

of such systems that we are going to be continuing? This is very important. We define that here to include all phases of the phased adaptive approach to missile defenses in Europe embraced now by our NATO allies; second, the modernization of the ground-based mid-course defense system; and third, the continued development of the two-stage ground-based interceptor as a technological and strategic hedge.

We are being as direct as we can be here to the Russians. Some of my colleagues have said—and the record, unfortunately, shows it—that their record for complying with treaties is not a good one. We don't want to enter into this one with any misunderstandings or covering up the truth. We are saying here loudly and clearly that the United States is going to continue to develop all of these different forms of missile defense to protect our security and that has nothing to do with this START treaty.

I think the third section here is very important. We say:

The U.S. believes that these systems [missile defense systems] do not and will not threaten the strategic balance with the Russian Federation. Consequently, while the U.S. cannot circumscribe the sovereign rights of the Russian Federation under paragraph 3 of Article XIV of the [START] Treaty—

Which is the section that gives nations the right to withdraw under extraordinary circumstances—nonetheless, if we adopt this, when we adopt it, this amendment, we are saying here:

The United States believes 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.

We are trying to manage our relationship with the Russian Federation in a way that is conducive to the security of our country and the security of the world.

We disagree with the Russians on an awful lot of things, including human rights and values and freedom of the press—which the current government in Russia has so aggressively suppressed. So we want to be honest with them and direct with them and not enter into this important treaty with any illusions. I believe we have said that clearly. If it passes, it will be presented to the Russian Government directly.

I am very pleased we have a broad, bipartisan group supporting this. It is a unified way to conclude our deliberations here before we go to vote on ratification, and I urge my colleagues to support the amendment.

I thank the Chair and yield the floor to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I ask unanimous consent to add Senator BEGICH as a cosponsor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CORKER. Mr. President, I am thrilled to join with Senator MCCAIN and Senator LIEBERMAN in an amendment dealing with missile defense. This is a subject that has been discussed ever since this treaty was first presented.

I cannot think of a better way to end this debate. I thank Senator KERRY for having the patience of Job, having worked through this. Somebody mentioned deals and where they have been taking place. They have been taking place on the Senate floor. We have been working on this for a long time. We have gone through intelligence briefings. We have gone through incredible numbers of hearings. I think this has been done exactly in the right way.

I thank the Senator for his leadership. I thank Senator LUGAR for his leadership on nuclear armaments in general. The Senator has been pursuing that for years.

So we have before us an amendment on missile defense. Again, it has been discussed in great detail. This says three things. Senator LIEBERMAN certainly talked about much of the detail, but the President the other day sent us a letter declaring, in very strident ways, his commitment to both the phased-adaptive approach to missile defense, which will take place in Europe, and our ground-based interceptors. He has said that absolutely in strident terms.

What this amendment does is certifies to Congress—he certifies to Congress—that he is going to continue those efforts. He will continue those efforts on phased-adaptive approach and ground-based interceptors.

Second, we have been concerned about what Russia thinks as it relates to this treaty. When we exchange the instruments of ratification, when we exchange the documents when ratifying this treaty, they are going to be told that we, in fact, are continuing to pursue our missile defenses in every way possible, and that in no way affects our relationship from that standpoint as it relates to this treaty. I think that is incredibly strong.

Then, third, we have talked about this preamble, and every one of us knows the preamble is nonbinding. But as an understanding of this treaty going forward, we are telling the Russians that the preamble absolutely is not binding and that we are pursuing these missile defense applications that have been discussed. I am proud to join with Senator MCCAIN, with Senator LIEBERMAN, two people who care as deeply about our national security as anybody in the United States, certainly in this Senate. I am proud to have the other Members of the Senate who have joined in.

Let me just say in closing, I think it is absolutely appropriate that the last two amendments we address are the Kyl amendment which deals with modernization—the President has made incredible investments in modernization that have come about through this en-

tire process, a commitment to ensure that the nuclear arsenal we have is one that operates, that is reliable, that is safe.

I think people know we have 1,550 deployed warheads—after this treaty goes into effect, over a long period of time, we reduce to that number, but that we have roughly 3,500 other warheads that, again, will continue to be modernized and made available, if necessary.

So I want to say that in accepting the Kyl amendment and all of the things that have come with it—the letter from the appropriators and accepting this missile defense amendment—if that ends up being the case, and I hope it will be by unanimous consent shortly, I think what we have done throughout this entire process has strengthened our country's national security.

