

I know Republicans here in Washington have over many days now directly or indirectly tried to assert that this administration is not committed to missile defense. They are wrong. I think the record is very clear. The President made clear that this administration is inalterably committed—my words—to a missile defense that is effective. I would argue as well to a missile defense that ensures we have a safe, secure, effective, and reliable nuclear arsenal. It is also a missile defense that is capable of growing and adapting to threats posed by countries such as Iran.

I have heard a lot of folks here on both sides of the aisle stand up and make statements about the threat caused by Iran's nuclear program. We should listen to voices that are concerned about that in the context of making sure that this ratification is consistent with that, which it is. It is consistent with our efforts to ensure that Iran does not have that capability.

So what are these capabilities? Well, here is a quick summation.

We currently have 30 ground based interceptors at Fort Greely, AK, and Vandenberg Air Force Base in California defending the homeland. Defense Under Secretary Flournoy and General Cartwright have asserted that we will continue to improve and further augment these existing ground-based interceptor systems, noting that these "U.S. based defenses will be made more effective by the forward basing of a TPY-2 radar—which we plan by 2011."

In Europe, the United States has worked to defend our allies in NATO. The European Phased Adaptive Approach is a network of increasingly capable sensors and standard missile SM-3 interceptors that will provide a capacity to address near term threats, while also developing new technologies to combat future threats.

The first stage, to be completed in 2011, will deploy Aegis ships with SM-3 interceptors in Northern and Southern Europe to protect our troops and Allies from short-range medium regional ballistic missile threats.

The second phase, estimated to be operational by 2015, it will field upgraded sea- and land-based SM-3s in Southern and Central Europe to expand protection of the continent.

The third phase will introduce a more capable version of the SM-3 that is currently under development, which will provide full protection for our allies in Europe from short, medium, and intermediate range ballistic missiles by 2018.

The final phase, planned for 2020, it will field an even further improved SM-3 missile with anti-ICBM capabilities to augment current defense of the U.S. homeland from Iranian long-range missile threats.

So when you look at it from each of these three points of view—meaning the three phases—we are going to have in place a system that will defend our

homeland and will also help our European allies.

Let me conclude with one quotation. I mentioned Admiral Mullen, Chairman of the Joint Chiefs. This is what he said about the so-called phased adaptive approach:

The Joint Chiefs, combatant commanders and I also fully concur with the Phased Adaptive Approach as outlined in the Ballistic Missile Defense Review Report. As with the Nuclear Posture Review, the Joint Chiefs and combatant commanders were deeply involved throughout the review process.

So whether it is the Joint Chiefs, the combatant commanders, or other commentators, we are going to make sure that in the aftermath of the ratification of this treaty and consistent with and as part of and because of the ratification of this treaty, our missile defense will be as strong as it can be. And we are going to make sure that, without a doubt, we are going to protect the American people and take every step necessary to make sure our nuclear arsenal is safe, secure, effective, and reliable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. LEMIEUX. Mr. President, I ask unanimous consent to speak for up to 10 minutes on the New START Treaty.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized.

#### AMENDMENT NO. 4847

Mr. LEMIEUX. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside and that amendment No. 4847 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida (Mr. LEMIEUX), for himself and Mr. CHAMBLISS, proposes an amendment numbered 4847.

Mr. LEMIEUX. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the Treaty to require negotiations to address the disparity between tactical nuclear weapon stockpiles)

At the end of Article I of the New START Treaty, add the following:

3. The Parties shall enter into negotiations within one year of ratification of this Treaty to address the disparity between the non-strategic (tactical) nuclear weapons stockpiles of the Parties, in accordance with the September 1991 United States commitments under the Presidential Nuclear Initiatives and Russian Federation commitments made by President Gorbachev in October 1991 and reaffirmed by President Yeltsin in January 1992. The negotiations shall not include discussion of defensive missile systems.

