

HEARING TO RECEIVE TESTIMONY ON THE NEW START AND IMPLICATIONS FOR NA- TIONAL SECURITY

THURSDAY, JUNE 17, 2010

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:33 a.m. in room SD-106, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Lieberman, Akaka, E. Benjamin Nelson, Bayh, McCaskill, Udall, Hagan, Begich, Burris, McCain, Inhofe, Chambliss, Thune, Brown, Burr, and Collins.

Committee staff members present: Richard D. DeBobes, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Madelyn R. Creedon, counsel; Richard W. Fieldhouse, professional staff member; and Jessica L. Kingston, research assistant.

Minority staff members present: Christian D. Brose, professional staff member; Michael V. Kostiw, professional staff member; and Daniel A. Lerner, professional staff member.

Staff assistants present: Paul J. Hubbard, Hannah I. Lloyd, Brian F. Sebold, and Breon N. Wells.

Committee members' assistants present: James Tuite, assistant to Senator Byrd; Christopher Griffin and Vance Serchuk, assistants to Senator Lieberman; Nick Ikeda, assistant to Senator Akaka; Greta Lundeberg, assistant to Senator Bill Nelson; Ann Premer, assistant to Senator Ben Nelson; Patrick Hayes, assistant to Senator Bayh; Tressa Guenov, assistant to Senator McCaskill; Jennifer Barrett, assistant to Senator Udall; Roger Pena, assistant to Senator Hagan; Lindsay Kavanaugh, assistant to Senator Begich; Amanda Fox, assistant to Senator Burris; Jonathan Epstein, assistant to Senator Bingaman; Halie Soifer, assistant to Senator Kaufman; Anthony Lazarski and Rob Soofer, assistants to Senator Inhofe; Sandra Luff, assistant to Senator Sessions; Clyde A. Taylor IV, assistant to Senator Chambliss; Andy Olson, assistant to Senator Graham; Jason Van Beek, assistant to Senator Thune; Erskine Wells III, assistant to Senator Wicker; Brian Walsh, assistant to Senator LeMieux; Scott Clendaniel, Scott Schrage, and William Wright, assistants to Senator Brown; Kevin Kane, assistant to Senator Burr; and Ryan Kaldahl, assistant to Senator Collins.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. Today the Armed Services Committee begins hearings on the new Strategic Arms Reduction Treaty, the New START. I would like to welcome our witnesses: Secretary of State Hillary Rodham Clinton, Secretary of Defense Robert Gates, Secretary of Energy Steven Chu, and Admiral Michael Mullen, the Chairman of the Joint Chiefs of Staff. It's a real pleasure to have all of you with us this morning.

This I think is Secretary Chu's first appearance before the committee. I believe it is. In any event, you get a special welcome for that.

The new Strategic Arms Reduction Treaty that is before us today is an important treaty that will, as Admiral Mullen said earlier this month, make our Your Honor more secure and advance our core national security interests. This treaty is in keeping with a long tradition of bilateral, verifiable arms control agreements with Russia and its predecessor, the Soviet Union, and it strengthens the United States' commitment to nonproliferation.

The United States Senate has previously approved ten bilateral arms control agreements with Russia and before that the Soviet Union, with overwhelming bipartisan majorities. Only one was opposed by more than 6 votes and in that case there were 19 votes opposed to it, and that was in 1993.

Three of these treaties were considered during some of the most difficult days of the Cold War and yet they were all approved with overwhelming support.

This New START Treaty supports a credible nuclear deterrent and maintains the nuclear triad, while allowing both the United States and Russia to reduce the total number of nuclear weapons. Between them, the United States and Russia have more than 90 percent of the world's nuclear weapons. While each Your Honor clearly has more weapons than needed, reductions will happen only through treaties as neither side wants to be unilaterally disarming.

This new treaty will help ensure that needed reductions continue one measured step at a time. Reductions of both nations' nuclear inventories are also required by the Nuclear Nonproliferation Treaty, the NPT, and that is a treaty that we strive to have non-nuclear nations adhere to.

This treaty continues the reductions started in the Moscow Treaty, which President George W. Bush negotiated. Unlike the Moscow Treaty, however, this treaty is a verifiable treaty with inspections and other mechanisms that will ensure transparency in the nuclear arsenals of each side. This treaty will continue, although with different mechanisms than the START I. Thank you, the means to allow both the United States and Russia to monitor each other's nuclear systems.