I can say: Look, this is called the New START, but I could call this the Missile Defense and Nuclear Modernization Act of 2010 because all of these things have come into play to make our country safer. I want to thank the chairman. I want to thank the administration for walking through, over the last 6 months, and helping us cross t's and dot i's. I think this treaty is good for our country. I think this treaty enhances our national security. I thank the chairman for the way he has worked with us to get it into that position, certainly Senators MCCAIN and LIEBERMAN for helping take the lead on this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 4922 TO AMENDMENT NO. 4904

Mr. KIRK. Mr. President, I have a second-degree amendment at the desk, No. 4922.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. KIRK] proposes an amendment numbered 4922 to Amendment No. 4904.

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

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

The amendment is as follows:

(Purpose: To provide an additional understanding regarding the December 18, 2010, letter from President Obama to the Senate regarding missile defense)

On page 2, after line 19, add the following:

(2) MISSILE DEFENSE.—It is the understanding of the United States that the advice and consent of the Senate to the New START Treaty is subject to the understanding, which shall be transmitted to the Russian Federation at the time of the exchange of instruments of ratification, stated in the letter transmitted by President Barack Obama to the Majority Leader of the United States Senate on December 18, 2010, the text of which is as follows:

THE WHITE HOUSE,

Washington, December 18, 2010.

Hon. HARRY M. REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR REID: As the Senate considers the New START Treaty, I want to

share with you my views on the issue of missile defense, which has been the subject of much debate in the Senate's review of the Treaty.

Pursuant to the National Missile Defense Act of 1999 (Public Law 106-38), it has long been the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack, whether accidental, unauthorized, or deliberate. Thirty ground-based interceptors based at Fort Greely, Alaska, and Vandenberg Air Force Base, California, are now defending the nation. All United States missile defense programs—including all phases of the European Phased Adaptive Approach to missile defense (EPAA) and programs to defend United States deployed forces, allies, and partners against regional threats—are consistent with this policy.

The New START Treaty places no limitations on the development or deployment of our missile defense programs. As the NATO Summit meeting in Lisbon last month underscored, we are proceeding apace with a missile defense system in Europe designed to provide full coverage for NATO members on the continent, as well as deployed U.S. forces, against the growing threat posed by the proliferation of ballistic missiles. The final phase of the system will also augment our current defenses against intercontinental ballistic missiles from Iran targeted against the United States.

All NATO allies agreed in Lisbon that the growing threat of missile proliferation, and our Article 5 commitment of collective defense, requires that the Alliance develop a territorial missile defense capability. The Alliance further agreed that the EPAA, which I announced in September 2009, will be a crucial contribution to this capability. Starting in 2011, we will begin deploying the first phase of the EPAA, to protect large parts of southern Europe from short- and medium-range ballistic missile threats. In subsequent phases, we will deploy longer-range and more effective land-based Standard Missile-3 (SM-3) interceptors in Romania and Poland to protect Europe against medium- and intermediate-range ballistic missiles. In the final phase, planned for the end of the decade, further upgrades of the SM-3 interceptor will provide an ascent-phase intercept capability to augment our defense of NATO European territory, as well as that of the United States, against future threats of ICBMs launched from Iran.

The Lisbon decisions represent an historic achievement, making clear that all NATO allies believe we need an effective territorial missile defense to defend against the threats we face now and in the future. The EPAA represents the right response. At Lisbon, the Alliance also invited the Russian Federation to cooperate on missile defense, which could lead to adding Russian capabilities to those deployed by NATO to enhance our common security against common threats. The Lisbon Summit thus demonstrated that the Alliance's missile defenses can be strengthened by improving NATO-Russian relations.

This comes even as we have made clear that the system we intend to pursue with Russia will not be a joint system, and it will not in any way limit United States' or NATO's missile defense capabilities. Effective cooperation with Russia could enhance the overall effectiveness and efficiency of our combined territorial missile defenses, and at the same time provide Russia with greater security. Irrespective of how cooperation with Russia develops, the Alliance alone bears responsibility for defending NATO's members, consistent with our Treaty obligations for collective defense. The

EPAA and NATO's territorial missile defense capability will allow us to do that.

In signing the New START Treaty, the Russian Federation issued a statement that expressed its view that the extraordinary events referred to in Article XIV of the Treaty include a "build-up in the missile defense capabilities of the United States of America such that it would give rise to a threat to the strategic nuclear potential of the Russian Federation." Article XIV(3), as you know, gives each Party the right to withdraw from the Treaty if it believes its supreme interests are jeopardized.

The United States did not and does not agree with the Russian statement. We believe that the continued development and deployment of U.S. missile defense systems, including qualitative and quantitative improvements to such systems, do not and will not threaten the strategic balance with the Russian Federation, and have provided policy and technical explanations to Russia on why we believe that to be the case. Although the United States cannot circumscribe Russia's sovereign rights under Article XIV(3), we believe that the continued improvement and deployment of U.S. missile defense systems do not constitute a basis for questioning the effectiveness and viability of the New START Treaty, and therefore would not give rise to circumstances justifying Russia's withdrawal from the Treaty.

