's illegal cruise missile, the 9M729, while capable of carrying a nuclear warhead, has only been deployed as a conventional system. The United States and NATO, for their part, have thus far downplayed any intention to deploy new nuclear-armed missiles in Europe in response to Russia's violation of the Treaty.

One possible solution, therefore, would be to challenge Russia to agree to a mutual renunciation of all nuclear-armed, land-based INF-range missiles (including the 9M729) and to agree to mutual inspections to verify that no nuclear-armed versions are deployed by either side. As part of this arrangement – which could be based on informal, reciprocal declarations rather than formal negotiations – the United States and its allies could agree to Russian inspections of the US missile defense site in Romania and the similar site under construction in Poland to confirm that they have no offensive capability as Moscow has alleged. In addition, the sides could agree to numerical limits on the number of conventionally-armed systems that would be permitted.

Another solution would be for the United States and Russia to agree to refrain from deploying any land-based INF systems in or within range of Europe, while permitting some agreed number of such systems in Asia. This would address the Russian and US interest in offsetting the INF capabilities of China and other Indo-Pacific countries while avoiding further destabilization of the situation in Europe.

A successor agreement along the above lines could help maintain stability and avert an unconstrained competition in intermediate-range systems. It could also improve the climate for negotiations on an extension of the New Strategic Arms Reductions Treaty (New START) prior to its expiration in 2021. That Treaty is still being observed by both sides and will soon be the only remaining, legally binding agreement that limits the nuclear weapons of the United States and Russia. New START remains in both sides' interest in terms of reducing strategic nuclear weapons in a balanced, verifiable way and in ensuring transparency and predictability regarding each side's capabilities.

Until we have exhausted the possibilities for a successor to the INF Treaty, we should proceed cautiously on the question of military measures to counter the Russian violation of the Treaty. We should review the options in close consultation with our NATO Allies, who literally could be caught in the crossfire of any new US-Russian missile competition in Europe. NATO has a lot of work still to be done to strengthen its overall defense and deterrence posture in Europe – including steps to increase readiness and reinforcement capacity and to counter Russian cyber and hybrid threats. Deploying new intermediate-range, land-based missiles in Europe is not essential to these efforts and could be politically divisive within the Alliance.

In fact, there are many existing US programs that could be adapted to negate the military advantage the Russians' hope to gain with the 9M729 and other INF-range systems, without developing a new intermediate-range ground-launched cruise missile of our own. These include deploying additional air-to-surface missiles like the JASSM-ER (Joint Air-to-Surface Standoff Missile - Extended Range) on US and Allied aircraft, developing a conventional version of the new LRSO (Long-Range Stand-Off system), the successor to existing air-launched cruise missiles, and deploying a new-generation sea-launched cruise missile to replace the Tomahawk. We could also deploy additional missile defense systems to protect key military sites against Russian cruise missile threats.

NATO's assessment of the options should focus on conventional solutions. But we and our Allies should make clear to Moscow that if Russia proceeds with the deployment of nuclear-armed INF missiles along NATO's borders, we do not rule out new nuclear-armed systems of our own. We should keep the onus on Moscow for any new arms competition in Europe.

One last point: There may be a stronger case for deploying conventionally-armed, intermediate-range ground-launched missile systems (cruise and ballistic) in the Asia-Pacific region than in Europe. They could serve as a counter to China's significant INF capabilities and its capacity to threaten US bases in Japan and Korea. Such systems could enhance our ability to suppress Chinese air defenses and engage their naval vessels from longer distances. It remains to be seen, however, whether our Japanese and Korean allies would agree to host these systems, once developed, or whether it would be more realistic to continue to rely on air- and sea-launched systems for these missions.

Ambassador Alexander Vershbow

Ambassador Alexander Vershbow was the Deputy Secretary General of NATO from February 2012 to October 2016. Ambassador Vershbow took up his position in February, 2012 after serving for three years as the U.S. Assistant Secretary of Defense for International Security Affairs. In that position, he was responsible for coordinating U.S. security and defense policies relating to the nations and international organizations of Europe (including NATO), the Middle East and Africa.

From 1977 to 2008, Alexander was a career member of the United States Foreign Service. He served as U.S. Ambassador to the North Atlantic Treaty Organization (1998-2001); to the Russian Federation (2001-2005); and to the Republic of Korea (2005-2008). He held numerous senior positions in Washington, including Special Assistant to the President and Senior Director for European Affairs at the National Security Council (1994-97) and State Department Director for Soviet Union Affairs (1988-91). During his career, he was centrally involved in strengthening U.S. defense relations with allies in Europe and Asia and in transforming NATO and other European security organizations to meet post-Cold War challenges. He also was centrally involved in efforts to promote democracy and human rights in the former Soviet Union.

Alexander Vershbow is a long-time student of Russian Affairs and international relations. He received a B.A. in Russian and East European Studies from Yale University (1974) and a Master's Degree in International Relations and Certificate of the Russian Institute from Columbia University (1976).

During his U.S. government career, Ambassador Vershbow received numerous awards including the Department of Defense's Distinguished Civilian Service Medal (2012) the State Department's Cordell Hull Award for Economic Achievement for his contributions to negotiations on the Korea-U.S. Free Trade Agreement (2007); the American Bar Association's Ambassador's Award for his advocacy of the democracy, human rights and rule of law in Russia (2004); the State Department's Distinguished Service Award for his work as Ambassador to NATO (2001); the Department of Defense's Joseph J. Kruzel Award for his contributions to peace in the former Yugoslavia (1997); and the Anatoly Sharansky Freedom Award of the Union of Councils of Soviet Jews for his work in advancing the cause of Jewish emigration from the USSR (1990).

**STATEMENT OF PAULA A. DESUTTER
BEFORE THE HOUSE ARMED SERVICES SUBCOMMITTEE ON
STRATEGIC FORCES**

**INF Treaty Withdrawal and the Future of Arms Control
February 26, 2019**

Mr. Chairman, Ranking Member Turner, Members of the Committee, thank you for the opportunity to address this important and timely issue.

The Chairman's invitation described the purpose of the hearing as:

The purpose of this hearing is to receive testimony on the implications of recent events for the future of arms control and strategic stability with Russia. The subcommittee is interested in your perspective on Russia's violation of the INF Treaty, the Trump administration's decision to suspend implementation of and withdraw from the INF Treaty, and the Administration's ongoing deliberations with respect to the extension of the New START Treaty.¹

I will address each of these issues in turn.

Russia's Violation of the INF Treaty

The Intermediate-Range Nuclear Forces Treaty (INF Treaty) was signed on December 8, 1987 and entered into force on June 1, 1988. It was designed to be effectively verifiable to ensure that compliance problems could be rapidly identified and addressed before they posed a threat to U.S. and international security. Effective verification was not, as sometimes misunderstood, simply a matter of having on-site inspection provisions, but was integrated into the fabric of the Treaty, in the form of such things as "look-alike, count alike" language. It was designed, as stated in the December 2, 1988 noncompliance report, "to control the declared INF inventory (and to eliminate it entirely in three years) and to make as complicated and costly as possible the retention or acquisition of any illegal covert inventory."

From the outset there were numerous instances of Russian INF Treaty noncompliance. As soon as compliance issues arose, the United States raised the issue with Russia and sought, and achieved, resolution. In some of these cases, Russia neither admitted nor explained the reason for the failures to comply, but they moved to correct their noncompliance. All of these cases were addressed in the annual noncompliance reports to Congress.

Informing Congress of noncompliance issues is mandated by law. But beyond meeting the legal obligation for such reporting, my view has always been that doing so is also important in terms of the Executive Branch's opportunities for seeking the cooperation of the Legislative Branch --

¹ Invitation Letter of February 19, 2019 from Subcommittee Chairman Cooper.

which can be critical in obtaining resolution of the issues. When I was working in the Arms Control & Disarmament Agency's Verification Bureau, I took a copy of a Sense of Congress Resolution on the Krasnoyarsk radar violation with me to a meeting with the Soviets on their ABM Treaty violations. I handed it over, explaining that the demand for elimination of the radar was NOT just an Executive Branch demand, but was also a demand by Congress. Much later, as Assistant Secretary of State for Verification and Compliance, I met with Senator Lugar's staff on several occasions to seek their advice and intervention. Senator Lugar's role as Chairman of the Senate Foreign Relations Committee and leadership of the Nunn-Lugar program carried persuasive weight.

Russia has demonstrated a disturbing lack of regard for their arms control obligations that has only increased since Vladimir Putin's ascendancy as Prime Minister and especially as President of Russia. Putin's Prepared Remarks at 43rd Munich Conference on Security Policy of February 10, 2007, represented, in my view, a turning point.

Sadly, it appears that Vladimir Putin's willingness to violate its treaty obligations was aided and abetted by the Obama administration, which, failed to raise the Russian INF Treaty violation for years, and in my opinion, covered up the Russian violation from 2010 until 2014.

During his February 25, 2014 Senate confirmation hearing before the Senate Armed Services Committee, Brian McKeon, President Obama's nominee for a senior Pentagon post (Principal Deputy Under Secretary of Defense for Policy), revealed that the day before the Foreign Relations Committee's Sept. 16, 2010, vote on the New START Treaty, the U.S. intelligence community flagged an INF Treaty compliance issue to senior staff of that committee, the Intelligence and Armed Services Committees, and Senate leadership. McKeon said that later that month, after the Foreign Relations Committee had already voted the New START Treaty out of Committee, General Clapper, then the Director of National Intelligence, told Senators that there was information sent to Senate Security about the issue which raised compliance questions regarding "possibly New START, possibly INF." As Vice President Joe Biden's lead negotiator on New START and an Obama administration liaison with the Senate during the New START ratification process, McKeon was in a position to know.

Before the intelligence community would provide information to the Senate, as they did in September 2010, they would have ensured that key executive branch officials were fully informed of a potential violation. I can assure you that when I left the Department of State in January 2009, I had not been briefed on any INF Treaty violations. Therefore, the intelligence community would have briefed the Obama administration of the issue after January 2009 but before September 2010.

The first Obama administration report, a much watered-down version of the more than 500-page report essentially completed at the end of the Bush administration, was submitted in July 2010. On Russian compliance with the INF Treaty, the July 2010 report concluded: "The Parties to the Treaty last met in the Special Verification Commission in October 2003. There have been no issues raised in the intervening period." The same language was used in the 2011 and 2012 reports.

Since the administration knew about, but had not raised, the violation with Russia, the 2010, 2011 and 2012 language was technically true but misleading. But by 2013, the administration, especially Rose Gottemoeller, the Assistant Secretary of State responsible for producing the reports, who had been nominated to be Undersecretary of State in May 2013, had a problem.

Congress was demanding action. According to a January 2014 New York Times article, the INF Treaty issue was first raised with Russia in May 2013 by Gottemoeller. So, while the July 12, 2013, report retained: "The Parties to the Treaty last met in the Special Verification Commission in October 2003," they changed "There have been no issues raised in the intervening period" to "There were no issues raised during this reporting period." The reporting period was Jan. 1, 2012, through Dec. 31, 2012. This was clearly purposeful and clearly hid the truth during a critical period.²

By failing to raise the INF Treaty noncompliance concerns with Russia for three years, the Obama administration missed the opportunity to seek reversal of the violation before Russia had deployed the cruise missile and invested 3 years of Russian national treasure. Moreover, it signaled to Russia that their violations were to be tolerated. While Russia is responsible for undertaking a program or programs they knew violated the INF Treaty, failure to report and raise the violation during the critical 2010-2013 period, made it even less likely that Russia would reverse the violation by eliminating its violating cruise missiles.

A second INF Treaty issue concerns a new nuclear ballistic missile, the RS-26, tested at both medium and long ranges. While discussed in the Jan. 30 New York Times article, it has not been addressed in any Obama noncompliance reports, which should address all possible violations or circumventions of arms control agreements. A third possible INF Treaty violation concerns the 3M14, a ground-, sea- and submarine-launched cruise missile with a range of 2,500-km.⁴ The 3M-14 is the Russian Kalibr cruise missile

For information on other likely Russian violations of the INF Treaty and New START, I would urge Members to direct their staff to the publications of Dr. Mark Schneider of the National Institute for Public Policy, including National Institute for Public Policy Information Series Issue No. 424, September 5, 2017, Russian INF Treaty Violations: Implications for the Nuclear Posture Review and the Future of the INF Treaty.

