

The PRESIDING OFFICER. Is there objection?

Mr. REID. I would also say, Madam President, that will very likely be the last vote tonight. I have had a conversation with Senator KYL and Senator KERRY. They are going to meet early in the morning to see if there is a way we can work through some of these issues that are still outstanding.

The one message I wish to make sure everyone gets—I know everyone has lots to do this week—but on this most important treaty, no one needs to feel they are being jammed on time, as busy as we all are and as many things as we want to do in the next few days. So if anyone has any issues they still want to deal with, talk to Senator KERRY or Senator KYL or Senator LUGAR, who is the comanager on the other side.

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

Who yields time?

AMENDMENT NO. 4841

Mr. REID. Madam President, we yield back the 2 minutes on our side.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the Thune amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH) and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Kansas (Mr. BROWNBACK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 64, as follows:

[Rollcall Vote No. 286 Ex.]

YEAS—33

Barrasso	Ensign	LeMieux
Bond	Enzi	McCain
Brown (MA)	Graham	McConnell
Bunning	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Hutchison	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Snowe
Cornyn	Johanns	Thune
Crapo	Kirk	Vitter
DeMint	Kyl	Wicker

NAYS—64

Akaka	Franken	Murkowski
Alexander	Gillibrand	Murray
Baucus	Gregg	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Pryor
Bennett	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kerry	Rockefeller
Brown (OH)	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Specter
Casey	Leahy	Stabenow
Collins	Levin	Tester
Conrad	Lieberman	Udall (CO)
Coons	Lincoln	Udall (NM)
Corker	Lugar	Voinovich
Dodd	Manchin	Warner
Dorgan	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feingold	Merkley	
Feinstein	Mikulski	

NOT VOTING—3

Bayh Brownback Wyden

The amendment (No. 4841) was rejected.

AMENDMENT NO. 4847

The PRESIDING OFFICER. There is now 4 minutes equally divided prior to a vote on the LeMieux amendment.

The Senator from Florida.

Mr. LEMIEUX. Madam President, this amendment says simply one thing: that within 1 year's time of the ratification of this treaty, the United States and Russia would sit down and negotiate a tactical nuclear weapons treaty. Why do I bring this forward? Because we know—and we heard a lot about it today in our closed session—that there is a tremendous disparity between the number of tactical nuclear weapons our country has at 300 and the Russians have at 3,000—10 to 1. If this treaty is ratified, the Russians will have 4,500 nuclear weapons. We will have 1,800.

This is not a poison pill. You will hear that; it is not. It does not change a material term of this agreement. It just says within a year's time, we will sit down and enter into these negotiations. We need to put it into the treaty because that is the only way we can make sure it will happen.

If we send this treaty with this amendment back to the Russian Duma and they don't approve it, what does that say? It says they know they have a significant advantage over us. It is the right thing to do. It is something I think all of our colleagues should be able to agree to. It is not a poison pill. Let's approve it. Thank you.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I will be very brief.

I completely agree with the intention of the Senator. I think all of us agree we have to negotiate a tactical nuclear weapons treaty with Russia. Unfortunately, this, according to our NATO allies, according to our national security representatives, will actually prevent us from getting to the place where we negotiate that because the first thing we have to do to get the Russians to the table is pass the START treaty.

If we pass the New START treaty, we can engage in these discussions. If we don't pass it, they have no confidence. We simply go back to ground zero and begin negotiating all the pre-START items again before we can ever get there. We cannot just pass this unilaterally and order them to get there. We have to get them to enter into those negotiations. The way to do that is to preserve the integrity of the START treaty and then get to those agreements. We have that in the resolution of ratification.

There is language that urges the President and embraces this notion of the Senator from Florida. I congratulate him for wanting to target it. It is important to target it, and we will do it in the resolution of ratification.

I yield back any time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4847.

Mr. BOND. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH) and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Kansas (Mr. BROWNBACK).

The PRESIDING OFFICER (Mr. MERKLEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 62, as follows:

[Rollcall Vote No. 287 Ex.]