Regardless of Russia's actions in this regard, as long as I am President, and as long as the Congress provides the necessary funding, the United States will continue to develop and deploy effective missile defenses to protect the United States, our deployed forces, and our allies and partners. My Administration plans to deploy all four phases of the EPAA. While advances of technology or future changes in the threat could modify the details or timing of the later phases of the EPAA—one reason this approach is called "adaptive"—I will take every action available to me to support the deployment of all four phases.

Sincerely,

BARACK OBAMA.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, on the basis of rule XXII and the question of timely filing, I would object to this amendment being considered.

The PRESIDING OFFICER. The point of order is well taken. The amendment falls.

Mr. KIRK. Mr. President, am I allowed to be heard on the point of order?

The PRESIDING OFFICER. There is no debate on a point of order.

Mr. KIRK. Roger that.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I do not want the Senator to not have an opportunity to be able to speak to this. I think he should be able to. He certainly has that right in the context of his time. I will not speak very long at all.

I want to thank the Senator from Arizona, my long-time friend, for his very generous comments. I appreciate them personally. But also I thank him for his willingness, under some circumstances that I know were tough for him, in terms of how a lot of this played out. He nevertheless sat with me, worked through these issues, and

obviously I wish we had been able to reach an agreement sometime earlier, but I am glad he is there now on this amendment. I am glad we are able to accept it.

I thank Senator CORKER who has been a straight dealer throughout all of this—no histrionics, no politics. I think he has really seen his responsibilities on the Foreign Relations Committee in the best way and has studied and thought and worked at and tried to find a way to solve a problem, not create a problem. So I thank him for that approach to this treaty.

I think this amendment, if I can say—I mean, I was here in the Senate. I remember debating the first proposal of President Reagan with respect to missile defense, which then was called the SDI, the Strategic Defense Initiative, and became what we called Star Wars back then. We have traveled a long distance since then. The world also has changed significantly since then.

We no longer live in that sort of bipolar East-West, Soviet-U.S.-dominated world. We are living in a multipolar, extraordinarily complicated and significantly changed world in the context of the threats we face. The threats we now face, particularly of a rogue state, or of the possibility of a terrorist group stealing or putting their hands on some loosely guarded materials and/or weapons, those are possibilities that are real. We need to deal with this different kind of threat.

I believe the President of the United States has been pursuing a plan, building on what previous administrations have done; that is, pursuing the right kind of approach to try to figure out: How do we make all of us safer? Our hope is that the Russians will understand this is not directed at them. This is directed at how we together can build a structure in which all of us can share in a way that forces the Iranians and North Koreans and others to understand the futility, indeed the counter-productivity of the direction in which they are moving.

So I think this is a good amendment to embrace within the instrument of ratification what the President is doing anyway, what the administration has been committed to doing anyway. I personally do not think it was necessary—in order to achieve an appropriate understanding of where the administration is going—but to whatever degree it gives Senators the ability in the advice and consent process to believe that we are appropriately putting Russians on notice as to this course we are on, I think it reinforces what the President has already done and said. I do not think they should view it as something new or as an aberration from any course that we have been on. I certainly do not view it that way.

I am confident they will see that we can build on this treaty in a way that we share in the future strategies, analyses, perhaps even technologies in the long run that will make all of us safer

and ultimately provide all of us with the ability to deal with the realities of a nuclear world. Our goal is to make us safer, and we believe this helps us do that.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I join with the sentiments just expressed by the chairman. I very much appreciate the statements made by Senator MCCAIN, Senator LIEBERMAN, and my colleague on the Foreign Relations Committee, Senator CORKER, who has worked diligently throughout the hearings, the markup, and this debate.

I ask unanimous consent to be added as a cosponsor to the amendment that they have offered, 4904, as modified.

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

The Senator from Alabama.

Mr. SESSIONS. Just briefly on the remarks about the missile defense, I have served as chairman of the Strategic Forces Subcommittee and ranking member and have been involved in it for quite a few years. I think the language affirms the continued development of the two-stage, ground-based interceptor. Then, I guess, I accept the language that says "as a technological and strategic hedge."

But I would just say to my colleagues, the reason we are at this point is because, during the negotiations with the Russians concerning the New START treaty, the administration, responding to Russian objections about missile defense—which were so unfounded and I could never fathom—the administration agreed, in September of last year, unilaterally, and to the utter surprise of Poland and the Czech Republic, to cancel the planned two-stage GBI that was to be deployed in 2016 in Poland.

It was a great embarrassment to our allies. They had been negotiating with us for many years on this project. They had stood firm for it, and the administration then promised this phase four SM-3 Block 2B. But it was not on the drawing board, not under development, and cannot be completed until 2020 if we as a Congress fund it over that decade. The President certainly will not be in office at that time. So I am uneasy about this whole matter of missile defense.