The Russian violation of the INF Treaty reported by the Obama administration, eventually revealed to be the 9M729 SSC-8 cruise missile, disturbing on its own, should be viewed not as an isolated incident, but as part of a pattern. As reported in Obama administration compliance reports, in addition to the single INF Treaty violation addressed, Russia has continued to fail to comply with the Biological Weapons Convention, the Chemical Weapons Convention, the Conventional Forces in Europe Treaty, the Open Skies Treaty, the Vienna Document on Confidence-and Security-Building Measures. While not addressed in the Obama administration reports, I hope that the Trump administration's Bureau of Verification and Compliance will ensure that other probable Russian violations of New START and the INF Treaty will be fully assessed and reported.

² For Members ready reference, I have included the full INF Treaty sections of the annual noncompliance reports from 2011-2018 at the end of my statement, at pages 7-20.

The Trump Administration's Decision to Suspend Implementation of and Withdraw from the INF Treaty

Arms control agreements can be viewed as lines in the sand. The better agreements have that line as far as possible from essential elements of your national security and that of your allies. This is important to provide time for you to detect and verify violations, seek their reversal, or to undertake action, alone or with allies, to take measures to deny the violator the benefits of violation. When another party to the agreement crosses that line by violating the agreement, either: 1) they made a mistake; or 2) they did it deliberately. One way to tell the difference is that if it was a mistake, once it is raised with them, you can expect them to take corrective action. If they refuse to correct the violation, then the action is deliberate.

Deliberate violations are generally undertaken to gain unilateral advantage over the party or parties that ARE complying. If you do nothing to respond to the violation to deny the violator the benefits of the violation, you can expect them to undertake further violations, probably of an even more serious nature. In the INF Treaty case, we are talking about a detected and verified violation. This means that other violations may well be underway but have not yet been detected.

Other nations that observe your failure to deny the violator the benefits of his violation can reasonably be expected to conclude that you take neither compliance nor enforcement seriously, and be tempted to pursue their own programs, even if these violate a legally binding obligation they have undertaken.

While I am chagrined at the failure to raise Russia's violation of the INF Treaty between 2010 and 2013, the violation has been raised with Russia since 2013. The Department of State has a telling document on its website in this regard, which I am also attaching to my statement for the Members ready reference at pages 20-23.³ The U.S. efforts to persuade Russia to correct their violation has been to no avail. Russia has first denied the missile existed, then denied that the cruise missile is a violation. The latest step they've taken was to offer to let the U.S. view the missile, which would in no way correct the violation.

After years of acquiescence followed by more years of diplomatic efforts to persuade Russia to eliminate the missile and come back into compliance, in my view, unilateral compliance was no longer an option. When the United States draws a line in the sand and tells a country not to cross it — but then does not respond to repeated willful crossing — that line and every other line we have drawn becomes more anemic.

It is well established that if an agreement is materially breached by one party, the other party has no obligation to remain constrained. Article XV, paragraph 2⁴, of the INF Treaty recognizes

³ See <https://www.state.gov/t/avc/inf/index.htm> and the timeline of U.S. diplomatic efforts to seek Russian reversal of the INF Treaty violation at <https://www.state.gov/t/avc/inf/287411.htm>, included at the end of this document.

⁴ <https://www.state.gov/t/avc/trtv/102360.htm> Article XV

"2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It

this, as does Customary International Law as reflected in the Vienna Convention on the Law of Treaties, Article 60.⁵

The Administration's Ongoing Deliberations with Respect to the Extension of the New START Treaty

Whether or not arms control agreements restricting the deployment of ballistic and cruise missiles with Russia (and others) that serve American interests will be possible depends on what America and others are willing to do to make it possible.

The easiest course of action for the Trump administration would be to simply extend the New START Treaty. But doing so would be neither sufficient to address the ballistic missile threat to the U.S. and our allies from nations such as China, nor, in my opinion, sufficient to constrain the ballistic missile threat from Russia.

First, with regard to Russia and New START, given the counting rules, the legal break-out potential is limitless, and while all the inspections looked impressive, many had no verification benefit. I believe that the weaknesses and flaws in New START were persuasively articulated in the minority views in the Executive Report on the Treaty, which I have appended to my statement beginning at page 24.⁶ The concerns expressed in the minority report are underscored by the fact that Russia is deploying so many new missiles with both strategic and theater options without a finding of noncompliance in the years since entry into force.

Second, nations that have been and are pursuing a ballistic and cruise missile build up are likely to be unimpressed by requests and negotiations asking for them to stop and reduce their ballistic missile programs, since the United States has not been producing and deploying missiles even near the level that Russia, China, and others have been. Should the U.S. pursue counterforce programs to give it leverage in any such negotiations, that calculation may change. Moreover, even if such a multilateral agreement were possible, the question of whether the other parties believe that violations will have real consequences has to be considered. In this regard, the U.S. withdrawal from the INF Treaty may make a significant contribution to the global view that the U.S. will not tolerate violations.

Finally, and most importantly, in the absence of a global, layered, and effective missile defense, I believe the incentive for other nations to deploy missiles to attack the United States, our allies, and forces abroad will continue to be irresistible.

shall give notice of its decision to withdraw to the other Party six months prior to withdrawal from this Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests."

⁵ <https://treaties.un.org/doc/publication/unts/volume%201155/volume-1155-i-18232-english.pdf>

⁶ 111th Congress, 2d Session, U.S. Senate, Exec. Rept. 111-6, TREATY WITH RUSSIA ON MEASURES FOR FURTHER REDUCTION AND LIMITATION OF STRATEGIC OFFENSIVE ARMS (THE NEW START TREATY) Section VIII, "Minority Views of Senators Risch, DeMint, Barrasso, Wicker, and Inhofe", pp. 110-124.

<https://www.congress.gov/congressional-report/111th-congress/executive-report/6>

Russia has loudly and repeatedly voiced its opposition to U.S. missile defenses. As a result, during the George W. Bush administration, the U.S. repeatedly stated that its missile defense programs were not intended to counter Russian and Chinese ballistic missiles. It strikes me as exceedingly odd to say that we want to defend against Iranian or North Korean ballistic missiles, but not those of Russia and China. As if getting nuked by some countries is bad but the other countries that want to nuke us should be given free reign to do so. Absurd. To me, it is not despite Russian and Chinese and other opposition to our missile defense programs that they should be urgently and effectively deployed, but at least in part BECAUSE of their opposition.

Those who advocate U.S. pursuit of continuing New START and/or other strategic or theater arms control that includes Russia, should understand that, at least in my view, it would not be reasonable, given the history of noncompliance by Russia under Putin's leadership, and the significant possibility of Russian offensive deployments without detection, verification and response, to base U.S. national security and international stability on the expectation that Russia will comply. While a change in Russian leadership might well change this calculation, such a future is not within our power to effect.

There are steps that our country can take, and which this Committee can play a central role in facilitating, that could make future strategic and theater missile agreements viable tools in America's tool kit.

It is widely understood that President Reagan's Strategic Defense Initiative was the program most responsible for the Soviet Union's willingness to agree to START and the INF Treaty. But missile defense can only be traded away for arms control agreements at our peril. Missile defenses provide an insurance policy against further and future cheating on arms control agreements. Thus, an effective layered U.S. missile defense offers the American people protection from the threat of nuclear attack by our enemies, dis-incentives investment by our current and future foes in offensive missiles tipped by weapons of mass destruction, and can make further and future arms control agreements more likely and more likely to be given advice and consent to their ratification.

Reports on Adherence to and Compliance with Arms Control, Nonproliferation, And Disarmament Agreements and Commitments, prepared by the U.S. Department of State pursuant to Section 403 of the Arms Control and Disarmament Act, as amended (22 U.S.C. 2593a).

August 2011 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **1 year**).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Elimination of all declared missiles and launchers under the Treaty was completed in 1991.

The Treaty is of unlimited duration and bans the possession, production, and flight testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with ranges between 500 and 5,500 kilometers, their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded at the end of 13 years following the Treaty's entry into force, that is, on May 31, 2001. All inspection activities have now ceased in accordance with the provisions of the Treaty. The remainder of the verification regime continues for the life of the Treaty.

The Parties to the Treaty last met in the Special Verification Commission in October 2003. There have been no issues raised in the intervening period. (emphasis added)

August 2012 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **2 years**).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Elimination of all declared missiles and launchers under the Treaty was completed in 1991.

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The Parties to the Treaty last met in the Special Verification Commission in October 2003. There have been no issues raised in the intervening period. (emphasis added)

July 2013 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **3 years**. According to the NYT, Rose Gottemoeller raised the issue with the Russians in May 2013).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Elimination of all declared missiles and launchers under the Treaty was completed in 1991.

The Treaty is of unlimited duration and bans the possession, production, and flight testing of intermediate- and shorter-range missile systems. The Treaty required complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with ranges between 500 and 5,500 kilometers, their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded on May 31, 2001, that is, 13 years following the Treaty's entry into force. All inspection activities have now ceased in accordance with the provisions of the Treaty. The remainder of the verification regime continues for the life of the Treaty.

The Parties to the Treaty last met in the Special Verification Commission in October 2003. There were no issues raised during this reporting period. (emphasis added)

July 2014 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **4 years**. **This is the first compliance report that addresses the violation**).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Elimination of all declared missiles and launchers under the Treaty was completed in 1991.

The Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers (km), their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded on May 31, 2001, that is, 13 years following the Treaty's entry into force. The remainder of the verification regime continues for the duration of the Treaty.

FINDING

The United States has determined that 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 (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

COMPLIANCE ANALYSIS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 km but not in excess of 5,500 km. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 km but not in excess of 1,000 km. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles and launchers of such missiles, or support structures and equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles, or produce, flight-test, or launch any shorter-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon-delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance which can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 11 of Article VII provides that a cruise missile which is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher which is used solely for test purposes and which is distinguishable from GLCM launchers.

Compliance Discussions

In 2013, the United States raised these concerns with the Russian Federation on repeated occasions in an effort to resolve U.S. concerns. The United States will continue to pursue resolution of U.S. concerns with Russia. (emphasis added)

May 2015 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **5 years**. This is the second compliance report that addresses the violation).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988.

FINDING

The United States has determined that in 2014, the Russian Federation continued to be in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

BACKGROUND

The INF Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers (km), their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The INF Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations

The United States noted concerns about the Russian Federation's compliance with the INF Treaty in earlier, classified versions of the Compliance Report. In the 2014 Report, the United States published its determination that the Russian Federation was in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

COMPLIANCE ANALYSIS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 km but not in excess of 5,500 km. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 km but not in excess of 1,000 km. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles and launchers of such missiles, or support structures and equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles, or produce, flight-test, or launch any shorter-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon-delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance that can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 8 of Article VII of the INF Treaty provides that if a launcher has contained or launched a particular type of GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 11 of Article VII provides that a cruise missile that is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher that is used solely for test purposes and that is distinguishable from GLCM launchers.

The United States determined the cruise missile developed by the Russian Federation meets the INF Treaty definition of a ground-launched cruise missile with a range capability of 500 km to 5,500 km, and as such, all missiles of that type, and all launchers of the type used to launch such a missile, are prohibited under the provisions of the INF Treaty.

Compliance Discussions

In 2013 and 2014, the United States raised these concerns with the Russian Federation on repeated occasions in an effort to resolve U.S. concerns. The United States will continue to pursue resolution of U.S. concerns with Russia.

IMPLICATIONS FOR U.S. SECURITY AND OTHER INTERESTS

The Administration believes that it is in the mutual security interests of all the 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. Moreover, the INF Treaty contributes to the security of our allies and to regional stability in Europe and in the Asia-Pacific region.

April 2016 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately 6 years).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988.