YEAS—35

Barrasso	Ensign	McCain
Bond	Enzi	McConnell
Brown (MA)	Graham	Murkowski
Bunning	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Hutchison	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Snowe
Collins	Johanns	Thune
Cornyn	Kirk	Vitter
Crapo	Kyl	Wicker
DeMint	LeMieux	

NAYS—62

Akaka	Franken	Mikulski
Alexander	Gillibrand	Murray
Baucus	Gregg	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Pryor
Bennett	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kerry	Rockefeller
Brown (OH)	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Specter
Casey	Leahy	Stabenow
Conrad	Levin	Tester
Coons	Lieberman	Udall (CO)
Corker	Lincoln	Udall (NM)
Dodd	Lugar	Voinovich
Dorgan	Manchin	Warner
Durbin	McCaskill	Webb
Feingold	Menendez	Whitehouse
Feinstein	Merkley	

NOT VOTING—3

Bayh Brownback Wyden

The amendment (No. 4847) was rejected.

Mr. KERRY. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for about 7 minutes as in morning business.

The PRESIDING OFFICER (Mr. MERKLEY). Is there objection?

Without objection, it is so ordered.

(The remarks of Mr. GRASSLEY are printed in today's RECORD under "Morning Business.")

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 4904, AS MODIFIED

Mr. CORKER. Mr. President, I ask unanimous consent that amendment

No. 4904 to the resolution of ratification be brought up as pending.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Reserving the right to object, I apologize. Did Senator CORKER ask a unanimous consent request?

The PRESIDING OFFICER. Yes, to call up an amendment.

Mr. KYL. But to return to the treaty upon its disposition; is that correct?

Mr. CORKER. That is what I was just getting ready to say.

Mr. KYL. Might I ask the Senator from Tennessee whether he talked with one of the Senators from South Carolina about this?

Mr. CORKER. I have not. I attempted to do so. He was off the floor by the time—

Mr. KYL. I do not have any objections as long as we return to the treaty so those who have amendments to the treaty will at least have their rights protected.

The PRESIDING OFFICER. Is there an objection?

Mr. KYL. I will not object. I simply note that I think we will need an understanding that we will work with our other interested colleagues on a way forward on all of these issues. Having expressed that as a matter of good faith, I suspect we can do that.

Mr. CORKER. Absolutely.

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

The clerk will report.

Mr. CORKER. Mr. President, I also ask unanimous consent to accept the modification. It is modified slightly. I want to make sure that is acceptable.

Mr. KERRY. Mr. President, reserving the right to object.

Mr. CORKER. It was a modification that the staff of the chairman suggested.

Mr. KERRY. Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. CORKER] proposes an amendment numbered 4904, as modified.

The amendment is as follows:

(Purpose: To provide a condition and an additional element of the understanding regarding the effectiveness and viability of the New START Treaty and United States missile defenses)

At the end of subsection (a) of the Resolution of Ratification, add the following:

(11) EFFECTIVENESS AND VIABILITY OF NEW START TREATY AND UNITED STATES MISSILE DEFENSES.—Prior to the entry into force of the New START Treaty, the President shall certify to the Senate, and shall communicate to the Russian Federation, that it shall be the policy of the United States that the continued development and deployment of United States missile defense systems, including qualitative and quantitative improvements to such systems, including all phases of the Phased Adaptive Approach to missile defenses in Europe maintaining the option to use Ground-Based Interceptors, do not and will not threaten the strategic balance with the Russian Federation. Consequently, while the United States cannot circumscribe the

sovereign rights of the Russian Federation under paragraph 3 of Article XIV of the Treaty, the continued improvement and deployment of United States missile defense systems do not constitute a basis for questioning the effectiveness and viability of the Treaty, and therefore would not give rise to circumstances justifying the withdrawal of the Russian Federation from the Treaty.

At the end of subsection (b)(1)(C), strike “United States,” and insert the following: “United States; and

(D) the preamble of the New START Treaty does not impose a legal obligation on the United States.

Mr. CORKER. Mr. President, I also ask unanimous consent that we now return to the treaty.

The PRESIDING OFFICER. The Senate is on the treaty.

Ms. COLLINS. Mr. President, I rise today to discuss the New START treaty. Before I begin, I would like to thank Senator KERRY and Senator LUGAR for their leadership on this important arms control agreement.

When I first began to consider this treaty, I considered the fundamental question of whether we are better off with it or without it since the previous START treaty expired a year ago. By reducing the number of deployed nuclear weapons in a mutual and verifiable way, I believe that this treaty does enhance our security, but it is not without flaws.