I think the administration made a colossal error in giving up on the planned two-stage strategic policy. But this language is better than no language. I thank my colleagues for moving forward with it.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I know the Senator from North Dakota wants to speak on this a little bit. I thought we might, if he was willing—we could accept the amendment and then the Senator would have an opportunity to speak.

Mr. President, we are prepared to accept this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 4904), as further modified, was agreed to.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, we have an understanding—while it is not a unanimous consent request yet, we have an understanding with Senator KYL that is the last amendment. We are waiting for the agreed-upon language from both leaderships in order to arrive at a time for the vote. It is our understanding that other issues that were part of the equation of when that vote might take place have been resolved. So, as a result, I think Senators can anticipate that, hopefully, sometime soon that unanimous consent request will be propounded.

Until then, Senators are free to talk on the treaty and I look forward to their comments.

Can I say one word, Mr. President? I apologize.

Earlier when I was thanking folks, I meant to, and I neglected to because I jumped over to thank Under Secretary of State Ellen Tauscher.

As we all know, she was a Member of the House, spent a lot of time on separate issues. In fact, she chaired one of the subcommittees of the Armed Services Committee. She logged a lot of miles and worked her heart out to assist in the evolution of this treaty. She has, as we all know, been fighting cancer. She just recently had cancer surgery. We wish her well in her recovery and express our gratitude to her for her work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I thank the Senator from Massachusetts and Senators MCCAIN and LIEBERMAN.

There are probably still some folks making up their minds on this treaty. I think most people have debated this at length and discussed it at length off the floor.

Our side has raised a number of questions. We have tried to cross every t and dot every i. This has been done in a very methodical way. I thank the chairman for the way he has worked with us. I thank Senator LUGAR for his longstanding leadership in this regard. I thank the administration officials who have absolutely bent over backward to try to solve every problem that has come up. The administration has not only solved problems for people who might vote for the treaty, they have tried to solve problems for people who they know will not vote for the treaty. We have some Members on our side who I know are still making up their minds. I have been involved in this for a long time. I enjoyed this. I think this is an incredibly serious matter.

I have two daughters and a wife I love. National security is something that is important to all of us. None of us wants anything bad to happen to this country. But to my friends on this side of the aisle who still may have

some questions, there is no way in the world we would have the commitments we have on nuclear modernization if it were not for the process of this treaty. Now with Senator KYL's amendment being accepted, we are even fast-tracking that. There is no way in the world the unilateral statements that are going to be presented to Russia are going to be made regarding missile defense would be occurring without this treaty being in place. I don't think there is a person in the world who has debated seriously whether 1,550 warheads being deployed in any way affects this country's national security.

To those of you who may still be wavering, I believe every issue that has been raised has been answered strongly and legitimately. We have put forth what our posture is on nuclear armaments more clearly than we have done in recent times. I hope people will come to the same conclusion, that this is good for the country.

I thank all those who have allowed me to be involved the way that I have. I urge support, whenever the vote occurs, for a treaty that I believe absolutely makes our country safer. With all these accommodations, at some point, it seems that the right thing to do is to say yes to yes.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, there has been a great deal of discussion about modernization this morning. I have listened to much of it and was not going to come to the floor, but I do want the record to show clearly what the numbers are on modernization. It is important to the future for us to understand what has been done and what is being done and what will be done.

I chair the Appropriations Subcommittee that funds nuclear weapons activities. I have spoken about this previously. It is very important going forward that we all understand what not only this administration but the previous administration has proposed with respect to modernization. I agree with my colleague from Kentucky. It is encouraging, at the end of this debate, that two bipartisan amendments represent the conclusion of this very important debate. We often debate things that are of lesser importance or of greater importance and sometimes don't always see the difference between the two. But this is one of those cases where if we ratify the START agreement today, when all is said and done, more will have been done than said. That is very unusual in a political body.

When I say "more will have been done than said," it is so unbelievably important to try to reduce the number of nuclear weapons and to stop the spread of nuclear weapons. But there is a subtext to all the other things we have discussed, which is why I want to put in the record the funding for the nuclear weapons issues. That subtext is money, money related to national security. We are a country with a \$13

trillion debt. Modernization is expensive. Yet it relates to our national security. National missile defense, which we have heard a lot about, is very expensive. I understand that also relates to national security. But this issue of getting our debt under control and our fiscal policy under control is just as much a part of the national security interests of this country.

The subtext to these discussions—modernization, missile defense—is about funding as well and getting this country's economic house in order.