FINDING

The United States has determined that in 2015, the Russian Federation (Russia) continued to be in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

CONDUCT GIVING RISE TO COMPLIANCE CONCERNS

The INF Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers (km), their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The INF Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The on-site inspection regime concluded on May 31, 2001, 13 years following the Treaty's entry into force, per Article XI. The remainder of the verification regime continues for the duration of the Treaty.

In 2014 and 2015, the United States published in the unclassified version of the Report its determination that Russia was in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

ANALYSIS OF COMPLIANCE CONCERNS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 km but not in excess of 5,500 km. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 km but not in excess of 1,000 km. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles and launchers of such missiles, or support structures and equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles, or produce, flight-test, or launch any shorter-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance that can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLCM, all launchers of that type shall be considered to have been tested for launching GLCMs.

Paragraph 8 of Article VII provides that if a launcher has contained or launched a particular type of GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 11 of Article VII provides that a cruise missile that is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher that is used solely for test purposes and that is distinguishable from GLCM launchers.

The United States determined that the cruise missile developed by Russia meets the INF Treaty definition of a ground-launched cruise missile with a range capability of 500 km to 5,500 km, and as such, all missiles of that type, and all launchers of the type used or tested to launch such a missile, are prohibited under the provisions of the INF Treaty.

EFFORTS TO RESOLVE COMPLIANCE CONCERNS

As was the case in previous years, in 2015, the United States again raised concerns with Russia on repeated occasions in an effort to resolve U.S. concerns. The United States will continue to pursue resolution of U.S. concerns with Russia.

April 2017 Compliance Report Section on the INF Treaty

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Additional information is provided in the higher classification versions of this Report.

FINDING

The United States has determined that in 2016, the Russian Federation (Russia) continued to be in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

CONDUCT GIVING RISE TO COMPLIANCE CONCERNS

The INF Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers, their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The INF Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded on May 31, 2001 - that is, 13 years after the Treaty's entry into force, in accordance with Article XI of the Treaty. The remainder of the verification regime continues for the duration of the Treaty.

In previous editions of the Compliance Report published in 2014, 2015, and 2016, the United States determined that Russia was in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a GLCM with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

ANALYSIS OF COMPLIANCE CONCERNS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 kilometers but not in excess of 5,500 kilometers. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 kilometers but not in excess of 1,000 kilometers. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery-vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles as defined by the Treaty.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles or launchers of such missiles, or support structures or equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of the Treaty shall be considered to be the maximum distance that can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLCM, all launchers of that type shall be considered to have been tested for launching GLCMs.

Paragraph 8 of Article VII provides that if a launcher has contained or launched a particular type of GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 11 of Article VII provides that a cruise missile that is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher that is used solely for test purposes and that is distinguishable from GLCM launchers.

EFFORTS TO RESOLVE COMPLIANCE CONCERNS

Since 2013, the United States has raised its concerns regarding Russian development of a GLCM with a range capability between 500 and 5,500 kilometers with Russia on repeated occasions and at various levels and departments within the Russian Government in an effort to resolve U.S. concerns. The priority of the United States is for Russia to return to compliance to ensure the continued viability of the INF Treaty, and we continue to engage the Russian Government to resolve our concerns.

In an effort to resolve U.S. concerns, the United States requested to convene a session of the INF Treaty's implementation body, the Special Verification Commission (SVC). Prior to 2016, the SVC had last met in October 2003 following the conclusion of the INF

Treaty's inspection regime in 2001. The most recent SVC session, which took place November 15-16, 2016, was attended by Russia, Belarus, Kazakhstan, and Ukraine, and provided the first multilateral technical venue for the United States to raise the issue of Russia's violation of its obligations under the INF Treaty not to possess, produce, or flight-test a GLCM with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

The United States has provided detailed information to the Russian Federation over the course of these bilateral and multilateral engagements, more than enough information for the Russian side to identify the missile in question and engage substantively on the issue of its obligations under the INF Treaty. This includes the following:

- *Information pertaining to the missile and the launcher, including Russia's internal designator for the mobile launcher chassis and the names of the companies involved in developing and producing the missile and launcher;*
- *Information on the violating GLCM's test history, including coordinates of the tests and Russia's attempts to obfuscate the nature of the program;*
- *The violating GLCM has a range capability between 500 and 5,500 kilometers;*
- ***The violating GLCM is distinct from the R-500/SSC-7 GLCM or the RS-26 ICBM.*** (Emphasis added).

The United States will continue to pursue resolution of U.S. concerns with Russia, and the United States is consulting with allies to review a range of appropriate options should Russia persist in its violation. The United States has made clear to Russia that the United States will protect U.S. security and the security of U.S. allies, and that Russian security will not be enhanced by continuing its violation. Additional information is provided in the higher classification versions of this Report.

April 2018 Compliance Report Section on the INF Treaty

TREATY ON THE ELIMINATION OF INTERMEDIATE-RANGE AND SHORTER-RANGE MISSILES (INTERMEDIATE-RANGE NUCLEAR FORCES or INF TREATY)

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988.

FINDING

The United States has determined that in 2017, the Russian Federation (Russia) continued to be in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

CONDUCT GIVING RISE TO COMPLIANCE CONCERNS

The INF Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers, their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The INF Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded on May 31, 2001 – that is, 13 years after the Treaty's entry into force, in accordance with Article XI of the Treaty.

As stated in all editions of this Report since 2014, the United States has determined that Russia is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a GLCM with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

ANALYSIS OF COMPLIANCE CONCERNS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 kilometers but not in excess of 5,500 kilometers. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 kilometers but not in excess of 1,000 kilometers. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery-vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles as defined by the Treaty.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles or launchers of such missiles, or support structures or equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of the Treaty shall be considered to be the maximum distance that can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLCM, all launchers of that type shall be considered to have been tested for launching GLCMs.

Paragraph 8 of Article VII provides that if a launcher has contained or launched a particular type of GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 11 of Article VII provides that a cruise missile that is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher that is used solely for test purposes and that is distinguishable from GLCM launchers. Additional information is provided in the higher classification report.

EFFORTS TO RESOLVE COMPLIANCE CONCERNS

The United States is committed to doing everything it can to preserve the integrity of the INF Treaty. The U.S. government is working toward this goal despite the Russian Federation's clandestine possession, production, and flight-testing of a ground-launched cruise missile in direct violation of the Russian Federation's core obligations under the Treaty. The United States remains open to discussing any and all ways to facilitate the Russian Federation's return to full and verifiable compliance.

The Administration conducted an extensive review of Russia's ongoing INF Treaty violation in order to assess the potential security implications of the violation for the United States and its allies and partners and to determine an appropriate response, and is implementing diplomatic, military, and economic measures in connection with this review.

Since 2013, the United States has raised its concerns regarding Russian development of a GLCM with a range capability between 500 and 5,500 kilometers with Russia on repeated occasions and at various levels and departments within the Russian government in an effort to resolve U.S. concerns. The priority of the United States is for Russia to return to compliance to ensure the continued viability of the INF Treaty, and the United States continues to engage the Russian Government to resolve our concerns.

The United States has provided detailed information to the Russian Federation over the course of these bilateral and multilateral engagements, more than enough information for the Russian side to engage substantively on the issue of its obligations under the INF Treaty. This includes the following:

- Information pertaining to the missile and the launcher, including Russia's internal designator for the mobile launcher chassis and the names of the companies involved in developing and producing the missile and launcher;
- Information on the violating GLCM's test history, including coordinates of the tests and Russia's attempts to obfuscate the nature of the program;
- The violating GLCM has a range capability between 500 and 5,500 kilometers;
- The violating GLCM is distinct from the R-500/SSC-7 GLCM or the RS-26 ICBM; and,
- The United States assesses the Russian designator for the system in question is 9M729.

In an effort to resolve U.S. concerns at the technical level, the United States has convened multiple sessions of the INF Treaty's implementation body, the Special Verification Commission (SVC). Prior to 2016, the SVC had last met in October 2003 following the conclusion of the INF Treaty's inspection regime in 2001. The November 15-16, 2016 SVC session was attended by Russia, Belarus, Kazakhstan, and Ukraine, and provided a multilateral technical venue for the United States to raise the issue of Russia's violation of its obligations under the INF Treaty not to possess, produce, or flight-test a GLCM with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

To assess Russian willingness to return to compliance with its obligations under the Treaty, the United States called for another session of the SVC from December 12-14, 2017.

The North Atlantic Council issued a December 15, 2017 public statement, affirming U.S. compliance with the Treaty and urging Russia to address the serious concerns raised by its missile system "in a substantial and transparent way, and actively engage in a technical dialogue with the United States."

The United States continues to pursue resolution of U.S. concerns with Russia and is consulting with allies to review a range of appropriate options should Russia persist in its violation. The United States has made clear to Russia that the United States will protect U.S. security and the security of U.S. allies, and that Russian security will not be enhanced by continuing its violation. Additional information is provided in the higher classification Annex.

INF Diplomatic Timeline⁷

Fact Sheet
Washington, DC

February 1, 2019

May 2013	Assistant to the President for National Security Affairs Donilon and Deputy Secretary of State Burns meeting with Russian Security Council Secretary Patrushev. The United States first raises INF concerns with Russian officials. Russia subsequently denies any noncompliant activities.
May 2013	Under Secretary of State for Arms Control and International Security Gottemoeller raises U.S. concerns with Russian Deputy Foreign Minister Ryabkov.
June 25, 2013	Russian Ambassador Kislyak provides initial Russian response denying noncompliant activities and reaffirms Russia's commitment to the INF Treaty.
November 16, 2013	DFM Ryabkov provides final Russian response denying noncompliant activities and reaffirms Russia's commitment to the INF Treaty.
January 2014	U/S Gottemoeller meeting with NATO Arms Control, Disarmament and Non-Proliferation Committee.
July 31, 2014	U.S. releases 2014 Compliance Report, finding Russia in violation of the INF Treaty. This marks the first public announcement of the U.S. determination regarding Russia's violation. Shortly after the report's release, Secretary of Defense Hagel and Chairman of the Joint Chiefs Dempsey discuss the Russian violation with their Russian counterparts.
September 5, 2014	Wales NATO Summit Communique states: "...Allies call on Russia to preserve the viability of the INF Treaty through ensuring full and verifiable compliance."
September 11, 2014	Per U.S. initiative, bilateral experts meeting takes place. Russia denies the existence of the missile.
February 2015	Secretary of Defense Hagel discusses Russian INF Treaty violations at the NATO Nuclear Planning Group.
April 20, 2015	Per U.S. initiative, second bilateral experts meeting takes place. Russia denies the existence of the missile.
May 12, 2015	Secretary Kerry raises the issue with President Putin.
June 5, 2015	2015 Arms Control Compliance Report affirms Russia's continuing violation of the INF Treaty.
December 28, 2015	Secretary Kerry raises the issue with Foreign Minister Lavrov.
February 16, 2016	U/S Gottemoeller meeting with DFM Ryabkov.
April 8, 2016	U/S Gottemoeller meeting with DFM Ryabkov.
April 11, 2016	2016 Arms Control Compliance Report affirms Russia's continuing violation of the INF Treaty.
June 2016	Secretary of Defense Carter discusses Russian INF Treaty violations at the NATO Nuclear Planning Group.