Our choice is not, however, between some ideal treaty and the New START treaty. It is between this treaty and having no inspection regime in place at all since the previous START treaty expired in December of 2009.

In evaluating this treaty, I scrutinized several issues including the effect on our Nation's security, the need to modernize our nuclear deterrent, the effectiveness of verification and inspection regimes, and the impact on missile defense.

These and other issues were fully covered in classified briefings as well as in the seven Senate Armed Services Committee hearings that I attended that included testimony from Secretary of Defense Gates, Secretary of State Clinton, Admiral Mullen, the Chairman of the Joint Chiefs of Staff, and General Chilton, the commander of our nuclear forces. We also heard testimony from the three current directors of our national nuclear laboratories and a number of former government officials and national security experts.

I met personally with Rose Gottemoeller, the top U.S. treaty negotiator, and sought counsel from GEN Brent Scowcroft, who has served as an adviser to four Republican Presidents and was the National Security Adviser to President George H. W. Bush.

I also have met with a wide range of Mainers—foreign policy experts, religious leaders, and former members of the military—who expressed their views on the treaty to me.

Clearly, the New START treaty enjoys broad bipartisan support. Secretaries of State for the past five Republican Presidents, including GEN Colin

Powell, support its ratification, as does former Maine Senator and former Secretary of Defense Bill Cohen.

No Member of this body should support a treaty simply because it has strong bipartisan support. But neither should we withhold our support for a treaty simply because it was negotiated and signed by a President from a different political party.

The fact is that the New START treaty is a modest arms control agreement. The treaty does not require the destruction of a single nuclear weapon. Under the New START framework, a 30-percent reduction in the number of deployed warheads in the arsenals of the United States and Russia will be required.

As such, the New START treaty places the United States and the Russian Federation on a path to achieve mutual and verifiable reductions over the next 7 years. Failure to ratify a treaty that makes modest reductions in the deployment of nuclear weapons would represent a giant step backwards in the commitment of the United States to arms control. If we cannot reduce the deployed nuclear stockpiles of the two countries that hold 9 of every 10 nuclear weapons in the world, how can we expect other countries not to seek any nuclear weapons?

Yet the New START treaty has significance beyond its function as an arms control agreement. New START is one component of our bilateral relationship with the Russian Federation. In April 2009, I traveled to Moscow with the chairman of the Armed Services Committee, Senator CARL LEVIN. At that time, I indicated that while I supported the President's commitment to reset the U.S.-Russian relationship, it was ultimately up to the Russians to see if they wanted to have a stronger relationship.

Since then, Russia has expanded the use of northern supply routes for our military forces in Afghanistan and has cancelled the sale of advanced surface to air missiles to Iran. These are positive steps.

During that same trip to Moscow, Chairman LEVIN and I sought to encourage Russian officials to cooperate on missile defense in Europe. And this issue of missile defense raises an important point about the U.S.-Russian relationship. Just because our relationship with the Russians is important does not mean that we must compromise on an issue vital to our national security. One of those issues is missile defense.

I was troubled when I read the unilateral statements made by Russian leaders who sought to make a binding tie between missile defense and the New START agreement.

The Kerry-Lugar resolution of ratification eliminates any doubt that the United States will continue to develop missile defense systems. The proposed resolution of ratification clarifies that the treaty places no limitation on the

deployment of U.S. missile defense systems except for those contained in article 5. It further clarifies that the Russian unilateral statement regarding missile defense “does not impose a legal obligation on the United States.”

The resolution of ratification goes beyond expressing the position that the United States will deploy an effective national missile defense system. It declares that the United States is committed to improving its strategic defensive capabilities, both quantitatively and qualitatively, during the lifetime of the treaty.

In addition to developing a robust missile defense capability, it is equally imperative that the United States maintain a modernized nuclear weapons program as we consider further reductions in nuclear arms.

In March, I traveled with my good friend from Arizona, Senator KYL, to discuss nuclear modernization with our allies. I learned a great deal from an in-depth briefing with French physicists about our need to modernize our own nuclear arsenal.

As Secretary of Defense Gates has noted, “The United States is the only declared nuclear power that is neither modernizing its nuclear arsenal nor has the capability to produce a new nuclear warhead.” The Perry-Schlesinger Strategic Posture Commission noted that the nuclear weapons complex “physical infrastructure is in serious need of transformation.”