This new treaty and the attention that President Obama has brought to the threat from the proliferation of nuclear weapons and nuclear materials are critically important. The proliferation threat is real and includes the possibility that nuclear weapons and materials could fall into the hands of terrorists or others who wish to threaten the use of or use of nuclear materials. Through this treaty and the related efforts to secure weapons-grade fissile materials, these dangers will be reduced.

Fundamentally, this treaty is a treaty that limits strategic offensive nuclear arms. It does not limit anything else. Some might want it to limit more. Some might fear that it does limit more. But it does not. For instance, there have been statements made suggesting that the treaty imposes constraints on our missile defense plans and programs. That is simply incorrect. From the very beginning of the negotiations, this administration has been very clear this treaty limits strategic offensive nuclear arms, not missile defenses.

A unilateral statement made by Russia concerning missile defense does not limit or constrain our missile defense efforts. Indeed, a U.S. unilateral statement makes it clear that "Our missile defense systems are not intended to affect the strategic balance with Russia," and the United States missile defense systems would be employed to defend the United States against limited missile launches and to defend its deployed forces, allies, and partners against regional threats. The unilateral statement that we made also states that the United States intends to continue improving and deploying its missile defense systems in order to defend itself against limited attack and as part of our collaborative approach to strengthening stability in key regions.

The unilateral statement of the United States will be made part of the record at this point.

[The information referred to follows:]

Chairman LEVIN. While the United States must maintain the stockpile with or without this treaty, this treaty does bring renewed attention to that nuclear stockpile. This new focus on maintaining the nuclear stockpile through increased scientific and technical rigor ensures a credible nuclear deterrent and paves the way to future reductions.

In the early days of the stockpile stewardship program, significant strides were made in the ability of the nuclear weapons complex to maintain nuclear weapons without testing. It has been almost 18 years since the last explosive nuclear weapons test was conducted and still the stockpile remains safe, secure, and reliable. In many ways, the scientists and engineers know more today about nuclear weapons and how they function than they did in the days of testing.

President Obama, Secretary Gates, Secretary Clinton, Secretary Chu have laid out a plan to increase funding for the nuclear weapons complex and ensure a robust capability for the foreseeable future. Linton Brooks, the former Administrator of the National Nuclear Security Administration, has said that he would have truly welcomed the budget as robust as this budget plan of the Obama Administration.

So we look forward to a good discussion of all these issues with our distinguished witnesses, and I call upon Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman, and I thank our distinguished witnesses for their service to our country and for joining us today to discuss the new START Treaty and its implications for our national security. In my years in the Senate I have supported previous bipartisan efforts to reduce our nuclear weapons in step

with the Russian government and I have been proud to do so. As we evaluate the New START Treaty and consider how to vote on it, I think there are three areas of concern that need to be resolved.

First, we need to be confident that the treaty is verifiable, and we will have a better sense of that once the Congress receives the new national intelligence estimate.

Second, we need to be confident that the treaty in no way limits the administration's ability and willingness to deploy missile defense capabilities, regardless of the statements made by the Russian government.

Finally, we need to be confident that any future reductions in our nuclear stockpile will be accompanied by a serious long-term commitment to modernizing our nuclear stockpile so can have confidence in its safety, security, and reliability.

On missile defense, as we are all aware, the concern that the New START Treaty could constrain our capabilities is an issue of significant importance. Secretary Gates, you have been quite clear "that the treaty will not constrain the United States from deploying the most effective missile defenses possible, nor impose additional costs or barriers on those defenses."

While such assurances are welcome, they don't change the fact that the treaty text, not just the preamble but Article 5 of the treaty itself, includes a clear legally-binding limitation on our missile defense options. Now, this might not be a meaningful limitation, but it's impossible to deny that it is a limitation, as the administration has said.

I continue to have serious concerns about why the administration agreed to this language in the treaty text, after telling the Congress repeatedly during the negotiations that they would do no such thing, and I fear it could fuel Russia's clear desire to establish unfounded linkages between offensive and defensive weapons.

I look forward to discussing the rationale behind the treaty's references to missile defense, and as we do I would reiterate my long-held view that any notion of a Russian veto power over decisions on our missile defense architecture is unacceptable and we should oppose any attempts by any administration to do so.