Let me mention the issue of nuclear weapons modernization. In fiscal year 2010, we were spending \$6.3 billion on the modernization program on nuclear weapons activities. In fiscal year 2011, it went to \$7 billion, up 10 percent—so a 10-percent increase for the nuclear weapons activities in President Obama's budget request. That 10-percent increase was unusual because most accounts were flat or some had cuts. But nuclear weapons got a 10-percent increase. The proposal for 2011, a \$600 million increase but \$7 billion total, was actually short-circuited and put in the continuing resolution. All the other funding in the CR is flat funding from the previous year. But the funding for the nuclear weapons programs at 10 percent higher was put into the CR. Those programs and those programs alone get the higher funding. That \$7 billion was not all that was to be spent. Another \$4 billion emerged. I heard about that on the radio while driving in North Dakota, that another \$4 billion had been put into this pot for modernization. The additional funding from the 1251 report, which was produced in the fall, means 2012 funding would go from \$6.3 billion in 2010, \$7 billion in 2011, to \$7.6 billion in 2012. That is a \$1.2 billion increase in 2 years.

Linton Brooks, the fellow who ran the National Nuclear Security Administration and who did a good job in that role, said:

I would've killed for this kind of budget.

He is referring to \$1.2 billion increase and two 10 percent increases, while much of the other budget was flat. We are talking about \$85 billion for the next decade on these weapons activities, an increase of \$8.5 billion in the next 5 years over what was portrayed in the 2010 budget. We are talking about a lot of additional money that has been committed. It shows a commitment to build two nuclear facilities that were discussed earlier. I want to mention them because it is important to understand what we are doing, the uranium processing facility at the Y-12 production complex and the chemistry and metallurgy research replacement facility at Los Alamos. There were moneys in the 2012 budget in construction funds for these two facilities, not as much as some would want in the Senate. But the fact is, the design of these two facilities is only 45 percent complete. We don't fund things that are 45 percent designed. To come

out here and say we ought to be providing robust funding for buildings that are not even designed just makes no sense. Why, NNSA can't have confidence in its funding needs until it reaches about a 90-percent design point and that will be in 2013.

I listened this morning to this discussion and I think what the chairman has done and what Senator KYL has done in reaching an agreement is fine. But I want the record to show that this administration has proposed robust increases in 2010, 2011, 2012, and for a 5-year period in these modernization accounts, life extension programs—robust increases. Even that is not enough for some. They want to put money into buildings that are not yet designed. That doesn't make much sense to me.

My point is, when we add up all of this, the subtext is how are we going to pay for it. Because it is easy to talk about authorizing, to talk about appropriating. The question is, Where does the money come from at a time when we are borrowing 40 cents of everything we spend in this government? The subtext of money and debt is also a significant part of this country's national security. If we don't get our fiscal house in order, all these debates will pale by comparison. We can't lose our economy and have a future collapse of the economy because the rest of the world has very little confidence in our ability to make smart decisions. We can't risk all that and believe we are going to be a world economic power moving forward. If we are going to remain a world economic power—and we can, and I believe we will—it will be because we start making some smart, tough, courageous decisions. That is more than just calling for more money, more spending, which was most of this morning's discussion.

I don't object to the amendment. My colleagues have raised important issues. But it is important to understand we have made great progress on the modernization funding programs in the past months, and this administration has moved very aggressively to meet those needs and meet those concerns. That is important with respect to the public record.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I have given a lot of thought to the treaty, and having been involved in missile defense and nuclear issues serving on the Strategic Forces Subcommittee of Armed Services, as ranking member and chairman, many of the provisions in the treaty are acceptable and should pose no threat to our national security. But considered as part of the administration's stated foreign policy and strategic policy and in relation to the reality of the world situation today, I do not believe the treaty will make us safer. I think that is a good test.

I disagree with my colleagues who are overly confident that this is going to make the world safer. I believe the

treaty, for that reason, should be rejected.

Some say a defeat for the treaty would harm the United States. I think the entire world would see the Senate action as a resurgence of America's historical policy of peace through strength and a rejection of a leftist vision of a world without nuclear weapons. The negotiating posture statements and actions of Russia indicate it is regressing sadly into an old Soviet mindset as it views the outside world. This is disappointing and indicative of anything but the positive reset we hope to achieve with them. It is extremely important for Russian and U.S. security and world security, that Russia sees its role as a positive force for peace and security. These negotiations, however, show the face of the old Soviet Union. They have been so relentless in the way they have negotiated.

Negotiations with any mature power, especially Russia, are difficult and serious. This administration began with a naive expectation that a treaty could be quickly achieved that would show their leadership towards peace and a nuclear-free world. The Obama administration wanted to set an example for other nations to reduce their nuclear weapons towards a world without any nuclear weapons. We have heard this leadership and this setting of an example theme repeatedly from the President and the administration. But Russia has not the slightest interest in such vague concepts, nor in eliminating all nuclear weapons. They have no idea or intention ever of relinquishing nuclear weapons. They are focused on their own national interest, on coming out ahead in the negotiations for military, political, psychological, and hegemonic reasons.