In response, the administration has made a commitment to invest \$14 billion in new funding over the next 10 years for the nuclear weapons complex. As a result, the safety, stability, and reliability of our nuclear deterrent can be improved. The new investments will double the surveillance within the nuclear stockpile from fiscal year 2009 to fiscal year 2011. Finally, the Administration has proposed nearly \$9 billion for our plutonium and uranium facilities, and it has made a commitment to request additional funding necessary for those facilities once the designs are completed.

While the New START treaty contributes to reducing the threat of nuclear war and strengthens nuclear nonproliferation efforts, it is disappointing to me that the treaty reflects an outdated view of one of the primary threats to our national security. This treaty does not address the significant disparity between the number of nonstrategic nuclear weapons in Russia's stockpile compared to our own.

The Perry-Schlesinger Strategic Posture Commission reported that Russia had an estimated 3,800 tactical nuclear weapons compared to fewer than 500 in our own stockpile. By maintaining a distinction between the threats of nuclear attack that warrant the ratification of a treaty from those nuclear threats that do not simply based upon the distance from which a nuclear weapon is launched or the method by which such a weapon is launched, we preserve a Cold War mentality regard-

ing the nuclear threats facing our country.

The large numerical disparity in the number of warheads each country maintains is not the only reason they warrant a higher priority than they were given by either country in this treaty.

As the ranking member of the Homeland Security and Governmental Affairs Committee, I believe that the characteristics of tactical nuclear weapons, particularly their vulnerability for theft and potential for nuclear terrorism, make reducing their numbers essential to our national security.

President Obama correctly described the greatest threat facing our Nation in the 2010 Nuclear Posture Review when he said that “the threat of global nuclear war has become remote, but the risk of nuclear attack has increased . . . today's most immediate and extreme danger is nuclear terrorism.”

Several arms control groups, including the Stimson Center, the Center for Nonproliferation Studies, and the Union of Concerned Scientists, have each stated that the danger of these weapons rests not only in the destructive power of each weapon but also because they are vulnerable to theft by rogue nations and terrorist groups.

Earlier this month, I wrote to Secretary Gates and Secretary Clinton about my concerns regarding this issue and requested a commitment from them to seek reductions in the number of Russian tactical nuclear weapons.

I would like to read a portion of their response for those of my colleagues who share my concern regarding this disparity:

The Administration is committed to seeking improved security of, and reductions in, Russian tactical nuclear weapons. We agree with the Senate Foreign Relations Committee's call, in the resolution of advice and consent to ratification of the New START treaty, to pursue an agreement with the Russians to address them. These negotiations offer our best chance to constrain Russian tactical nuclear weapons, but we believe Russia will be unlikely to begin such negotiations if the New START treaty does not enter into force.

The letter further states that:

With regard to future agreements, we strongly agree with you that the characteristics of tactical nuclear weapons—particularly their vulnerability to theft, misuse, or acquisition by terrorists—make reducing their numbers and enhancing their safety and security extremely important.

I ask unanimous consent that my letter to the Secretaries and their response be printed in the RECORD at the end of my statement.

So where does that leave us? Does the New START treaty lead to mutual and verifiable reductions in nuclear arms? Does the New START treaty renew our Nation's commitment to arms control? Given the commitments by the administration, will it reinvigorate our nuclear nonproliferation efforts?

The answers to these questions were most succinctly addressed in a state-

ment by the leader who negotiated and signed the first START treaty, former President George H.W. Bush. I will conclude by associating myself with his comments on the issue, which I will read in full: “I urge the United States Senate to ratify the [New] START treaty.”

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, December 3, 2010.

Hon. HILLARY RODHAM CLINTON,
Secretary of State,
Washington, DC.

DEAR SECRETARY CLINTON: I want to thank the Administration for making its experts available to discuss the proposed New START and its associated issues, including the importance of modernizing the nuclear weapons complex in light of proposed reductions in our deployed nuclear forces. I support the recent commitment President Obama made to increase the investments for nuclear modernization by \$4.1 billion and to fully fund the costs associated with new facilities as the design for these facilities are completed. The Administration has also answered many of my concerns about verification and inspections. Although I believe the verification and inspection requirements of the now expired START treaty were preferable, the explanations regarding the new verification methods have helped to assuage my concerns.