As part of the administration's submittal of the New START Treaty to the Senate, the fiscal year 2010 defense authorization bill required a report on the plan for modernizing the nuclear weapons complex and delivery vehicles. With respect to the nuclear weapons complex, I am skeptical that the 10-year funding plan for NNSA adequately addresses the recapitalization needs of the weapons complex. The double counting of funds, combining those already planned for sustainment with the modernization effort, paints a misleading picture. \$80 billion over the next 10 years is certainly a substantial sum. However, only a fraction of that amount is actually above what would be allocated simply to sustain the current stockpile.

Given the long-term neglect of the past decade, it is imperative that our investment fulfills our immediate and future national security needs. The administration's funding proposals establish an adequate baseline and, while more funding is likely needed, affordability must be closely scrutinized. A blank check is not the appropriate way to recapitalize our strategic deterrent. Modernizing our

nuclear delivery vehicles, enhancing missile defense, and developing conventional weapons to augment our nuclear force far exceeds the necessary cost for the weapons complex alone.

This future financial commitment is daunting, so we need to allocate each and every dollar wisely and to the greatest benefit of our National security, careful not to simply pass the funding burden on to future administrations and Congresses. We must have a clear understanding of these priorities from this administration, as well as a commitment that such investments will be represented in forthcoming budget requests.

So let me conclude by saying this treaty will have implications on our nuclear force structure and I look forward to hearing additional details on the composition of our strategic forces from our witnesses this morning.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Now let me start with Secretary Clinton.

**STATEMENT OF HON. HILLARY RODHAM CLINTON,
SECRETARY OF STATE**

Secretary CLINTON. Thank you very much, Chairman Levin, Senator McCain, members of the committee. It's a great pleasure for me to return to testify before a committee that I was very honored to serve on.

We are here today, Secretary Gates, Secretary Chu, and Admiral Mullen and myself, because we share a strong belief that the New START Treaty will make our country more secure and we urge the Senate to ratify it expeditiously. Now, I know that some argue we don't need a New START Treaty, but let's be clear about the choice before us. It is between this treaty and no obligation for Russia to keep its strategic nuclear forces below an agreed level, and between this treaty and no on-the-ground verification of Russia's strategic forces.

As Secretary Gates and then as you, Chairman Levin, have pointed out, every previous President of both parties who faced this choice has concluded that the United States is better off with a treaty than without one, and the

United States Senate has always agreed.

More than 2 years ago, President Bush began this process that led to this treaty that we are discussing today. The New START Treaty has already received broad bipartisan endorsement. As James Schlesinger, the Secretary of Defense for Presidents Nixon and Ford and the Secretary of Energy for President Carter, declared recently in his Congressional testimony, "It is obligatory for the United States to ratify."

Now, why do so many people who have studied this issue over so many years, coming from opposite ends of the political spectrum, agree so strongly? Well, today I'd like to discuss briefly what the New START Treaty is and also what it is not. This is a treaty that, if ratified, will provide stability, transparency, and predictability for the two countries with more than 90 percent of the world's nuclear weapons. It is a treaty that will reduce the permissible number of Russian and U.S. deployed strategic warheads to 1,550, a level not seen since the 1950s.

In addition, each country will be limited to 700 deployed strategic delivery vehicles and 800 deployed and non-deployed strategic missile launchers and heavy bombers. These limits will help the United States and Russia bring our deployed strategic arsenals, which were sized for the Cold War, to levels that are more appropriate for today's threats.

This is a treaty that will help us track remaining weapons with an extensive verification regime. Now, this regime draws upon our experience over the last 15 years in implementing the original START treaty. The verification provisions reflect today's realities, including the much smaller number of facilities in Russia compared with the former Soviet Union. And for the first time we will be monitoring the actual numbers of warheads on deployed strategic missiles.

So by bringing the New START Treaty into force, we will strengthen our National security more broadly, including by creating greater leverage to tackle a core national security challenge, nuclear proliferation. This will also demonstrate our leadership and strengthen our hand as we work with others to hold irresponsible governments accountable, whether in further isolating Iran and enforcing the rules against violators or in persuading other countries to implement better controls on their own nuclear materials.

And it makes clear that we are committed to real reductions, to upholding our end of the bargain under the Nonproliferation Treaty, which has already brought about important benefits in my discussions with foreign leaders about strengthening the nonproliferation regime and a range of other topics.

But I want to be also very clear that there are numerous things this treaty will not do. As Secretary Gates and Admiral Mullen will discuss more fully, the New START Treaty does not compromise the nuclear force levels we need to protect ourselves and our allies. It does not infringe upon the flexibility we need to maintain our forces, including bombers, submarines, and missiles, in the way that best serves our own national security interests.