⁷ <https://www.state.gov/t/avc/inf/287411.htm>

May 2013	Assistant to the President for National Security Affairs Donilon and Deputy Secretary of State Burns meeting with Russian Security Council Secretary Patrushev. The United States first raises INF concerns with Russian officials. Russia subsequently denies any noncompliant activities.
July 9, 2016	Warsaw NATO Summit Communique states: "Allies therefore continue to call on Russia to preserve the viability of the INF Treaty through ensuring full and verifiable compliance."
Nov. 15-16, 2016	The United States convenes the Special Verification Commission for the first time since 2003.
December 2016	The United States briefs allies and partners that U.S. concerns remain unresolved.
April 12, 2017	Secretary of State Tillerson meets with FM Lavrov.
April 14, 2017	2017 Arms Control Compliance Report affirms Russia's continuing violation of the INF Treaty.
May 8, 2017	U/S Shannon raises the INF issue with DFM Ryabkov.
May 10, 2017	Secretary Tillerson raises the INF issue with FM Lavrov.
June 2017	Secretary of Defense Mattis discusses Russian INF Treaty violation at NATO Nuclear Planning Group.
September 12, 2017	Under Secretary of State for Political Affairs Shannon raises the INF Treaty issue as part of the discussion with DFM Ryabkov at Strategic Stability Talks in Helsinki, Finland.
November 2017	Secretary of Defense Mattis discusses Russian INF Treaty violations at the NATO Nuclear Planning Group.
November 3, 2017	Ambassador Huntsman meets with DFM Ryabkov to inform Russia on the U.S. Integrated Strategy of diplomatic, military, and economic steps the United States will take to encourage Russia to return to full and verifiable compliance with the INF Treaty.
November 6, 2017	NSC Senior Directors Christopher Ford and Fiona Hill meet with Russian Ambassador Antonov to inform Russia on the U.S. Integrated Strategy.
November 29, 2017	NSC Senior Director Christopher Ford publicly announces U.S. assessment that the Russian designator for the SSC-8 missile is "9M729" during remarks at the Wilson Center.
December 8, 2017	The United States announces its INF Treaty Integrated Strategy with press releases, fact sheets, and an interview by U/S Shannon with <i>Kommersant</i> .
December 9, 2017	Russian DFM Ryabkov publicly acknowledges the existence of the 9M729 but claims it is not capable of INF range.
Dec. 12-14, 2017	The United States again convenes the Special Verification Commission.
December 15, 2017	The North Atlantic Council issues a statement highlighting concerns about Russia's missile development, affirming U.S. compliance, and calling on Russia to engage constructively.
December 20, 2017	U.S. Federal Register publishes final rule for adding Novator and Titan, two companies involved in the development of the SSC-8/9M729, to the Department of Commerce Entity List.
February 2, 2018	NATO High Level Group meeting; the United States requests Allies to engage Russia on INF Treaty violation.
February 14, 2018	Secretary of Defense Mattis discusses Russia's INF Treaty violation at NATO Nuclear Planning Group.
March 5, 2018	Ambassador Huntsman discusses INF issue with Russian DFM Ryabkov.
April 12, 2018	2018 Arms Control Compliance Report affirms Russia's continuing violation of the INF Treaty.

May 2013	Assistant to the President for National Security Affairs Donilon and Deputy Secretary of State Burns meeting with Russian Security Council Secretary Patrushev. The United States first raises INF concerns with Russian officials. Russia subsequently denies any noncompliant activities.
May 8, 2018	NATO High Level Group meeting; the United States requests Allies to engage Russia on INF Treaty violation.
June 8, 2018	Chairman of the Joint Chiefs of Staff General Dunford raises INF concerns with Russian Chief of the General Staff Gerasimov.
June 15, 2018	Under Secretary of State for Arms Control and International Security Thompson raises the issue with Russian Ambassador Antonov.
June 21, 2018	Per U.S. initiative, third bilateral experts meeting takes place. Russia refuses further discussion of the violating missile.
July 11, 2018	Brussels NATO Summit Declaration states: "Allies believe that, in the absence of any credible answer from Russia on this new missile, the most plausible assessment would be that Russia is in violation of the Treaty."
August 23, 2018	APNSA Bolton meets Russian Security Council Secretary Patrushev in Geneva.
October 4, 2018	Secretary Mattis engages NATO Allies on Russia's INF Treaty violation.
October 20, 2018	President Trump publicly states Russia has not adhered to the INF Treaty and that he intends to exit it.
October 23, 2018	Assistant to the President and National Security Advisor Bolton meetings with President Putin, FM Lavrov, and Russian Security Council Secretary Patrushev.
October 25, 2018	NATO North Atlantic Council meeting; the United States engages with Allies on Russia's INF Treaty violations.
October 31, 2018	NATO Secretary General Stoltenberg comments on the INF Treaty and posts on NATO website: "No arms control arrangement can be effective if it is only respected by one side."
November 8, 2018	Assistant Secretary of State Poblete, Assistant Secretary of Defense Anderson, and NSC Senior Director Morrison brief Allies at NATO Nuclear Consultation Meeting.
December 4, 2018	Secretary of State Pompeo declares that the United States has found Russia in material breach of the INF Treaty and will suspend U.S. obligations under the Treaty as a remedy for Russia's breach in 60 days unless Russia returns to full and verifiable compliance. NATO Foreign Ministers issue a statement in strong support of the finding that Russia is in material breach of the Treaty.
January 15, 2019	Under Secretary of State Thompson discusses the INF Treaty with DFM Ryabkov in Geneva. The United States provides Russia in writing an illustrative framework of steps it would need to take to return to compliance.
January 16, 2019	Under Secretary Thompson briefs NATO and other allies and partners on her January 15 meeting with DFM Ryabkov.
January 25, 2019	During a NATO-Russia Council meeting, Allies urge Russia again to return to full and verifiable compliance with the INF Treaty.
February 1, 2019	Secretary Pompeo announces that in light of Russia's failure to return to compliance following the U.S. announcement on December 4, the United States will suspend its obligations under the INF Treaty on February 2. He also announces that on February 2 the United States will provide to Treaty Parties a six-month written notice of U.S. withdrawal from the Treaty, pursuant to Article XV of the Treaty.

VIII. Minority Views of Senators Risch, DeMint, Barrasso, Wicker, and
Inhofe

In the 18 years since the original START Treaty was ratified, a lot has changed for U.S. national security, our global interests, and those of our allies. During the Cold War, the United States and NATO had to rely on nuclear weapons as a deterrent to a numerically superior Soviet conventional force.

Today the world is much different. Russia relies on nuclear weapons--mostly tactical nuclear weapons--to counter superior conventional U.S. and NATO forces while threatening new NATO members near its borders. Meanwhile, the United States must balance a rising China--and its growing conventional and nuclear arsenals--with security commitments to protect more than 30 nations that make up the pledge of U.S. extended deterrence. Further, countries like Iran and North Korea pose potentially severe risks to U.S. forces abroad, U.S. allies, and global stability with their chemical, biological, and nuclear weapons programs as well as their growing ballistic missile capabilities. This is in addition to a number of other countries with ballistic missile and nuclear, chemical, and biological weapons programs.

These new actors increase the spectrum of threats we and our allies must face, and this uncertainty places a larger burden on the U.S. nuclear umbrella to assure our allies. Our nuclear and conventional forces must be strong enough to deter any aggressor or combination of aggressors for the foreseeable future.

However, we believe the Obama administration was narrowly centered on the issue of "resetting" U.S. relations with Russia which focused almost exclusively on bilateral nuclear stability between the United States and Russia in these negotiations and paid little attention to the question of maintaining multilateral nuclear stability in an uncertain and proliferated world.

New START supposedly establishes a ceiling of 1,550 warheads on strategic nuclear delivery vehicles. Yet, due to the porous limitations and permissive bomber and other counting rules, that would allow unlimited air-launched cruise missiles and could include other uncounted options like sea-launched cruise missiles, there is a distinct possibility that by the end of the ten-year life of this treaty Russia will easily have well over 2,000 real--as opposed to accountable--deployed strategic nuclear warheads and thousands of tactical nuclear warheads. At the same time, China could have on the order of 500 to 1,000 warheads, Pakistan and India could have roughly 150 each, and Iran and North Korea could have roughly 50 each. This, of course, excludes the weapons that may be retained by our allies including France and Great Britain.

Thus, the United States may need to address the requirements for deterrence with a force of 1,550 deployed strategic warheads in a world where cumulatively the rest of the world could retain more than double this number, and in the context of an unpredictable coalition dynamic.

Yet, as Secretary of Defense Gates answered, the Department of Defense's "Office of Net Assessment was not tasked to provide a net assessment of the New START Treaty's numerical limitations." Before New START was signed, the Office of the Net Assessment should have been directed to study the appropriateness of the numerical limitations imposed by New START, the qualitative structure of the U.S. strategic nuclear forces under the treaty, and how the United States would attempt to maintain deterrence and assurance in this

proliferated environment. And Senators should have been given access to the analysis U.S. Strategic Command provided to the Department of Defense before they were asked to vote on the Resolution of Ratification.

U.S. military leaders have testified that New START allows the U.S. forces necessary for deterrence. However, there are also three fundamental assumptions underlying this conclusion; each of which is optimistic in the extreme--(1) U.S. planning guidance for strategic forces would remain the same; (2) there would be no requests for an increase in forces; and (3) Russia would be compliant with New START. Assuming Russian treaty compliance violates the historical record, and it ignores the very real evidence of renewed Russian nuclear threats to U.S. allies and friends.

In addition, there are many plausible threat scenarios, including many not involving Russia, that could emerge during the tenure of New START that would demand significant changes in current planning and new deterrence requirements. Would New START provide the necessary forces and flexibility if the administration's three optimistic assumptions do not hold? We do not believe it does.

Instead of looking at the new and shifting 21st century challenges, New START embraces the paradigm of the Cold War by focusing only on Russia with its porous limits on nuclear warheads, delivery vehicles, and inspection regimes. As Secretary of State Clinton stated, "the New START Treaty is needed in order to provide a critical framework for the strategic nuclear relationship between the United States and Russia." Secretary Clinton's comment by definition ignores the nuclear forces that exist or will exist shortly in other countries. And the lack of precise definitions and inclusion of other provisions in New START means that U.S. offensive and defensive conventional forces could be substantially constrained.

Already, Russia is below New START's limits on strategic delivery vehicles and launchers due to atrophy of its strategic nuclear force. The only party that will actually have to eliminate strategic delivery vehicles and launchers under the provisions of the treaty is the United States.

New START is a bad deal coming and going: it neither places effective limits on a future Russian renewal of its strategic nuclear forces (the beginnings of which already can be seen), nor does it demand real Russian reductions now. This the administration touts as a great negotiating accomplishment.

From these issues come a list of our specific concerns for U.S. security and that of our friends.

MISSILE DEFENSE

First, missile defense is a key component of our defense posture--and that of our allies. It is clear there is a fundamental disagreement between the United States and the Russian Federation on missile defense and what constitutes any qualitative or quantitative improvements. If a treaty is supposed to show points of agreement, this treaty falls far short.

Lacking consensus, the Obama administration says that the preamble of the treaty, which mentions an "interrelationship between strategic offensive and defensive arms that will become more important as strategic arms are reduced," was a non-binding concession given to appease the Russians. Russian officials, in turn, say that it is legally binding and that they would like to recreate the 1972 Anti Ballistic Missile

treaty that severely limited missile defense. Despite the preamble, this treaty also limits missile defense in Article V. While this administration has stated it has no plans to act in a way inconsistent with Article V, a future administration may find these limits unacceptable. Under New START, the administration has created new missile defense limitations in the body of treaty, and opened the door to more restrictions.

This treaty, and the debate during the Foreign Relations Committee's business meeting, also highlights a fundamental contrast between treaty supporters and ourselves on the effect missile defense systems have on strategic stability. Senator Lugar's efforts to limit further damage to missile defense in his Resolution of Ratification go a long way, but do not fully alleviate our concerns. We were particularly troubled by the lengthy debate over whether it was in the national security interest of the United States to move away from the policy of mutual assured destruction toward a fundamentally defensive posture. Senator DeMint's amendment sought to address this 20th century thinking, but the concern, voiced by administration officials during the business meeting, over words like "remain committed" to a layered ballistic missile defense capability in his amendment, is quite disturbing.

For more than 50 years, the Russians have argued against U.S. missile defense plans and we have no doubt that, despite Senator Lugar's language, the Russians will attempt to use the Bilateral Consultative Commission as a forum to discuss missile defense plans and seek further concessions. For all of this capitulation to the Russians on this issue, it is still unclear what the United States received for making this concession.

Given all of the concerns expressed by Senators and the adamant insistence that nothing was "given away," it is still perplexing that the administration is unwilling to share the negotiating record with the Senate on this important topic. If the negotiating record is as the administration has described, and the President had approached the Senate as a partner in the ratification process, many of these concerns could have been addressed quickly.