There is, however, a remaining issue that must be resolved before I can conclude that the treaty warrants my support. The New START treaty does not address the significant disparity between the number of nonstrategic nuclear weapons in the stockpiles of the Russian Federation and the United States. By maintaining a distinction between the threats of nuclear attack that warrant the ratification of a treaty from those nuclear threats that do not simply based upon the distance from which a nuclear weapon is launched or the method by which such a weapon is delivered, we preserve an outdated model regarding the nuclear threats facing our country. Any nuclear attack on our country or one of our allies, not just those that are launched quickly from a great distance, would be devastating.

The characteristics of tactical nuclear weapons, particularly their vulnerability for theft and misuse for nuclear terrorism, make reducing their numbers important now. Several arms control groups, including the Stimson Center, the Center for Nonproliferation Studies, and the Union of Concerned Scientists, have stated that the danger of tactical nuclear weapons rests not only in the destructive power of each weapon, but also because they are vulnerable to theft by terrorist groups. President Obama's 2010 Nuclear Posture Review echoes the concern of nuclear terrorism: “The threat of global nuclear war has become remote, but the risk of nuclear attack has increased . . . today's most immediate and extreme danger is nuclear terrorism. Al Qaeda and their extremist allies are seeking nuclear weapons.”

Non-strategic delivery systems are also as capable as some of the strategic delivery vehicles covered under New START of delivering a swift nuclear attack. For example, the Russian Federation is capable of deploying submarine-launched cruise missiles armed with nuclear warheads. According to press reports, a new type of Russian attack submarine capable of launching nuclear-armed cruise missiles is expected to enter service in late 2010. My understanding is that, unlike submarine launched ballistic

missiles, these nuclear-tipped cruise missiles would not be counted under New START. In addition, I was troubled to learn of reports in the New York Times that the Russian Federation moved short-range tactical nuclear weapons closer to the territory of our NATO allies and U.S. deployed forces in Europe earlier this year, apparently in response to the deployment of missile defense capabilities there.

Insufficiently addressing these weapons may make it more difficult to achieve future nuclear arms control agreements. According to the independent Perry-Schlesinger Strategic Posture Commission report, the Russian Federation has about 3,800 tactical nuclear weapons and the United States has less than 500 tactical nuclear weapons. If the New START treaty is ratified, the number of deployed strategic nuclear weapons by both countries will be evenly balanced. Absent a significant unilateral reduction in tactical nuclear warheads by the Russian Federation, any effort to reduce the disparity in these weapons may lead to unacceptable concessions regarding U.S. capabilities that are not tied to the size of the nuclear stockpiles maintained by each country, such as concessions regarding missile defense or conventional prompt global strike.

Including non-strategic weapons in strategic arms negotiations is not unprecedented. On July 31, 1991, the day START I was signed by President George H.W. Bush and Mikhail Gorbachev, the U.S.S.R. publicly committed to providing the United States with annual declarations regarding the deployments of nuclear sea-launched cruise missiles for the duration of START I. In addition, the Soviet Union committed to deploying no more than a single warhead on each cruise missile and to not exceed the deployment of more than 880 nuclear sea-launched cruise missiles in any one year.

On July 27, 2010, Dr. Keith Payne, former Deputy Assistant Secretary of Defense for foreign policy and a member of the Perry-Schlesinger Commission, testified before the Senate Armed Services Committee that the reason he believed tactical nuclear weapons were not included in the New START treaty was because, "the Russians did not want to engage in negotiations on their tactical nuclear weapons." I think they will be very wary about ever engaging in serious negotiations on their tactical nuclear weapons. I also understand, and would expect, that any reductions of non-strategic nuclear weapons in Europe would rest, in part, upon the position of our NATO allies.

Nonetheless, the concerns I have regarding non-strategic weapons remain outstanding as I consider whether or not the New START treaty warrants my support. As such, I request that you provide, in writing, the Administration's plan to address the disparity between the numbers of non-strategic warheads of the Russian Federation compared to the United States, in order that I may consider this information prior to a vote on the ratification of the New START treaty.

Thank you for your attention to this matter, and for your service to our nation.

Sincerely,

SUSAN M. COLLINS,
United States Senator.