This treaty does not constrain our missile defense efforts. I want to underscore this because I know there have been a lot of concerns about it and I anticipate a lot of questions. But this is something this committee recently reiterated in the fiscal year 2011 national defense authorization bill. Section 231 reads: "It is the sense of Congress that there are no constraints contained in the New START Treaty on the development or deployment by the United States of effective missile defenses, including all phases of the Phased Adaptive Approach to missile defense in Europe and further enhancements to the ground-based midcourse defense system, as well as future missile defenses."

Now, I worked with some of you on this committee when I had the honor of serving in the Senate on behalf of a very strong missile defense system, so I want to make this point very clearly. Now, Russia has, as the chairman said, issued a unilateral statement expressing its view, but that is not an agreed upon view, that is not in the treaty. It's the equivalent of a press release and we are not in any way bound by it. In fact, we've issued our own statement, which is now part of the record, making clear that the United

States intends and in fact is continuing to improve and deploy effective missile defense systems.

The treaty's preamble does include language acknowledging the relationship between strategic offensive and defensive forces, but that's simply a statement of fact. It too does not in any way constrain our missile defense programs.

Now, the treaty also includes language—and I think this is Senator McCain's reference to Article 5—prohibiting the conversion or use of offensive missile launchers for missile defense interceptors, and vice versa. But in fact we had no intention of doing that anyway. As General O'Reilly, our missile defense director, has made clear in testimony, we reached the conclusion it is actually cheaper to build smaller, tailor-made missile defense silos than to convert offensive launchers. I mean, we could have had a long list, you know, we're not going to launch from any moving vehicle like a car or a truck or a cow. We could have said a lot of things that we're not going to do. But the fact is we weren't going to do them, and we weren't going to do this either.

The treaty does not restrict us in any way from building new missile defense launchers, 14 of which are currently being constructed in Alaska. So I think the very facts on the ground undermine and refute any argument to the contrary.

Now, the Obama Administration has requested \$9.9 billion for missile defense in fiscal year 2011. That is almost \$700 million more than Congress provided in fiscal year 2010.

Finally, the New START Treaty does not restrict our ability to modernize our nuclear weapons complex to maintain a safe, secure, and effective deterrent. As Secretary Chu will discuss, this administration has called for a 10 percent increase in fiscal year 2011 for overall weapons and infrastructure activities, in a time of very serious budget constraints. And we've called for a 25 percent increase in direct stockpile work. During the next 10 years, this administration proposes investing \$80 billion in our nuclear weapons complex.

So let me just conclude by taking a step back and putting the New START Treaty into a larger context. This treaty is one part of a broader effort to reduce the threat posed by the deadliest weapons the world has ever known, especially the potential intersection of violent extremism and nuclear proliferation. We have several coordinated efforts that have been briefed to this committee, including the nuclear posture review, the recently concluded nuclear security summit, and the Nonproliferation Treaty review conference, as well as extensive bilateral engagements.

So while a ratified New START Treaty stands on its own terms and when you look at the very real benefits it provides to our National security, it is part of a broader strategy.

So Mr. Chairman, Senator McCain, members of the committee, we stand ready to work with you as you undertake your constitutional responsibilities with respect to this treaty, and we are ready to answer any and all questions. We hope that at the end of your deliberations you will come to the same conclusion that we and many others have reached, including many others who have sat in these chairs and voted in the Senate chamber, that this treaty makes our country more secure and merits the Senate's consent to ratification.

Thank you.

[The prepared statement of Secretary Clinton follows:]

Chairman LEVIN. Thank you very much, Secretary Clinton.
Secretary Gates.

**STATEMENT OF HON. ROBERT M. GATES, SECRETARY OF
DEFENSE**

Secretary GATES. Mr. Chairman, Senator McCain, members of the committee: Thank you for the opportunity to speak today regarding the new Strategic Arms Reduction Treaty between the United States and Russia, an agreement that reduces the strategic nuclear forces of our two nations in a manner that strengthens the stability of our relationship and protects the security of the American people.

America's nuclear arsenal remains a vital pillar of our National security, deterring potential adversaries and reassuring allies and partners. As such, the first step of the year-long nuclear posture review was an extensive analysis which, among other things, determined how many nuclear delivery vehicles and deployed warheads were needed. This in turn provided the basis for our negotiation of New START. The results of those studies give me confidence that the Department of Defense will be able to maintain a strong and effective nuclear deterrent while modernizing our weapons to ensure that they are safe, secure, and reliable, all within the limits of the new treaty.