Mr. LEMIEUX. Mr. President, I rise to offer an amendment to the New START Treaty—this important treaty that we are discussing between the

United States of America and Russia concerning strategic nuclear weapons.

I have a lot of concerns about this treaty. Many of those concerns have already been expressed by my colleagues. I have concerns about the verification procedures, that they are weakened from the previous START Treaty. I have concerns about the linkage of missile defense systems with strategic offensive weapons. Those concerns have been addressed as well, and I share them.

The biggest concern I have about this treaty is its failure to deal with what are called tactical nuclear weapons. Now, to those folks at home who may be listening to this, it is probably not readily apparent—it wasn't initially to me—the difference between what a strategic nuclear weapon is and a tactical nuclear weapon. A strategic nuclear weapon is usually considered to be a large vehicle, like an intercontinental ballistic missile, or ICBM. It travels over a very long range. These strategic nuclear weapons can also be delivered by a submarine or a long-range bomber. A tactical nuclear weapon is generally much smaller in size. It has a smaller range and has a delivery vehicle that may be on the back of a truck, for example.

In many ways, in the world we live in today, where we are not in the Cold War atmosphere with the former Soviet Union, the tactical nuclear weapon is of much more concern than the strategic. The great fear we all have is that one of these nuclear weapons would get into the hands of a terrorist. A tactical nuclear weapon, by its very nature, is portable, and it could be something that is even capable of being moved by one person or, as I said before, on the back of a truck.

Why this treaty doesn't deal with tactical nuclear weapons is beyond me. I realize in the past, when we were in the Cold War environment with the Soviet Union, we didn't deal with tactical nuclear weapons because we were concerned about these big missiles that could cross the ocean and strike our country. We were concerned about heavy bombers delivering missiles or bombs that would hit the homeland. That makes sense. But we are in a completely different environment now. While we should still be concerned with those strategic weapons, the tactical weapons are actually much more of a danger to us because they are the very weapons that could get into the hands of a rogue nation. Those are the very weapons that could get into the hands of a terrorist.

This treaty doesn't have anything to do with that. It doesn't address it at all. It would be as if we were going to enter into a treaty about guns, and we had a big negotiation in a treaty where we talked about long arms, shotguns, and rifles, but we failed to talk about pistols. It doesn't make any sense to me. It doesn't make any sense to me because these are the very weapons about which we should be the most

concerned. It also doesn't make sense to me because of the disparity between how many tactical nuclear weapons we have versus how many the Russians have. This treaty limits the amount of those weapons to each country to around 1,500. But the Russians have 3,000 tactical nuclear weapons, and we have 300. So the Russians have a 10-to-1 advantage over us in tactical nuclear weapons. If we approve this treaty, the Russians then will approximately have 4,500 nuclear weapons, and we will have 1,800. That doesn't make a lot of sense either. They have a 10-to-1 advantage on these tactical nuclear weapons.

I think it is incumbent upon us to realize that we have to have a treaty on tactical nuclear weapons. It should have been part of this treaty. It wasn't part of these START treaties in the past because the total number of weapons that the United States had and the former Soviet Union had was immense. When we had 20,000 or 30,000 strategic nuclear weapons, the fact that they had 3,000 tacticals didn't matter. It wasn't an important number in the overall scheme.

But now that we are in this new world where we are concerned about nuclear proliferation, and we don't want terrorists to get these weapons, plus the fact that they are going to end up having 4,500 and we are going to end up having 1,800, it matters a lot.

My amendment says that within a year of the ratification of this treaty, the Russians and the United States must sit down and negotiate a tactical nuclear weapon agreement. It doesn't require that it be resolved within a year. It requires that it be started. That seems to me—I am a little biased, but that seems to me eminently reasonable. I am proud that Senators CHAMBLISS and INHOFE have joined me on this amendment. Who could be against having the Russians and the United States sit down within a year's time of ratification and begin the negotiation on tacticals? Who could be against that?