It seems clear to me that Russia got what it wanted and President Obama got a treaty paper which strategically means very little but can be touted as a victory for peace.

So this is what I have concluded during this debate—and the debate has been helpful—the debate has caused me to think through a good bit of this. A longer debate at a different time of the year, I think, could have helped all of our colleagues. I do not believe the success in negotiation of the treaty will in any way make the Russians more cooperative, as the administration has repeatedly suggested.

Russia has been inconsistent at best in helping the United States with the danger of nuclear Iran and North Korea—the gravest threats to peace in the world, with military action being undertaken against our ally, South Korea, in recent weeks, and with the real possibility of an attack on Iran's nuclear weapons that, hopefully, can be avoided.

Why has Russia not been more cooperative? They blocked a resolution condemning North Korea Sunday in the U.N. Russia attacked Georgia, a sovereign nation, and continues to occupy Georgian territory. This shocking act

of aggression condemned by independent bodies goes without any real U.S. response. Georgia is a pro-American, free market, independent nation whose attack was calculated and deliberate.

Russia continues to work to undermine the pro-Western democracy movement in the Ukraine. They continue a host of actions that evidence a long-term plan to effect a real or de facto reabsorption of these three nations into what was the old Soviet Union.

So these ominous trends, it seems to me, have not been seriously considered throughout this quest for the treaty. The events do not give me confidence that the treaty, therefore, is a positive step for the United States, the world, or for peace.

Secondly, as I noted, and I will not go into detail now, the administration conceded the two-staged, ground-based interceptor site that would have been established in Poland, that would provide redundant protection to the United States from an Iranian missile and protected virtually all of Europe from an Iranian missile. That was given away unilaterally by the administration without prior warning to our allies in Poland and the Czech Republic. They heard about it in the paper. They realized the United States had gone behind them, our allies, and made a deal with the Russians. It was a very unfortunate event, indeed.

The plan that has been talked about—the fourth phase of the SM-3 Phased Adaptive Approach—is not even on the drawing board and is unlikely to actually survive. It would be difficult to see it surviving in five different budget cycles over the next 10 years it would take to develop that system. We walked away from one that could be deployed soon.

I offered a sense-of-the-Senate resolution to make clear the Senate does not concur in an ill-conceived vision of the administration that would move us to a world without nuclear weapons. I thank Senators KYL, LEMIEUX, CORNYN, CHAMBLISS, and INHOFE for cosponsoring the amendment. While I will not insist on a vote at this hour, this matter will be a significant subject for the future.

Thirdly, I would suggest the treaty is promoted as a step towards a world free of nuclear weapons. This is a fantastical idea that goes beyond insignificance, it is dangerous. Basing any policy, especially a nuclear policy, on an idea as cockamamie as zero nuclear weapons in the world can only lead to confusion and uncertainty. Confusion and uncertainty are the polar opposites of the necessary attributes of security and stability. These are the essentials of good strategic policy: security and stability.

Thus, the Obama policy creates a more dangerous world. Some say the President's zero nukes policy is just a distant vision, some vague wish, so don't worry. The situation would be

much better if that were so, but it is not. President Obama has made zero nuclear weapons a cornerstone of our defense policy. It has, amazingly, already been made a centerpiece of our military policy, being advanced by concrete steps today. Presidents, Commanders-in-Chief, have the power to make such monumental changes in policy, and this President is certainly doing so.

The change is seen most seriously in the critically important Nuclear Posture Review produced in April 2010 by the Defense Department. This document is a formal document produced by the new administration's Defense Department. The determination to pursue the zero nuclear weapons vision is seen throughout this review. Amazingly, there are 30 references in that document to a world without nuclear weapons.

The NPR begins with an introductory letter from Secretary of Defense Gates, the second sentence of which says this:

As the President said in Prague last year, a world without nuclear weapons will not be achieved quickly, but we must begin to take concrete steps today.

The Executive Summary further drives the issue home. The first sentence in the Executive Summary recalls that President Obama, in Prague, highlighted nuclear dangers and said:

The United States will seek the peace and security of a world without nuclear weapons.

The first sentence in the second paragraph of the NPR is particularly ominous and even chilling to me. Posture Reviews are defense reviews, and by their nature are bottom-up reports, driven by threat assessments and the requirements necessary to defend America. These reviews historically are objective analyses from experts, not political reports. The troubling line reads:

The 2010 Nuclear Posture Review (NPR) outlines the Administration's approach to promoting the President's agenda for reducing nuclear dangers and pursuing the goal of a world without nuclear weapons.