However, answers to Senator Wicker's questions for the record on missile defense called into question the commitment of the Obama administration to fully implement the Ballistic Missile Defense Review Report from February 2010, and the objection to further efforts by Senator Barrasso, Senator Risch, and Senator Inhofe to amend the treaty and Resolution of Ratification further eroded our confidence in the administration's commitments on this important issue.

TACTICAL NUCLEAR WEAPONS

Second, what is even more perplexing is that if the preamble language is non-binding, then why did the administration forgo seeking an equal statement on tactical nuclear weapons? If missile defenses and conventionally-armed ballistic missiles are relevant to strategic nuclear reductions, why is there no linkage with nonstrategic nuclear weapons, such as Russia's plan to develop long-range, nuclear-armed, sea-launched cruise missiles?

The United States has made enormous security commitments to allies around the world, and especially to our NATO partners. The United States is a protector of many, while Russia is a protector of none, and U.S. extended deterrence is intended to protect and assure these countries against attack as much as it is to protect the United States.

As a result, Russian tactical nuclear weapons deployed on

the borders of our NATO allies--but based inside of Russian territory--represent a very real threat. However, with a small number of U.S. tactical nuclear weapons in Europe, U.S. extended deterrence is provided in large part by U.S. strategic nuclear forces. This is the course the United States has chosen for decades. Hence, there is a long-standing interrelationship between strategic and tactical nuclear weapons, that can undermine deterrence and the assurances of allies when the United States accepts limits that reduce the flexibility of our strategic forces and cuts strategic warheads so low that Russia's tactical arsenal alone dwarfs the entire U.S. nuclear arsenal.

Sadly, the Obama administration does not seem to understand this relationship. As Secretary Clinton stated, "tactical nuclear weapons do not directly influence the strategic balance between the United States and Russia." Unfortunately, because of this narrow thinking, President Obama removed the issue of tactical nuclear forces from the negotiations so early that he denied negotiators one of the few points of leverage that could have guaranteed missile defense would not have been in the treaty.

The Committee's Resolution of Ratification only offers a simple declaration regarding how to address the disparity between the United States and Russian tactical nuclear weapons. We do not share the administration's optimism that this treaty will lead to an agreement on tactical nuclear weapons. Russia is currently not honoring its commitments under the Presidential Nuclear Initiative of the early 1990s regarding these weapons and the rejection by the committee of Senator Risch's amendment regarding this issue highlights the unwillingness to deal with it.

CONVENTIONAL PROMPT GLOBAL STRIKE

Third, New START places limits on conventional strategic offensive capabilities and further limits U.S. deterrence flexibility and options. As the State Department Bureau of Verification, Compliance, and Implementation website states: "long-range conventional ballistic missiles would count under the treaty's limit of 700 delivery vehicles, and their conventional warheads would count against the limit of 1,550 warheads."

The administration attempts to justify this situation by saying START I did not make a distinction between nuclear and conventional warheads on ballistic missiles. However, START I was also written 20 years ago, before advancements in military technology and U.S. capabilities were able to envision new types of systems. While conventional prompt global strike (CPGS) is still an infant technology, the limitations in New START substantially restrict further development and deployment of the most mature technology, instead betting on as of yet unproven advanced technologies, and in the process limiting U.S. options to respond to future threats, which was another key goal of the Russian Federation.

U.S. engagements in Iraq and Afghanistan have shown that advancements in military technology can be instrumental, but they have also shown the limitations of integrating existing technology with time-sensitive information. CPGS could offer an incredible capability to swiftly respond to a threat anywhere in the world, and eliminate the threat before it matures.

Whether emerging threats come from non-state actors, terrorist organizations, or rogue nations, this capability could also provide the President with a valuable and scalable

option to respond to emerging threats without the need to rely on nuclear force, such as a rogue nation with only a few nuclear weapons. If required to conduct a large-scale conventional military operation in an anti-access environment, the U.S. military could also find a weapons system like this necessary.

The unwillingness of the Obama administration to understand this changing dynamic or to protect American interests and flexibility is dangerous. These constraints are more troubling when President Obama argues that New START's reductions are acceptable because the United States has such a strong conventional force-endorsed by Secretary Gates in his written answers. Yet, Secretary Gates is also pushing to cut spending on U.S. conventional capabilities, and simultaneously seeks to transfer \$5 billion from our military to the Department of Energy.

It is disconcerting that the only place where President Obama could find money for modernization was the Department of Defense. The founding mission of DOE was to ensure that the building and maintenance of U.S. nuclear weapons remained in civilian hands. Sadly, it appears the core mission of DOE is now a low priority, but our conventional military forces and their readiness should not have to suffer because of misplaced priorities at the DOE.

Since this treaty was intended to focus on strategic nuclear reductions, the inclusion of CPGS remains dubious. Although the State Department's analysis determined that CPGS options would count under the treaty's central limits, it remains unclear if it is really compelled by the terms of the treaty or is simply the intent of the negotiating parties. Because the Obama administration again refuses to share the negotiating record, the Resolution of Ratification should have included an understanding or reservation that an intercontinental ballistic missile (ICBM) or submarine-launched ballistic missile loaded with only a conventional warhead should not count towards the treaty's central limits pertaining to either delivery vehicles or warheads.

At a minimum the existing resolution should be expanded to ensure that it is not in the jurisdiction of the Bilateral Consultative Commission to limit the deployment of CPGS systems of the United States.

INSPECTIONS AND VERIFICATION

If the United States is to accept increased uncertainty and risk, then we should have absolute confidence in our ability to monitor the Russians and verify compliance. However, the effectiveness and adequacy of any arms control treaty's verification measures ultimately depends on what and how the treaty limits operate. By reverting back to the Cold War standard of U.S.-Russian strategic nuclear parity and basing deterrence on mutual nuclear threats, New START establishes the need for the kind of vigorous verification measures found in the START I treaty.

Despite Secretary Clinton's comment that this treaty ``provides detailed rules and significant transparency regarding each side's strategic forces through its extensive verification regime,'' we do not share the administration's confidence. To the contrary, verification in this treaty is very weak in comparison to START I, especially for the warhead limit.

First, quality is just as important as quantity because the details matter and the treaty falls short on both counts. Over

the life of START I the United States conducted roughly 600 inspections; under New START we are limited to 18 annually (180 total). With 35 Russian facilities and only 17 U.S. facilities to inspect, Russia begins at a significant advantage.

Second, the Obama administration has touted New START's inspection regime as being a monumental shift toward counting actual warheads, instead of using attribution accounting rules. However, the treaty relies on an annual limit of ten Type I inspections, which would provide the United States with visibility on only about two to three percent of the entire missile force each year. Conveniently, these are the same kind of inspections that the Russians illegally obstructed, for certain types of missiles, throughout the START I Treaty. Now, that obstruction seems to be acceptable practice.

Fortunately, START I did not rely on these inspections alone for verification; it wisely relied primarily on our National Technical Means (NTM) to verify an "attribution" rule that in general, counted warheads based on their demonstrated capability. (Under this rule, a missile type was considered to have a certain attributed number of warheads, such that warhead verification became an exercise of simply multiplying numbers of missiles observed with satellites multiplied by the attributed warhead number.)

New START abandoned many limitations on strategic nuclear weapons as well as this tried and true verification structure, and relies instead on good Russian inspection behavior for verification. This is unwise. If the Russians continue their obstruction, our ability to verify the warhead limit will be substantially degraded. Hypothetically, even if the Russians departed from past practice and did not obstruct the inspections, their utility is still inherently limited.

The Russians are not required to tell us how many warheads are located on each missile at the initial data exchange. Instead, it's only after a U.S. inspection team declares its intention to visit a missile site that the Russians will declare how many re-entry vehicles are deployed on missiles located at that inspection site. The U.S. team then gets to look at only one of those missiles. There is no way to determine from this single inspection whether the rest of the Russian missile force also contains that number of warheads. The United States cannot deduce from so few inspections whether Russia is complying with the overall 1,550 limit. No one should be under the illusion that we are "counting" Russian warheads. The lack of confidence in verifying this central limit undermines confidence in the entire agreement.

Third, the warhead limit is not our only verification concern. START I's reliance on NTM to verify its warhead limits was buttressed by two other key measures, both of which were dropped from New START--(1) continuous portal/perimeter monitoring at the Russian assembly plant for mobile ICBMs (the type most difficult to monitor with NTM); and (2) full access to telemetry, which is extremely useful for understanding missile systems, including whether the Russians were complying with START I's prohibition on flight-testing missiles that exceeded the warhead limit for each type of missile. As a result of New START's omission or limitation of these important verification measures, the uncertainty with respect to Russian mobile ICBM production and overall missile capabilities will increase substantially. Secretary Gates admitted in his testimony before the committee that U.S. ability to monitor this treaty would decline over time.

As the number of nuclear weapons decreases, verification becomes even more important and must become more robust because

the benefits of cheating increase. On this point New START moves completely in the wrong direction.

COMPLIANCE

As we referenced earlier, Russia has a long track record of ignoring international agreements that it has signed. Russia repeatedly violated START I all the way to its expiration in December 2009, as clearly stated in the 2005 and 2010 State Department Compliance Reports.

Specifically, Russian failures to comply with telemetry sharing under START I raises concerns about U.S. access to data, and New START does nothing to ensure telemetry is shared regarding ballistic missile delivery vehicles for warheads. It simply leaves this issue to the BCC to resolve at some later point.

Russia has also directly impeded U.S. inspectors' ability to accurately account for the number of reentry vehicles (RVs) on ballistic missiles, which again speaks to the efficacy of the Type I inspections under New START. As the 2005 State Department report noted, "Russian RV covers, and their method of emplacement, have in some cases hampered U.S. inspectors from ascertaining that the front section of the missiles contains no more RVs than the number of warheads attributed to a missile of that type under the treaty."

In addition, the U.S. government has serious concerns with Russian compliance on the Chemical Weapons Convention, the Biological Weapons Convention, and the Conventional Forces in Europe Treaty.

Russia has a long history of acting in bad faith and violating arms control agreements and commitments. The disregard for international arms control treaties when it does not suit Russian interests provides little support to the assumption that Russia will in good faith comply with the New START Treaty.

MODERNIZATION

According to Secretary Gates, the United States is the only nuclear nation that is not currently pursuing nuclear modernization. The French, Russians, British, and others are constantly designing and building new weapons so that their scientists and engineers do not lose critical skills. Secretary Gates has also made clear that nuclear modernization is a prerequisite to nuclear reductions. As he stated in a speech to the Carnegie Endowment, "To be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program."

Sadly, the United States has starved its own capabilities for so long that we have lost core competencies in our ability to maintain current weapons as well as have the capability to design and build new weapons. As some, including professors Keir Lieber and Daryl Press, have pointed out the United States must preserve options.

In our opinion this does not mean we currently need to build new weapons immediately, but it does mean that if the United States wants to remain a leader in the international system, we cannot cede this ability to other nations. It is imperative that we unshackle our scientists and allow them the freedom to pursue scientific discovery as they see fit. Simply turning them into systems analysts for weapons that were designed 30 years ago does not keep the United States on the

cutting edge. Unfortunately, President Obama's Nuclear Posture Review (NPR) does precisely that.

In a letter signed by ten former DOE National Lab Directors to Secretary Gates and Secretary of Energy Chu they stated:

Unfortunately, we are concerned that language in the NPR imposes unnecessary constraints on our engineers and scientists when it states that ``the United States will give strong preference to options for refurbishment or reuse," and that the replacement of nuclear components ``would be undertaken only if critical Stockpile Management Program (SMP) goals could not otherwise be met, and if specifically authorized by the President and approved by Congress."

Based on our experience as former laboratory directors, we believe this ``higher bar" for certain life extension options will stifle the creative and imaginative thinking that typifies the excellent history of progress and development at the national laboratories, and indeed will inhibit the NPR's goal of honing the specialized skills needed to sustain the nuclear deterrent. If these skills are not exercised, they will be lost. Moreover, the United States is already taking on a certain amount of risk by not testing its nuclear weapons. Failure to preserve nuclear weapons skill sets will add further risk, and unnecessarily so.