You will hear from my friends on the other side, who are defending this treaty and voting down all of the amendments being offered on this side of the aisle, that we can't amend the treaty because, if we do, it is a poison pill, and the Russians will not accept it.

If that is true, then we are not really fulfilling much of a function, are we? Under the Constitution, there are some special privileges that are imbued to the Senate.

One of them is the treaty privilege, the treaty power, where all treaties must be confirmed by the Senate on a two-thirds vote. If we can't amend it, and all we are doing is either saying yes or no, to me that limits our ability. If my friends on the other side think this is a poison pill, I ask them to look at the language. I am just putting in the treaty, if they accept this, that within a year's time, we have to sit down at the table and enter into these negotiations on tacticals. It is not a heavy lift, it seems to me.

They will say we can't do this because the Russian Duma will not accept it. What does that say? If the Russian Duma, their legislature, will not accept an amendment—if the treaty is as it is now, as negotiated by the U.S.—and I have said before that I have concerns about what is there for verification and about missile defense. Putting that aside, if it goes the way it has been drafted and agreed to between the President and the leaders of Russia, with just this one amendment that says that the two sides will sit down within a year's time, will the Russian Parliament not approve that? And if they don't approve it, if they will not say they will sit down within a year's time and negotiate about the 3,000 tactical nuclear weapons they have, about the security of those weapons, about our ability to verify where they are and about a reduction of them, because of the disparity in the 3,000 they have and the 300 we have, what does that say about the Russians?

What it says to me is that they are not, in good faith, really trying to come to an agreement about nuclear weapons. Would we want this treaty if the Russian Duma said they are not going to agree to sit down within a year's time to talk about tactical nuclear weapons?

I think this is a very important amendment. I have great respect for the people who have stood up and supported this treaty. I think there are problems with it, but I don't see any reason why a fair-minded person could not agree that within a year's time the two parties should sit down and talk about what, to me, is the most dangerous part of our nuclear challenge with Russia, which is tactical nuclear weapons. We don't know where they are, what they are doing, we can't verify them, and there is a 10-to-1 advantage that the Russians have over us.

Mr. President, my amendment is at the desk and has been called up. I hope we will have the opportunity to debate this amendment in the coming hours and days as we wrap up our consideration of this treaty.

With that, I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mrs. HAGAN. Mr. President, today I rise in support of Senate ratification of the New Strategic Arms Reduction Treaty. The Secretary of State, Secretary of Defense, Secretary of Energy, and the entire uniformed leadership of our military believe it is in our national interest. Former Secretaries of State from previous administrations of both political parties have also endorsed the New START Treaty.

Relations between the United States and Russia have evolved beyond what they were during the Cold War. Within this context, and in the face of aging nuclear stockpiles, strategic arms reduction is in the best interest of both nations.

New START will strengthen strategic nuclear weapons stability, enable us to modernize our nuclear triad of strategic weapons and delivery systems, and ensure our flexibility to develop and deploy effective missile defenses and conventional global strike capabilities.

It will also promote stability, transparency, and predictability in the U.S.-Russia relationship.

The treaty limits strategic offensive nuclear weapons and delivery vehicles through effective verification and compliance measures. Our negotiators ensured that the United States would be able to protect our ability to field a flexible and effective strategic nuclear triad composed of land-based intercontinental ballistic missiles, submarine-launched ballistic missiles, and nuclear-capable heavy and strategic bombers. Our negotiators also ensured that the United States can enable modernization of our strategic delivery systems and the nuclear weapons they carry.

Simply put, our country is better off with New START as opposed to not having a treaty at all. There has been no formal verification system in place since the last treaty expired a year ago. New START reestablishes a strategic nuclear arms control verification regime that provides access to Russian strategic nuclear capabilities—specifically, nuclear warheads and delivery systems. It ensures a measure of predictability in Russian strategic force deployments over the life of the treaty. Access and predictability allow us to effectively plan and undergo strategic modernization efforts.