The U.S. strategic nuclear deterrent will continue to be based on the triad of delivery systems, intercontinental ballistic missiles, submarine-launched ballistic missiles, and nuclear-capable heavy bombers, within the boundaries negotiated in the New START Treaty. These are an upper boundary of 1550 deployed warheads, up to 700 deployed ICBMs, deployed SLBMs, and nuclear-capable heavy bombers, and up to 800 deployed and nondeployed ICBM launchers, SLBM launchers, and heavy bombers equipped for nuclear armaments.

Under this treaty we retain the power and the freedom to determine the composition of our force structure, allowing the United States complete flexibility to deploy, maintain, and modernize our strategic nuclear forces in a manner that best protects our National security interests. The Defense Department has established a baseline force structure to guide our planning, one that does not require changes to current or planned basing arrangements. The Department will retain 240 deployed submarine-launched ballistic missiles, distributed among 14 submarines, each of which will have 20 launch tubes. This is the most survivable leg of the triad.

Recognizing the need for flexibility in the bomber leg, we will retain up to 60 deployed heavy bombers, including all 18 operational B-2s. Finally, the U.S. will retain up to 420 deployed single-warhead Minuteman III ICBMs at our current three missile bases.

Let me also address some of the things the treaty will not affect. First, as Secretary Clinton has said, the treaty will not constrain the United States from deploying the most effective missile defenses possible, nor impose additional costs or barriers on those defenses. I remain confident in the U.S. missile defense program, which has made considerable advancements, including the testing

and development of the SM-3 missile, which we will deploy in Europe.

As the administration's ballistic missile defense review and budget plans make clear, the United States will continue to improve our capability to defend ourselves, our deployed forces, and our allies and partners against ballistic missile threats. As Secretary Clinton has pointed out, our request for missile defense in the '11 budget is \$700 million over the enacted fiscal year 2010 number, and we are looking at an increase beyond that of potentially up to another billion dollars for fiscal year 2012. We have made all of this clear to the Russians in a unilateral statement made in connection with the treaty.

It is not surprising that Russia continues to object to our missile defense program, as they have objected to all U.S. missile defense efforts for decades. The Russians know that our missile defenses are designed to intercept a limited number of ballistic missiles launched by a country such as Iran or North Korea. Our missile defenses do not have the capability to defend against the Russian Federation's large advanced arsenal. Consequently, U.S. missile defenses do not and will not affect Russia's strategic deterrent. To build such a capability, a missile shield of the kind envisioned in the 1980s, is technologically unfeasible, cost prohibitive, and destabilizing. Therefore we have no plans to do so.

Separately from the treaty, we are discussing missile defense cooperation with Russia, which we believe is in the interests of both nations. But such talks have nothing to do with imposing any limitations on our programs or deployment plans.

Furthermore, the New START Treaty does not restrict our ability to develop and deploy conventional prompt global strike capabilities that could attack targets anywhere on the globe in an hour or less. The treaty's limit of 700 deployed delivery vehicles combined with the ceiling of 1550 deployed warheads accommodates the limited number of conventional warheads we may need for this capability. We are also concurrently examining potential future prompt global strike systems that would not be limited by this treaty.

In my view, a key contribution of this treaty is its provision for a strong verification regime. While the intelligence community will provide a detailed classified assessment, I would like to emphasize some of the key elements of this regime, which will monitor Russia's compliance with the treaty while also providing important insights into the size and composition of Russian strategic forces.

The treaty allows each party to conduct up to 18 on-site inspections each year at operating bases for ICBMs, SSBNs, and nuclear-capable heavy bombers, as well as storage facilities, test ranges, and conversion and elimination facilities. The agreement establishes a database, updated every 6 months, which will help provide the United States with a rolling overall picture of Russia's strategic offensive forces. Unique identifiers for the first time will be assigned to each ICBM, SLBM, and nuclear-capable heavy bomber, allowing us to track accountable systems throughout their life cycle. The treaty provides for non-interference with national technical means of verification, such as reconnaissance satellites, ground stations, and ships. While telemetry is not needed to verify

the provisions of this treaty, the terms nonetheless call for exchange of telemetry on up to five launches per year from each side.