Further, President Obama and his administration must commit the levels of funding necessary to modernize our nuclear complex, the warheads themselves, and the delivery vehicles and platforms necessary for our nuclear deterrence. While President Obama's fiscal year 2011 budget and Section 1251 plan are a good start, it is clear that it does not completely meet the needs for the nuclear complex. And the Resolution of Ratification could do more to ensure the President honors his commitments to modernization.

While many focus on the warheads themselves, the modernization of U.S. strategic delivery vehicles and platforms that make up the nuclear triad is also vitally important. Unfortunately, the funding as outlined by the Secretary of Defense is barely adequate to replace the Ohio class submarines, but leaves virtually no funding for intercontinental ballistic missile (ICBM) life extensions, a follow on ICBM to replace the Minuteman III, a new long-range bomber, and a follow on to our aged air-launched cruise missile. In the absence of such modernization programs, the U.S. strategic forces will not retain the survivability and flexibility that is necessary to deter enemies and assure allies. This raises questions about the intentions of this administration. Senators have been told that maintaining the nuclear triad is vital to ``stability" at the reduced force levels in the treaty, but after years of delay the administration has yet to make any decisions about strategic delivery vehicles beyond a replacement submarine.

We believe the committee's proposal for advancing nuclear weapons modernization is of uncertain reliability. The administration itself has stated explicitly that its highest nuclear policy priority is non-proliferation and movement toward nuclear disarmament. The Resolution of Ratification includes a provision designed to ensure sustained funding for the President's ten-year plan for preserving the safety, reliability and performance of U.S. nuclear forces, which he

submitted pursuant to section 1251 of the National Defense Authorization Act for Fiscal Year 2010. This provision purports to embody a deal between the President and the Senate to sustain nuclear weapons modernization for ten years in exchange for Senate consent to the ratification of New START.

Such a deal is made necessary by what we believe is the accurate assumption that the President does not favor the provisions in the section 1251 plan on their merits, but only as a means for securing the ratification of New START. Nevertheless, the relevant provision in the Resolution of Ratification leaves it to the President alone to determine if resources become inadequate to support the plan and trigger the reporting requirement to identify the additional resources to preserve nuclear modernization.

Senators Inhofe and Risch's efforts on this were additional steps to ensure the specific modernization of our strategic delivery vehicles, and while the committee accepted a modified version of Senator Risch's amendment, it does not satisfy all of the concerns we have.

PROCESS

We are also very disappointed in the lack of respect for the constitutional role that the Senate plays in any treaty process. Some treaties require more scrutiny than others, and sadly, the process by which this treaty has been considered by the Senate Foreign Relations Committee has been negligent. In May when hearings were first starting, seven Senators on this committee requested nine witnesses (letter attached). Some of these individuals support the treaty and some do not, but Senators felt these voices were important and necessary to cover the breadth of concerns.

In twelve hearings there were only two voices of opposition out of twenty-two. This is a far cry from the normal precedent of the minority being allowed to have one witness on each panel. Also, the fact that no former national lab directors were invited to testify demonstrated a lack of balance and serious scrutiny on key issues. When all the witnesses have been hand-picked by the chairman to avoid critical voices, the argument that this treaty has been fully vetted and endorsed by witnesses lacks credibility.

Given a stacked deck of witnesses, it is even more troubling that questions for the record were not answered in a timely manner. In fact, the administration did not provide substantive answers to any questions for the record until after the last administration witness testified. The desire of the Obama administration to avoid serious and thoughtful consideration of the merits of this treaty only leaves us to speculate why the administration was filibustering Senators' requests for more information.

Further the administration delayed releasing reports, which would have provided the larger context necessary for Senators to understand. These reports included a National Intelligence Estimate, Force Structure report, State Department Compliance Reports, and other documents (letter attached). With some provisions of this treaty so contentious, providing the negotiating record on these points would have been a wise and prudent gesture. The insistence on trusting administration officials without any supporting documentation simply undermines their credibility.

The rush to ratify this treaty and avoid scrutiny has been of serious concern, and the argument made by some administration officials that any Senator standing in the way

was doing so for political reasons is inappropriate and disrespectful.

While the administration wants to see New START in place to restart the inspections that have been absent since START I expired in December 2009, we do not believe their mistakes should force the Senate to surrender its obligations or due diligence. START I provided a five year extension to keep inspections in place, which the administration did not exercise. And Senator Lugar introduced the START I Treaty Inspections and Monitoring Protocol Continuation Act to do likewise. We voted for this legislation when it came before the Foreign Relations Committee, but the administration was uninterested in this approach.

However, it should be clear that the Obama administration took five months after START I's expiration to complete the treaty's negotiations, sign it, and send it to the Senate. Why was the anniversary of President Obama's speech in Prague a more important deadline than the expiration of START I? More importantly, it took the administration more than 12 months to negotiate this treaty, but it has sought the ratification of this treaty through the Senate in less than five months.

To put this in context, the Senate considered START I for almost an entire year, and the Moscow Treaty, which was much shorter and far less complex than New START laid before the Senate for almost nine months. The rush to ratification undermines the important role of advice and consent that the Senate must exercise on any treaty of this magnitude.

Combined with a lack of transparency, the rush creates an impression that the administration is hiding something. Given the changing nature of global security, a more thoughtful and measured approach should have been taken, and the administration should not have filibustered Senators' requests for information and clarity.

CONCLUSION

In conclusion, we believe the treaty will substantially limit U.S. flexibility and constrain the overall strategic posture of the United States in a way that emerging threats and nations could weaken U.S. national security, undermine security for important friends and allies, and possibly encourage proliferation. The United States appears to have received nothing in return for its concessions on strategic nuclear force levels, conventional strategic forces, or missile defense. The treaty effectively requires unilateral U.S. reductions and its limitations are so porous and permissive that it does not place effective ceilings on the slowly emerging comprehensive Russian strategic modernization program. Moreover, these concessions in New START deprive the United States the leverage that would be necessary for negotiating any future meaningful nuclear reduction agreements.

While we believe the Committee's Resolution of Ratification serves to identify the most important flaws and weaknesses either derived from, or found within, New START, we cast our votes in opposition to reporting New START to the Senate for consideration based on our view that the proposed remedies in the Resolution of Ratification adopted by the Committee are insufficient. We sincerely hope these issues can be resolved before a final vote on the floor of the U.S. Senate.

Paula A. DeSutter

Paula A. DeSutter served as Assistant Secretary of State for Verification and Compliance from 2002- 2009. Prior to her confirmation as Assistant Secretary, Ms. DeSutter served for over four years as a Professional Staff Member of the U.S. Senate Select Committee on Intelligence (SSCI). Ms. DeSutter held numerous positions in the Verification and Intelligence Bureau in the Arms Control and Disarmament Agency (ACDA) and spent two years at the National Defense University as a Senior Visiting Research Fellow at its Center for Counter- Proliferation Research.

Ms. DeSutter holds Master of Arts Degrees in both International Relations and Economics and a Master of Science degree in National Security Strategy from the National War College. Ms. DeSutter's publications include numerous articles and *Denial and Jeopardy: Deterring Iranian Use of NBC Weapons* (NDU Press, 1998).

QUESTIONS SUBMITTED BY MEMBERS POST HEARING

FEBRUARY 26, 2019

QUESTIONS SUBMITTED BY MR. COOPER

Mr. COOPER. As the floor manager in the Senate for every arms control agreement from INF through New START, did you ever think you would see a Republican president follow the Russian lead in abandoning the INF treaty and to create doubt about even extending New START?

Senator LUGAR. Many things have happened in the past two and a half years that I never thought I would see.

Mr. COOPER. Is there any way to persuade John Bolton and President Trump that the U.S. should hold Russia's feet to the fire of having breached the INF Treaty and even try to expand the Treaty to include China instead of abandoning it?

Senator LUGAR. As I noted in my testimony, "jettisoning treaties that provide a legal framework for exposing Russian violations achieves nothing." However, I believe it is unlikely that this White House will reverse course and go back to the negotiating table to try to save the treaty. Russia has given no indication that it would meet U.S. demands for an inspection of its noncompliant missiles; and the United States is similarly unwilling to address Russia's concerns about U.S. treaty compliance, notably the fielding of U.S. missile defense interceptor launchers in Europe that Moscow says could be used to launch offensive missiles in violation of the agreement. In his Feb. 6 State of the Union address, Trump alluded to negotiating a new intermediate-range missile agreement that would also include China, but the administration has not yet raised the issue with China, which possesses hundreds of land-based, intermediate-range missiles. Joining the INF Treaty would mean that China would have to eliminate 95 percent of its missile arsenal. Limits on Chinese military capabilities are worth pursuing, but we will have to put something on the table in return.

Mr. COOPER. What would be the national security risks of allowing the New START Treaty to expire without any serious effort to extend or renegotiate it?

Senator LUGAR. If New START is allowed to expire without a replacement, there will be no legally binding limits on the world's two largest strategic nuclear arsenals for the first time since 1972. The collapse of the U.S.-Russia arms control architecture would mean Russian nuclear forces were unconstrained, our ability to verify what Russia is doing would be curtailed, and the incentives to engage in costly nuclear competition would be magnified. I agree with the conclusion of a recent Center for Naval Analyses report: "If New START expires without an imminent replacement treaty, the United States would face increased risks and uncertainties in its relationship with Russia, its nuclear non-proliferation strategy, and its ability to sustain solidarity within the North Atlantic Treaty Organization (NATO)." Without the treaty's monitoring and verification regime, the United States would probably need to divert resources to observing Russian nuclear forces via national technical means but would not be able to completely make up for the loss information provided by the treaty. Without the treaty's constraints, the United States and Russia would each have incentives to invest in costly increases to the size of their arsenals.

Mr. COOPER. You noted in your testimony that the Arms Control, Verification and Compliance Bureau is losing staff. In your view, what are the reasons for staff leaving? Do you have ideas on ways to retain and add the staff necessary to police current arms control treaties and agreements, and to negotiate and implement future treaties and agreements?

Ms. DESUTTER. The short answer is that the Verification and Compliance Bureau was created by Congress against the wishes of the Department of State, and unfortunately the Department has generally treated the Bureau, its mission, and its personnel as the "skunks at the garden party." It is demoralizing to work in an organization whose efforts and accomplishments are unwanted, unappreciated, or outright rejected by the Department of State Bureaucracy, especially the office to which it reports, the Under Secretary for Arms Control and International Security (T). The Bureau is a creature of Congress, and only with ongoing Congressional interest, oversight, and support will it stand any chance of fulfilling the mission for which Congress created it.

The full answer to your question, Mr. Cooper, requires a bit of historical perspective. When the U.S. Arms Control and Disarmament Agency was merged into the

Department of State in 1997, Congress, specifically the Senate Foreign Relations Committee Chairman and Ranking Member, Senators Helms and Biden, made clear that the verification and compliance aspects of arms control agreements be given a voice at the most senior level of the Executive Branch, through the creation of an Assistant Secretary for Verification. Senators Lugar and Biden continued to hold this view. In 1999, the Chair and Vice Chair of the Senate Select Committee on Intelligence, Senators Shelby and Kerrey, underscored the importance of a State Department Bureau focused on the verification and compliance function—and separated from the arms control negotiation function. They noted that: “previous efforts to merge these functions were rejected in three previous Administrations.” The Bureau’s creation was made law in the “Arms Control and Nonproliferation Act of 1999”, contained in the omnibus Appropriations Act, Public Law No: 106–113.

I served as the second Senate-confirmed Assistant Secretary of State for Verification and Compliance. In that capacity I welcomed a close working relationship with both Houses of Congress, especially on such matters as implementing Libya’s decision to give up its weapons of mass destruction, and in trying to get Russia to comply with its treaty obligations. I hold the firm belief that when the Executive and Legislative Branches are understood by other nations to have a common view, other nations are far more willing to cooperate. This perspective may be demonstrated in the 1991 unclassified Krasnoyarsk radar case study provided to the Director of the U.S. Arms Control & Disarmament Agency and appended in answer to Mr. Garamendi’s Question 15.