This statement reveals the whole truth. The NPR is the President's policy, sent from the top down, not the bottom up. Stunningly, the report lacks a clear focus on the only objective that counts: Securing a nuclear arsenal second to none that can, under any circumstances, deter attacks on and defend the United States and its allies.

Fourthly, the Obama vision of a world without nuclear weapons has not been well received. Indeed, the breadth of the criticism from experts and world leaders is noteworthy.

Two years ago, Congress adopted an amendment I proposed that called for a commission to review the strategic posture of the United States. It was bipartisan and chaired by former Secretaries of Defense Dr. William Perry and Dr. James Schlesinger. The commission powerfully dismissed the idea of a world without nuclear weapons. In somewhat diplomatic but clear and strong language, they said this:

The conditions that might make possible the global elimination of nuclear weapons are not present today and their creation would require a fundamental transformation of the world political order.

They went on to say this:

All of the commission members believe that reaching the ultimate goal of global nuclear elimination would require a fundamental change in geopolitics.

Maybe the Second Coming.

Others have dismissed this concept as a wild chimera. French President Sarkozy, from one of our European allies, France, said this:

It [our nuclear deterrent] is neither a matter of prestige nor a question of rank, it is quite simply the Nation's life insurance policy.

He made clear they had no intention of giving that up.

Secretary James Schlesinger, back when President Reagan was meeting in Reykjavik over nuclear issues, made this wise comment:

Nuclear arsenals are going to be with us as long as there are sovereign states with conflicting ideologies. Unlike Aladdin with his lamp, we have no way to force the nuclear genie back into the bottle. A world without nuclear weapons is a utopian dream.

Keith Payne, who served on this nuclear commission, writing recently in the *National Review*, said:

The presumption that United States movement toward nuclear disarmament will deliver nonproliferation success is a fantasy. On the contrary, the United States nuclear arsenal has itself been the single most important tool for nonproliferation in history, and dismantling it would be a huge setback.

Remember the commission.

Jonathan Tepperman, in *Newsweek*, said:

And even if Russia and China (and France, Britain, Israel, India, and Pakistan) could be coaxed to abandon their weapons, we'd still live with the fear that any of them could quickly and secretly rearm.

Gideon Rachman, in *Financial Times*, said:

The idea of a world free of nuclear weapons is not so much an impossible dream as an impossible nightmare.

William Kristol, writing in the *Washington Post*, in October, said:

Yet to justify a world without nuclear weapons, what Obama would really have to envision is a world without war, or without threats of war. . . . The danger is that the allure of a world without nuclear weapons can be a distraction—even an excuse for not acting against real nuclear threats. . . . So while Obama talks of a future without nuclear weapons, the trajectory we are on today is toward a nuclear—and missile-capable North Korea and Iran—and a far more dangerous world.

Others have also written about this.

David Von Drehle, writing in *Time Magazine*, said:

A world with nuclear weapons in it is a scary, scary place to think about. The industrialized world without nuclear weapons was a scary, scary place for real. But there is no way to un-ring the nuclear bell. The science and technology of nuclear weapons is widespread, and if nukes are outlawed someday, only outlaws will have nukes.

Kenneth Waltz, leading arms controller and professor emeritus of political science at UC Berkeley, said:

We now have 64 years of experience since Hiroshima. It's striking and against all historical precedent that for that substantial period, there has not been any war among nuclear states.

Importantly, the administration's planned further diminishment of our nuclear stockpile—further diminishing it from these numbers—and President Obama's hostility to the utility of nuclear weapons generally has caused a great deal of unease among our non-nuclear allies. These nations are not so open about their concerns, but the problem is a very real one.

The American nuclear umbrella, our extended deterrence, has allowed our allies, free democratic nations, to remain nuclear free, without having nuclear weapons. But if the Obama policy continues, the Perry-Schlesinger report concludes real dangers may await:

If we are unsuccessful in dealing with current challenges, we may find ourselves at a tipping point, where many additional states conclude that they require nuclear deterrents of their own. If this tipping point is itself mishandled, we may well find ourselves faced with a cascade of proliferation.

The nuclear commission—President Obama appointed a number of the Members on the Democratic side—said that if our allies who feel they have been protected by our nuclear umbrella become uncertain, we could be faced with a cascade of proliferation. Is that what we want? I know the President wants nonproliferation. I know that is what he wants. I am not attacking his goal. Throughout my remarks, I am raising the question of whether these goals will be furthered by the actions of this treaty and these policies or whether they will not.

One final concern. The administration has made it clear that this treaty's nuclear reductions are just the first step in a long march to a nuclear-free world. Assistant Secretary Rose Gottemoeller, who negotiated the treaty, said in April:

We will also seek to include non-strategic, non-deployed weapons in future reductions.