Hon. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: Thank you for your letter of December 3, 2010, regarding the New START Treaty. We believe ratification of the Treaty is essential to preserving core U.S. national security interests. The Treaty will establish equal limits on U.S. and Russian deployed strategic warheads and strategic delivery systems, and will provide the

U.S. with essential visibility into Russian strategic forces through on-site inspections, data exchanges, and other verification provisions.

As you note, the Strategic Posture Commission expressed concern regarding Russian tactical nuclear weapons. At the same time, the Commission recommended moving forward quickly with a new treaty focused on strategic weapons. With the expiration of the START Treaty in early December 2009, for the past year the U.S. has had no inspectors with "boots on the ground" to verify Russian strategic forces.

The Administration is committed to seeking improved security of, and reductions in, Russian tactical (also known as non-strategic) nuclear weapons. We agree with the Senate Foreign Relations Committee's call, in the resolution of advice and consent to ratification of the New START Treaty, to pursue an agreement with the Russians to address them. These negotiations offer our best chance to constrain Russian tactical nuclear weapons, but we believe Russia will likely be unwilling to begin such negotiations if the New START Treaty does not enter into force. We will consult closely with Congress and our Allies in planning and conducting any follow-on negotiations.

At the NATO summit in Lisbon in November 2010, Allied leaders expressed their strong support for ratifying the New START Treaty now, and welcomed the principle of including tactical nuclear weapons in future U.S.-Russian arms control talks. The U.S. remains committed to retaining the capability to forward-deploy tactical nuclear weapons in support of its Alliance commitments. As such, we will replace our nuclear-capable F-16s with the dual-capable F-35 Joint Strike Fighter, and conduct a full scope Life Extension Program for the B-61 nuclear bomb to ensure its functionality with the F-35 and enhance warhead surety.

Your letter notes recent press reports alleging that Russia has moved tactical nuclear warheads and missiles closer to Europe. We note that a short-range ballistic missile unit has long been deployed near Russia's border with Estonia, and earlier this year the Russians publicly announced that some SS-26 short-range ballistic missiles would be located there. Although this deployment does not alter either the balance in Europe or the U.S.-Russia strategic balance, the U.S. has made clear that we believe Russia should further consolidate its tactical nuclear weapons in a small number of secure facilities deep within Russia.

With regard to future agreements, we strongly agree with you that the characteristics of tactical nuclear weapons—particularly their vulnerability to theft, misuse, or acquisition by terrorists—make reducing their numbers and enhancing their safety and security extremely important. That is why when President Obama signed the New START Treaty in April, he made clear that "going forward, we hope to pursue discussions with Russia on reducing both our strategic and tactical weapons, including non-deployed weapons."

Thank you for the opportunity to address the important matters you have raised in connection with the new START Treaty. We look forward to continuing to work with you on this and other issues of mutual interest, and urge your support of New START.

Sincerely,

HILLARY RODHAM CLINTON,
Secretary of State.
ROBERT M. GATES,
Secretary of Defense.

ORDER OF PROCEDURE

Mr. KERRY. Mr. President, I ask unanimous consent to proceed as in

legislative session and as in morning business in order to process some cleared legislative items.

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

NORTHERN BORDER COUNTER-NARCOTICS STRATEGY ACT OF 2010

Mr. KERRY. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 4748 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4748) to amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. KERRY. Mr. President, I ask unanimous consent that a Schumer substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 4915) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Northern Border Counternarcotics Strategy Act of 2010".

SEC. 2. NORTHERN BORDER COUNTER-NARCOTICS STRATEGY.

The Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3502) is amended by inserting after section 1110 the following:

"SEC. 1110A. REQUIREMENT FOR NORTHERN BORDER COUNTERNARCOTICS STRATEGY.

"(a) DEFINITIONS.—In this section, the terms 'appropriate congressional committees', 'Director', and 'National Drug Control Program agency' have the meanings given those terms in section 702 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701)).

"(b) STRATEGY.—Not later than 180 days after the date of enactment of this section, and every 2 years thereafter, the Director, in consultation with the head of each relevant National Drug Control Program agency and relevant officials of States, local governments, tribal governments, and the governments of other countries, shall develop a Northern Border Counternarcotics Strategy and submit the strategy to—

"(1) the appropriate congressional committees (including the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives);

"(2) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Indian Affairs of the Senate; and

"(3) the Committee on Armed Services, the Committee on Homeland Security, and the