In 2005, the Department merged the functions of the State Department Arms Control Bureau with the Department’s Bureau of Nonproliferation. Because the Verification and Compliance Bureau was enacted in law, formal changes could not be made to its functions, but it was determined that the Assistant Secretary would be responsible for some negotiation and implementation functions, specifically, overseeing the Conventional Forces in Europe Treaty, including the Review Conference, and negotiating a follow-on to START with the Russian Federation. The name of the Bureau was changed within the Department to the Bureau of Verification, Compliance and Implementation. As a verification purist, I neither sought out these missions nor wanted them, explaining to the Under Secretary for Arms Control and International Security that I would prefer to have my fingernails broken below the quick. Although I of course sought to represent the United States as best I could in these fora, these missions were a significant drain on our efforts to focus on verification and compliance assessment.

While the Bureau with responsibility for negotiating with North Korea in the Six Party Talks, the East Asia and Pacific Bureau (EAP), successfully kept Bureau personnel from having a direct influence on the Talks throughout the Bush Administration, during the 2nd Bush Administration term the acting Under Secretary for Arms Control and International Security assisted EAP in its efforts. While I had initially disagreed with the assessment of the Inspector General that the VC Bureau should report directly to the Secretary, I subsequently think that might be best.

Perhaps emboldened by the addition of some negotiating missions to the Bureau while it was under my leadership, Secretary Clinton went further by moving more negotiating functions to the Bureau under the new title she gave it: the Arms Control, Verification and Compliance Bureau. I believe that the addition of the arms control negotiating functions was a distraction from the legally mandated core missions and thus a likely contributor to what I believe to be the low verifiability of both the New Start Treaty and the Joint Comprehensive Program of Action (JCPOA).

To reiterate, any organization will lose its best staff if their work is ignored and rejected, and if senior personnel cut them out of the action. As I noted in my oral statement, I believe the Trump Administration should recreate the Reagan Administration’s Arms Control Verification Committee (ACVC) to enhance the strength and effectiveness of the Bureau.

If Congress wants an organization, especially one that is a creature of Congress like the Verification and Compliance Bureau, to succeed and be able to not only exert the appropriate influence within the Executive Branch but also to be able to provide Congress with the best, most reasoned and rigorous analysis possible, all relevant Committees must be—and be seen by the bureaucracy to be—its allies and supporters.

QUESTIONS SUBMITTED BY MRS. DAVIS

Mrs. DAVIS. Thank you all for your testimonies and for your past and current efforts to make our world a safer place. I’d like to know your respective opinions on

where and how Congress should move forward from here in working with this administration, given that the Administration has functionally decided to withdraw from the Treaty.

Senator LUGAR. Congress has the ability to press the administration on its strategy to prevent a new Euro-missile race and increased instability in the absence of the INF Treaty. Congress, via the power of the purse, also has the ability to prevent the administration from taking steps, such as testing and fielding new and unnecessary land-based intermediate-range missile systems, that would result in a new Euro-missile race and increased instability. Several members of Congress have already proposed legislation along these lines. For example, Congress could condition funding to develop new missiles on receipt from the administration of a comprehensive military, economic, and diplomatic strategy to bring Russia back into compliance with the treaty. Congress could also condition funding for new missiles on agreement among all NATO allies that such missiles are needed.

Mrs. DAVIS. Why do you think Russia decided to violate the INF treaty and what are their motivations for alleging U.S. violation of the treaty? As this Administration notes, they have not violated the New START Treaty. What explains Russian behavior?

Senator LUGAR. The reasons for Russia's violation are unclear. But I believe the violation was likely due to a number of factors, including a desire to augment Russia's theater strike capabilities, provide another option to evade U.S. and NATO missile defenses, internal inter-military service rivalry within Russia, and a longstanding view that the INF Treaty disproportionately constrained Russia given that several states that border or are near Russia are not parties to the treaty and possess land-based intermediate-range missiles. None of which is to excuse Russia's illegal and egregious violation. Based on the information divulged publicly by the U.S. government to date, it appears Russia believed it could covertly develop the 9M729 without getting caught. If Russia believed that the INF Treaty was no longer in its interest, it could have legally exercised the withdrawal provision contained in the treaty. Unfortunately, Russia's decision to violate the treaty is consistent with other actions it has taken in contravention of international law. I believe Russia continues to abide by New START because it benefits from the legally-binding caps on U.S. nuclear forces and insight about U.S. nuclear forces provided by the treaty's monitoring and verification provisions. It should be noted that Russia is developing new kinds of strategic weapons that it claims are not subject to New START because the weapons fly on non-ballistic trajectories. I believe the United States should seek engage Russia on limiting these systems and that an extension of New START would provide the time and space to do so.

Mrs. DAVIS. Thank you all for your testimonies and for your past and current efforts to make our world a safer place. I'd like to know your respective opinions on where and how Congress should move forward from here in working with this administration, given that the Administration has functionally decided to withdraw from the Treaty.

Ambassador VERSHBOW. As I stated in my testimony, the Administration's decision to withdraw from the INF Treaty was legally justified but politically questionable. Legally, Russia is clearly in material breach of its obligations by developing, testing and now deploying a ground-launched cruise missile, the 9M729, with a range that far exceeds the Treaty limit of 500 kilometers. But instead of continuing to pressure Moscow to reverse its violation of the Treaty, the Administration has given Russia free rein to deploy more illegal 9M729s and other new ballistic and cruise missiles that could increase the threat to U.S. forces in Europe and to the security of our NATO Allies.

I would recommend that the Congress continue to urge the Administration to pursue a successor agreement to the INF Treaty that could, at least, mitigate the effects of the loss of the INF Treaty. One possible solution would be to challenge Russia to agree to a mutual renunciation of all nuclear-armed, land-based INF-range missiles (including the 9M729) and to agree to mutual inspections to verify that no nuclear-armed versions are deployed by either side. As part of this arrangement, the United States and its allies could agree to Russian inspections of the U.S. missile defense sites in Romania and Poland to confirm that they have no offensive capability as Moscow has alleged. In addition, the sides could agree to numerical limits on permitted conventionally-armed systems.

Another solution would be for the United States and Russia to agree to refrain from deploying any land-based INF systems in or within range of Europe, while permitting some agreed number of such systems in Asia. We could invite China to participate in such an arrangement as well.

A successor agreement along the above lines could help maintain stability and avert an unconstrained competition in intermediate-range systems. It could also im-

prove the climate for negotiations on an extension or strengthening of the New START Treaty prior to its expiration in 2021 (which I strongly favor).

Until we have exhausted the possibilities for a successor to the INF Treaty, we should proceed cautiously on the question of military countermeasures. We should review the options in close consultation with our NATO Allies, as we did in the 1970s in preparing the dual-track decision, since the Allies could be caught in the middle of any new U.S.-Russian missile competition in Europe.

Mrs. DAVIS. With respect to NATO and our Allied Partners: do you have specific recommendations on a constructive manner to seek stakeholder input in the face of an administration that has appeared to question its existence? And given your experience in both Europe and Asia, please describe the political challenges with attempting to base intermediate range missiles on Allied territories. Do you believe they are necessary to defend the United States and our Allies?

Ambassador VERSHBOW. The United States is likely to be more successful managing the consequences of Russia's violation of the INF Treaty if we act in close coordination with our NATO Allies. This is the lesson to be drawn from the original INF dual-track decision taken by NATO in 1979. The dual-track decision was a powerful demonstration of how to negotiate from a position of strength. It not only led to the elimination of an entire class of nuclear weapons, but gave impetus to talks to reduce strategic weapons and conventional armed forces in Europe as well.

In the wake of the Russian violation of the Treaty and deployment of the illegal 9M729 ground-launched cruise missile, we should consult closely with our Allies—in Europe and in Northeast Asia—on the full range of potential response options, both conventional and nuclear. There may be some responses involving air-launched and sea-launched systems that could neutralize the deep-strike threat posed by the 9M729 but would not require Allied agreement to base new systems on their territory, which could be politically controversial.

If the U.S. and its Allies decide that ground-based systems are necessary to deprive the Russians of any military advantage from the 9M729, we should consider options that minimize the chances of a popular backlash as much as possible—keeping in mind that Russia will do everything possible to foster public opposition using threats and disinformation. It may be easier to secure Allied agreement to base new weapons on their territory if the systems are conventional and do not require any change in NATO's existing nuclear posture or the U.S. nuclear posture in the Pacific. As was the case in Europe in the 1980s, to allay public anxieties our Allies may favor a dual-track approach in which we offered to reduce or eliminate our deployments if Russia agreed to reduce or eliminate its deployed 9M729s and other INF-range systems.

Mrs. DAVIS. Why do you think Russia decided to violate the INF treaty and what are their motivations for alleging U.S. violation of the treaty? As this Administration notes, they have not violated the New START Treaty. What explains Russian behavior?

Ambassador VERSHBOW. The INF Treaty was always controversial within the Soviet Union and Russia. Gorbachev overruled Soviet military leaders in agreeing to give up the then-new SS-20 missile and the USSR's other INF systems. They considered retention of ground-based missile systems as vital for the USSR, as a land power.

In 2005, senior Russian officials proposed that the United States and Russia “jointly withdraw” from the INF Treaty, arguing that the strategic situation in Eurasia had changed dramatically since the INF Treaty was concluded in 1987. They pointed to the emergence of medium- and intermediate-range ballistic missile threats on Russia's periphery, and argued that Russia needed its own medium- and intermediate-range systems to deter these threats. The United States declined to take Russia up on its offer for a joint withdrawal from the INF Treaty.

Clearly, Russia did not abandon its ambition to break free of the INF Treaty's restrictions in 2005. Moscow continued to modernize its air- and sea-launched cruise missiles (which it has demonstrated to great effect in Syria), and chose the clandestine route to the development of an intermediate-range ground-launched cruise missile, the 9M729, perhaps expecting it would not get caught.

Even with the exposure of its violation, Russia appears determined to retain these systems because of the capability they provide to strike theater-level targets in both Europe and Asia. The 9M729 also supports Russia's evolving Anti-Access Area Denial (A2AD) strategy, which seeks to deny the United States and NATO access to key ports, airfields, and command and control nodes during a conflict. As a mobile system, the new system also improves the survivability of Russian theater-strike systems.

As regards Russian allegations of U.S. violations, these are for the most part attempts to deflect criticism of Russian non-compliance and are largely specious. That

said, the United States could afford to be more transparent about the capabilities that Russia alleges are inconsistent with the Treaty in order to convince publics—at home and abroad—that Russia is primarily responsible for the demise of the INF Treaty.

Mrs. DAVIS. Thank you all for your testimonies and for your past and current efforts to make our world a safer place. I'd like to know your respective opinions on where and how Congress should move forward from here in working with this administration, given that the Administration has functionally decided to withdraw from the Treaty.

Ms. DESUTTER. Congress can make a significant contribution to convincing Russia and other nations to comply with their obligations to avoid such situations in the future.

For example, during a meeting I attended of the ABM Treaty's Standing Consultative Commission, I handed over to the Soviet side a copy of a Congressional Resolution on the Krasnoyarsk Radar. The message to the violating party was that the strong view not only of the Executive Branch, but also the Legislative Branch, that the violation had to be reversed, carried significant sway in their eventual decision to correct the violation. This was especially true since the Soviets had tried to undermine the U.S. position by not only the usual allegations of U.S. noncompliance but also by inviting a group of Congressmen to visit the radar in 1987 to try to mislead them regarding the violation.

On another occasion, when Russia was failing to provide accurate declarations of their stocks of chemical weapons and impeding a visit by U.S. experts to discuss the problem, I asked Senator Lugar and his staff to weigh in with Russia, which they did via a letter to Russia with, as I recall, references to Senator Lugar's ongoing leadership of the Nunn/Lugar program. It helped.

Congress can endeavor, preferably working with the Department of State's Assistant Secretary for Verification and Compliance and other Executive Branch representatives, to identify ways, including passage of resolutions and perhaps other legislation, to publicly demonstrate to Russia and other nations that both the Executive and Legislative Branches are committed to full compliance with all obligations of arms control and nonproliferation agreements.