Failure to ratify the treaty will prevent us from obtaining information on Russian strategic nuclear weapons capabilities. Without the treaty going into effect, the United States will have no inspectors on the ground and no ability to verify Russian nuclear activities. This will result in our country losing insight into Russian strategic nuclear force deployments. It would also complicate our strategic force strategy and modernization planning efforts, as well as drive up costs in response to the need to conduct increased intelligence and analysis on Russian strategic force capabilities.

Secretary of State Hillary Clinton, Secretary of Defense Robert Gates, Secretary of Energy Steven Chu, and Chairman of the Joint Chiefs of Staff ADM Mike Mullen have expressed their support for Senate ratification of New START. All indicated that ratifying the treaty provides our country with an opportunity to negotiate with Russia on tactical nuclear weapons, of which Russia holds a sizable advantage. Tactical nuclear weapons are the most vulnerable to theft and the most likely to end up in the hands of rogue states and terrorist organizations. It is important to understand that we will not be able to obtain Russian cooperation on tactical nuclear weapons without ratifying New START.

The treaty will not affect our ability to improve our missile defenses either qualitatively or quantitatively, to defend our homeland against missile attacks, and to protect our deployed forces, allies, and partners from growing regional missile threats. Secretary of State Clinton and Secretary of Defense Gates have testified that our phased adaptive approach to overseas missile defense is not constrained by the treaty.

Senate ratification of New START will demonstrate that the United States is committed to reducing nuclear weapons, which is important as we advance our nonproliferation goals. This will assist us in obtaining international consensus regarding nuclear weapons proliferation challenges from rogue states, such as Iran and North Korea. It will also send a positive message in achieving consensus with other countries on nuclear issues.

It is important to keep in mind that the United States and Russia hold over 95 percent of the world's nuclear weapons. If the two nations that possess the most nuclear weapons agree on verification and compliance and are committed to nonproliferation, it will improve our ability to achieve consensus with other countries.

Failure to ratify the treaty will have a detrimental effect on our ability to influence other nations with regard to nonproliferation of weapons of mass destruction. It will also send conflicting messages about the administration's emphasis and commitment to the nonproliferation treaty.

Additionally, failure to ratify New START would send a negative signal to Russia that may cause them to not support our objectives with respect to dealing with the Iranian nuclear program. As Secretary of Defense Gates has said, without ratification, we put at risk the coalition and momentum we have built to pressure Iran.

The debate over New START has facilitated a consensus to modernize our nuclear deterrent. The Administrator of the National Nuclear Security Administration, Mr. Thomas D'Agostino, indicated that for the first time since the end of the Cold War, there is broad national consensus on the role nuclear weapons play in our defense and the requirements to maintain our nuclear deterrent. The NNSA and the three National Laboratories support Senate ratification of New START and congressional approval of the President's budget to invest in nuclear security and modernization. Our nuclear enterprise and stockpile have been neglected for too long.

Consistent with recommendations in the Nuclear Posture Review, we need to move forward with a number of nuclear enterprise sustainment projects, including strengthening our nuclear command and control structure, continuing development and deployment of our triad of delivery systems, maintaining a safe, secure, and effective stockpile, and revitalizing our aging infrastructure.

On December 1, the Directors of the three nuclear national laboratories signed a letter to the Senate emphasizing that they were very pleased with the administration's plan to spend \$85 billion over the next decade to upgrade the nuclear weapons complex. They believe the requested amount will further a balanced program that sustains the science, technology, and engineering base. They also believe that the proposed budget will support the ability to sustain the safety, security, reliability, and effectiveness of our nuclear deterrent within the limit of 1,550 deployed strategic warheads established by New START.

The Nuclear Posture Review also recognizes the importance of supporting a highly capable workforce with specialized skills to sustain the nuclear deterrent. It emphasizes three key elements of stockpile stewardship: hands-on work on the stockpile; the science, technology, and engineering base; and the infrastructure at the laboratories and plants.