Assistant Secretary of Defense for International Security Affairs and former Ambassador Alexander Vershbow a few weeks ago said that the administration, in follow-on talks, will seek further reductions in strategic, nondeployed, and nonstrategic weapons. And the President has said that repeatedly.

We Senators, in the end, only have our judgment. My best judgment tells me that if our weapons fall too low in numbers, such an event could inspire rogue and dangerous lesser nuclear powers to seek to become peer nuclear competitors to the United States—a dangerous event for the entire world. Thus, I must conclude that the Obama plan is to diminish the power and leadership of the United States. Carefully read, this is what the goal does. I think this conclusion cannot be disputed. The leader of the one nation that has been the greatest force for freedom and stability in the world, with our large nu-

clear arsenal, is displaying a naivete beyond imagining.

Since this treaty is a calculated step in the President's plan to achieve dangerous and unacceptable policies, this treaty must not be ratified. The treaty and the policy behind it must be rejected.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. We are shortly going to propound a unanimous consent request. I have been saying that a couple of times now, but we really are shortly going to do it. There are several Senators who wish to speak. I would like to see if we could set up an order for them.

I ask unanimous consent that the Senator from Washington proceed for 10 minutes, then the Senator from Texas for up to 10 minutes, then the Senator from North Dakota for 5 minutes. I ask unanimous consent also that each of those Senators would allow the interruption for the propounding of the unanimous consent request if it comes during the time they are speaking.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. KERRY. I thank the Chair.

The PRESIDING OFFICER. The Senator from Washington.

DEFENSE LEVEL PLAYING FIELD ACT

Mrs. MURRAY. Madam President, I rise this afternoon to call on the Senate to move and pass H.R. 6540, which is the Defense Level Playing Field Act, a bill which was passed overwhelmingly by the House of Representatives yesterday.

This is a bill that is identical to a bipartisan provision I have introduced here in the Senate with Senators BROWNBACK, CANTWELL, and others from States that know the value of American aerospace. It is a bill that will require the Pentagon to take into account illegal subsidies to foreign companies in our country, and that will finally deliver an even playing field in our procurement process.

But above all, this is a jobs bill. It is about protecting skilled, family-wage jobs, manufacturing jobs, and engineering jobs—jobs with technical skills and expertise that are passed down from one generation to the next; jobs that not only support our families during a very difficult economic time but are also helping to keep our communities above water. These are jobs in communities in Kansas, in Connecticut, in California, and in my home State of Washington. They are jobs that support small businesses, they pay people's mortgages, and they create economic opportunity. These jobs right now are at risk. Why? Because of illegal subsidies that undercut our workers and create an uneven playing field for America's aerospace workers.

This is a commonsense, straightforward way to protect American aerospace jobs from unfairly subsidized Eu-

ropean competition. It is a bill that specifically targets a major job-creating project—the Air Force's aerial refueling tanker contract—as a place where we can begin to restore fairness for our aerospace workers. This bill says that in awarding that critical tanker contract, the Pentagon must consider any unfair competitive advantage aerospace companies have, and there is no bigger unfair advantage right now in the world of international aerospace than launch aid.

As my colleagues may know, launch aid is direct funding that has been provided to the European aerospace company Airbus from the treasuries of European governments. It is what supports their factories and their workers and their airplanes. It is what allows them to price their airplanes far below those that are made here in the United States and still turn a profit. It is what allows them to literally role the dice and lose on a product and what separates them from American aerospace companies, such as Boeing, that bet the company on each new airplane line they produce. In short, it is what allows them to stack the decks against American workers.

In July of this year, the World Trade Organization handed down a ruling in a case that the United States brought against the European Union that finally called launch aid what it really is: a trade-distorting, job-killing, unfair advantage. That is what the WTO said. It is one of our Nation's most important trade cases to date. The WTO ruled very clearly that launch aid is illegal, it creates an uneven playing field, it has harmed American workers and companies, and it needs to end.

Specifically, the WTO found that European governments have provided Airbus with more than 15 billion Euros in launch aid, subsidizing every model of aircraft ever produced by Airbus in the last 40 years, including, by the way, the A330—the very model they are now putting forward in the tanker competition. The WTO ruled that France and Germany and Spain provided more than 1 billion Euros in infrastructure and infrastructure-related grants between 1989 and 2001, as well as another billion in share transfers and equity infusions into Airbus. They ruled that European governments provided over 1 billion in Euros in funding between 1986 and 2005 for research and development directed specifically to the development of Airbus aircraft. In fact, the Lexington Institute states that launch aid represents over \$200 billion in today's dollars in total subsidies to Airbus.

Launch aid has very real consequences. It has created an uphill battle for our American workers and American aerospace as a whole. Because of launch aid, our workers are now not only competing against rival companies, they are competing against the treasuries of European governments. At the end of the day, that has