Mrs. DAVIS. With respect to NATO and our Allied Partners: do you have specific recommendations on a constructive manner to seek stakeholder input in the face of an administration that has appeared to question its existence? And given your experience in both Europe and Asia, please describe the political challenges with attempting to base intermediate range missiles on Allied territories. Do you believe they are necessary to defend the United States and our Allies?

Ms. DESUTTER. [The information was not available at the time of printing.]

Mrs. DAVIS. Why do you think Russia decided to violate the INF treaty and what are their motivations for alleging U.S. violation of the treaty? As this Administration notes, they have not violated the New START Treaty. What explains Russian behavior?

Ms. DESUTTER. Clearly Russia has believed that the cost of being in verified violation with the INF Treaty was less than the benefits of doing so. I believe that the Obama Administration's failure to report the INF Treaty violations to Congress and failure to raise the issue with Russia and demand that they come back into compliance starting back in 2010 when they detected the noncompliance encouraged Russia to believe that their violation of the INF Treaty would be cost free.

As to Russian allegations of U.S. noncompliance, since the very first report to Congress on Soviet Noncompliance in 1984 Russia has consistently sought to divert attention from its own noncompliance by alleging U.S. noncompliance. This was one reason behind the 1993 merger of the President's Report to Congress on Soviet Noncompliance and the Report on Adherence to and Compliance with Agreements which mandated a discussion of U.S. compliance.

QUESTIONS SUBMITTED BY MR. LARSEN

Mr. LARSEN. Does INF withdrawal make New START extension more or less likely? What is your assessment of the impact on national security if New START is not extended, both in terms of loss of warhead restrictions and verification regimes?

Senator LUGAR. In the likely event the INF Treaty collapses in August, the only remaining bilateral U.S.-Russia arms control agreement would be New START, which expires in 2021 but can be extended by up to five years through agreement by both parties. I am concerned that the Trump administration has yet to develop a position on whether to extend the treaty and that some White House officials have in the past called for abandoning the treaty. I am also concerned that the politiciza-

tion of Russian concerns about U.S. procedures to eliminate certain U.S. delivery systems from accountability under the treaty and U.S. concerns about Russia's development of new kinds of strategic weapons. As was the case with the INF Treaty, I worry that both sides are laying the groundwork to blame the other for not extending the treaty. If New START is allowed to expire without a replacement, there will be no legally binding limits on the world's two largest strategic nuclear arsenals for the first time since 1972. Which makes it all the more important to extend the treaty and restart a serious U.S.-Russia arms control dialogue. The collapse of the U.S.-Russia arms control architecture would mean Russian nuclear forces were unconstrained, our ability to verify what Russia is doing would be curtailed, and the incentives to engage in costly nuclear competition would be magnified.

Mr. LARSEN. What is the national security benefit of verification regimes under arms control agreements, in terms of intelligence, trust, and transparency?

Ambassador VERSHBOW. Verification regimes, if effectively designed and implemented in good faith, provide the United States confidence in the other side's compliance with its obligations under arms control agreements. Together with good intelligence, they also help provide early warning of any potential violation by the other side, enabling the U.S. to raise the issues at an early stage and seek corrective action before the other side can gain an unfair military advantage. Verification regimes, by mandating additional transparency about the sides' capabilities, can reduce reliance on worst-case assessments and provide the additional predictability needed for long-term military planning.

Mr. LARSEN. Is it worth trying to negotiate a new INF treaty and if so, what should it look like? Should it include China?

Ambassador VERSHBOW. A new agreement to replace the INF Treaty could, at least, mitigate the effects on stability of the loss of the Treaty. One possible solution would be to challenge Russia to agree to a mutual renunciation of all nuclear-armed, land-based INF-range missiles (including nuclear versions of the 9M729) and to agree to mutual inspections to verify that no nuclear-armed versions are deployed by either side. As part of this arrangement, the United States and its allies could agree to Russian inspections of the U.S. missile defense sites in Romania and Poland to confirm that they have no offensive capability as Moscow has alleged. In addition, the sides could agree to numerical limits on permitted conventionally-armed systems.

Another solution would be for the United States and Russia to agree to refrain from deploying any land-based INF systems in or within range of Europe, while permitting some agreed number of such systems in Asia. We could invite China to participate in such an arrangement as well, although I do not consider that essential.

A successor agreement along the above lines could help maintain stability and avert an unconstrained competition in intermediate-range systems. It could also improve the climate for negotiations on an extension or strengthening of the New START Treaty prior to its expiration in 2021 (which I strongly favor).

QUESTIONS SUBMITTED BY MR. GARAMENDI

Mr. GARAMENDI. The Trump Administration's Nuclear Posture Review also notes that the Administration will seek "arms control agreements that enhance security, and are verifiable and enforceable." Do you believe the New START Treaty meets that threshold? The Administration has also noted as recently as this month that Russia is in compliance with the New START Treaty.

Senator LUGAR. Yes, I believe New START meets this threshold with one exception. Our military leadership continues to affirm the security benefits provided by the treaty. Gen John Hyten, the head of U.S. Strategic Command, told the Senate Armed Services Committee on February 26 that the treaty allows him to "understand what [Russia's] limits are and . . . position my force accordingly," and provides "unbelievably important" insight about what Russia is doing through the treaty's verification procedures. When asked whether the treaty inspections, data exchanges, and notifications could be replaced in a timely and cost-effective manner in the absence of the agreement, Hyten noted that the United States has "very good intelligence capabilities, but there's really nothing that can replace the eyes-on, hands-on ability to look at something." But no president has—or could have—negotiated an arms control agreement that could be enforced on the United States.

Mr. GARAMENDI. When Russia violated the 1972 Anti-Ballistic Missile (ABM) Treaty in the 1980s by building the Krasnoyarsk radar, how did the United States confront Russia about its violation? How long did it take Russia to come back into compliance? What lessons can be learned?

Senator LUGAR. There is precedent for using patient diplomacy to resolve treaty violations. In the 1980s, President Ronald Reagan continued to observe the 1972 Anti-Ballistic Missile Treaty with Moscow despite its determination beginning in 1983 that a large radar located at Krasnoyarsk in Siberia violated the treaty. It also engaged in negotiations with the Soviet Union on the INF Treaty and what became the Strategic Arms Reduction Treaty during this period. It took time, but diplomacy worked, and the Soviets in 1989 pledged to tear down the radar.

Mr. GARAMENDI. The Trump Administration's Nuclear Posture Review also notes that the Administration will seek "arms control agreements that enhance security, and are verifiable and enforceable." Do you believe the New START Treaty meets that threshold? The Administration has also noted as recently as this month that Russia is in compliance with the New START Treaty.

Ambassador VERSHBOW. Yes, I believe continued compliance with the New START Treaty is in the U.S. interest. The Treaty places limitations on the number of strategic nuclear systems that Russia can deploy against the United States and our Allies and ensures strategic stability. Through New START's on-site inspection regime, data declarations and notifications, the Treaty provides the United States with key insights into Russian strategic nuclear forces that we might not have access to without the Treaty. According to the U.S. Department of State, Russia is adhering to its obligations under the Treaty.

Mr. GARAMENDI. When Russia violated the 1972 Anti-Ballistic Missile (ABM) Treaty in the 1980s by building the Krasnoyarsk radar, how did the United States confront Russia about its violation? How long did it take Russia to come back into compliance? What lessons can be learned?

Ambassador VERSHBOW. The Soviet Union's construction of the large phased-array radar station near Krasnoyarsk was a bone of contention between the United States and the USSR for several years. The Reagan administration first detected the construction of the site in 1983 and immediately raised it with Moscow—both at political levels and in the Standing Consultative Commission (SCC). The SCC was the mechanism for addressing compliance questions under the 1972 Anti-Ballistic Missile (ABM) treaty. The U.S. charged that the facility in the heart of eastern Siberia violated the ABM Treaty, which permitted early-warning systems only on the country's periphery and oriented outward.

The Soviet government denied any violation until 1987, when Soviet leader Mikhail Gorbachev ordered construction halted and allowed the U.S. to inspect the site. A year later the Kremlin announced it was transferring Krasnoyarsk to the Soviet Academy of Sciences for conversion into an international center of space research, a decision that did not sufficiently address the treaty violation. In 1989 the Soviet Union announced it would raze the facility after Foreign Minister Eduard Shevardnadze admitted it violated the ABM treaty. The radar's dismantlement was completed in 1992.

The lessons to be learned from this are mixed. On the one hand, persistence and perseverance by the Reagan and Bush-41 Administrations clearly paid off in achieving the unprecedented decision by Moscow to admit and correct a serious Treaty violation. On the other hand, the Soviet decision was taken by Mikhail Gorbachev, over the objections of the Russian military. It is likely seen by today's Russian leaders as an example of weakness that should not be repeated. Certainly, the Russians' refusal to admit their violation of the INF Treaty, despite ample evidence proving its culpability, suggests that Russia has drawn the wrong lessons from the Krasnoyarsk radar.

Mr. GARAMENDI. The Trump Administration's Nuclear Posture Review also notes that the Administration will seek "arms control agreements that enhance security, and are verifiable and enforceable." Do you believe the New START Treaty meets that threshold? The Administration has also noted as recently as this month that Russia is in compliance with the New START Treaty.

Ms. DESUTTER. I do not believe that the New START Treaty is effectively verifiable, and therefore while it might be accurate for the Administration to say that they "have not found Russia to be in violation with the New START Treaty," a statement that Russia is "in compliance" with New START is not meaningful. As I said in my written statement to the Committee, given the counting rules and other weaknesses in New START, the legal break-out potential is limitless, and while all the inspections may have given the impression of effectiveness, many have no real verification benefit. I believe that the weaknesses and flaws in New START were persuasively articulated in the minority views in the Executive Report on the Treaty. The concerns expressed in the minority report are underscored by the fact that Russia is deploying so many new missiles with both strategic and theater options without a finding of noncompliance in the years since entry into force.

The easiest course of action for the Trump administration would be to simply extend the New START Treaty for five years. But if the administration does so, it should ensure that doing so does not create a false sense of security here or abroad. It will be important to be clear with all that extending New START will be neither sufficient to constrain the rapidly growing ballistic missile threat from Russia nor from nations such as China, Iran, and North Korea. Only U.S. deployment of a robust multilayered missile defense to render their ballistic missiles impotent offers any real promise of countering the threat, and thereby demonstrate to other nations that their ballistic missile programs are a waste of resources and that the United States will not permit other nations to hold the American people hostage to their threats.

Mr. GARAMENDI. When Russia violated the 1972 Anti-Ballistic Missile (ABM) Treaty in the 1980s by building the Krasnoyarsk radar, how did the United States confront Russia about its violation? How long did it take Russia to come back into compliance? What lessons can be learned? [Question #15, for cross-reference.]

Ms. DESUTTER. Congress can make a significant contribution to convincing Russia and other nations to comply with their obligations to avoid such situations in the future.

For example, during a meeting I attended of the ABM Treaty's Standing Consultative Commission, I handed over to the Soviet side a copy of a Congressional Resolution on the Krasnoyarsk Radar. The message to the violating party was that the strong view not only of the Executive Branch, but also the Legislative Branch, that the violation had to be reversed, carried significant sway in their eventual decision to correct the violation. This was especially true since the Soviets had tried to undermine the U.S. position by not only the usual allegations of U.S. noncompliance but also by inviting a group of Congressmen to visit the radar in 1987 to try to mislead them regarding the violation.

Congress can endeavor, preferably working with the Department of State's Assistant Secretary for Verification and Compliance and other Executive Branch representatives, to identify resolutions and perhaps other legislation designed to demonstrate to Russia and other nations that both the Executive and Legislative Branches are committed to full compliance with all obligations of arms control and nonproliferation agreements. Congress can reinforce these messages during Co-Dels.

Mr. GARAMENDI. Since at least 2011, you have called for the United States to leave the INF Treaty. Would you agree that, now, given the Administration's withdrawal from the INF Treaty, having the RS-26, one of Russia's newer nuclear ballistic missiles, counted against New START limits is beneficial?

Ms. DESUTTER. I do not know whether Russia has agreed or will agree that the RS-26 be counted against New START limits, nor do I know whether or when it will be included in the aggregate numbers.