I share the concerns expressed by Secretary Chu regarding our ability to recruit the best and brightest nuclear scientists and engineers. We need to infuse a sense of importance and financial stability to the stockpile stewardship and life extension programs. Nuclear scientists and engineers need to believe the U.S. Government cares about nuclear life extension. An effective science, technology, and engineering human capital base is needed to conduct effective nuclear weapons system lifetime extension programs, increase nuclear weapons reliability, certify nuclear weapons without the need to undergo nuclear testing, and provide annual stockpile assessments through weapons surveillance.

I hope my colleagues on both sides of the aisle will join me in voting to ratify New START.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CASEY. Mr. President, I rise for a few moments to comment on the amendment our colleague from Florida spoke about a few moments ago. Tactical nuclear weapons and how that is addressed was the subject of a long debate yesterday. I wish to reiterate some of those arguments because we had this debate yesterday. It is an important debate.

First of all, if we listen to a couple of folks who have not only experience but have a real interest in our urgent priority of addressing tactical nuclear weapons, it becomes clear that the best way to address that issue is, in fact, to ratify this treaty. By way of example, if you want to highlight a country that has much at stake when the question is raised about Russian tactical nuclear weapons, you can point to few if any countries that have more at stake than Poland.

The Polish Foreign Minister, Mr. Sikorski, said:

Without a [New START] treaty in place, holes will soon appear in the nuclear um-

rella that the United States provides to Poland and other allies under article 5 of the Washington Treaty, the collective security guarantee for NATO members. Moreover, New START is a necessary stepping stone to future negotiations with Russia about reductions in tactical nuclear arsenals and a prerequisite for the successful revival of the Treaty on Conventional Forces in Europe.

That is not a commentator in Washington; that is the Foreign Minister of Poland, whose country has a lot at stake in this debate.

Also, we have had a lot of discussions about the treaty and what is in the treaty or what would come about as a result of the treaty. It is not as if these arguments just landed here when the bill landed on the floor. We had months and months of hearings in the Senate Foreign Relations Committee. Our ranking member, Senator LUGAR, was not just there for those hearings but played a leading role in helping us reach the point where we are now. We have a treaty on the floor because of his good work over many months and, I would argue in his case, many years on this issue. The same is true with the Presiding Officer sitting in on those hearings and asking questions of the relevant parties, many of them military leaders.

I note for the record—and I will close with this—that the vote by the Senate Foreign Relations Committee included a resolution of advice and consent to ratification. Subsection 11 on tactical nuclear weapons says:

The Senate calls upon the President to pursue, following consultation with allies, an agreement with the Russian Federation that would address the disparity between the tactical nuclear weapons stockpiles of the Russian Federation and of the United States and would secure and reduce tactical nuclear weapons in a verifiable manner.

It is right in the resolution, and I argue that addresses squarely this amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

FLOOR PRIVILEGES—CLOSED SESSION

Mr. REID. Mr. President, I ask unanimous consent that the following individuals, in addition to those officers and employees referred to in Standing rule XXIX, be granted the privilege of the floor during today's closed session and that the list be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list is as follows:

Randy Devalk, Jessica Lewis, Tommy Ross, David Grannis, Lorenzo Goco, Andrew Grotto, Mike Davidson, Jim Wolfe, Rick DeBobes, Madelyn Creedon, Richard Fieldhouse, Hannah Lloyd, Frank Lowenstein, Anthony Wier, Ed Levine, Charlie Houy, Gary Reese, Betsy Schmid, Mike DiSilvestro, Pamela Garland, Mark Stuart, Jaqui Russell.

Thomas Hawkins, Louis Tucker, Jack Livingston, Bryan Smith, Tom Corcoran, Jennifer Wagner, Christian Brose, Daniel Lerner, Brian Wilson, Stewart Holmes, Bruce Evans, Carolyn Apostolou, Kenneth Myers, Jr., Thomas Moore, James Smythers, Michael Stransky, Timothy Morrison, Robert