I'm confident that the New START Treaty will in no way compromise America's nuclear deterrent. Maintaining a credible deterrent requires an adequate stockpile of safe, secure, and reliable nuclear warheads. This calls for a reinvigoration of our nuclear weapons complex, that is our infrastructure and our science, technology, and engineering base. I might just add, I've been up here for the last four springs trying to get money for this and this is the first time I think I've got a fair shot of actually getting money for our nuclear arsenal.

To this end, the Department of Defense is transferring \$4.6 billion to the Department of Energy's National Nuclear Security Administration through fiscal year 2015. This transfer will assist in funding critical nuclear weapons life extension programs and efforts to modernize the nuclear weapons infrastructure.

The initial applications of this funding, along with an additional \$1.1 billion being transferred for naval nuclear reactors, are reflected in the President's 2011 budget request, which I urge the Congress to approve.

These investments in the nuclear posture review strategy for warhead life extension represent a credible modernization plan to sustain the nuclear infrastructure and support our Nation's deterrent.

Let me close with a final personal observation. I first began working on strategic arms control with the Russians in 1970, 40 years ago, a U.S. effort that led to the first Strategic Arms Limitation Agreement with Moscow 2 years later. The key question then and in the decades since has always been the same: Is the United States better off with a strategic arms agreement with the Russians or without it? The answer for successive presidents, as Secretary Clinton has said, of both parties

has always been with an agreement. The U.S. Senate has always agreed. The same answer holds true for New START. The U.S. is better off with this treaty than without it, and I'm confident that it is the right agreement for today and for the future. It increases stability and predictability, allows us to sustain a strong nuclear triad, preserves our flexibility to deploy the nuclear and non-nuclear capabilities needed for effective deterrence and defense.

In light of all these factors, I urge the Senate to give its advice and consent to ratification of the new treaty.

[The prepared statement of Secretary Gates follows:]

Chairman LEVIN. Thank you very much, Secretary Gates.
Secretary Chu.

STATEMENT OF HON. STEVEN CHU, SECRETARY OF ENERGY

Secretary CHU. Chairman Levin, Ranking Member McCain, and members of the committee: Thank you for the opportunity to testify on the New START Treaty. New START is an important part of President Obama's nuclear security agenda. If ratified and entered into force, the treaty will commit the United States and the Russian Federation to lower levels of deployed strategic nuclear weapons in a transparent and verifiable way. This will increase stability

between our countries while demonstrating our joint commitment to the Nuclear Nonproliferation Treaty.

Secretary Clinton, Secretary Gates, and Admiral Mullen are testifying to the diplomatic and security advantages of this treaty. I want to focus on how it will allow us to continue to modernize our nuclear security enterprise and to maintain scientific capabilities that ensure the safety, security, and effectiveness of our nuclear deterrent.

The successes of our nuclear programs depend on the incredible technical capabilities at the Department of Energy's national laboratories. Our capabilities enable us to assess the stockpile annually, to extend nuclear weapon lifetimes, to assess other nations' nuclear capabilities, and to dismantle retired weapons. As the stockpile decreases in size, the role of science, technology, and engineering in deterrence will increase in importance.

The New START Treaty will enhance, not harm, our ability to maintain the safety, security, and effectiveness of our nuclear weapons stockpile. This conclusion is based on three important considerations. First, the treaty supports our modernization agenda. Yesterday I delivered a detailed stockpile stewardship and management plan that provides a multi-decade investment strategy needed to extend the life of key nuclear weapons systems, rebuild and modernize our facilities, and provide for the necessary physical and intellectual infrastructure. These modernization efforts provide a strong foundation for the limits on deployed nuclear weapons under the New START Treaty, and nothing in the treaty will constrain these efforts. None of the Department of Energy's sites will be subject to inspection under the New START Treaty and none of our operations will be subject to limitation. We will be able to maintain and improve the scientific base of our nuclear weapons activities.

Second, the U.S. will remain free to determine the size of its inactive stockpile. The weapons in the inactive stockpile will continue to be retired and dismantled consistent with the Defense Department's requirements and presidential direction, and we remain on track to meet our program's requirement to dismantle all the retired warheads currently in the dismantlement queue by 2022. Nothing in this treaty imposes any restrictions on this work.

Third, the treaty provides the explicit right of both parties to determine the composition and structure of their nuclear forces within the treaty's overall limits. Further, the New START Treaty contains no limitations that could constrain our warhead life extension program options or work to assess and correct any future warhead issue. As was made clear in the nuclear posture review, this administration is committed to studying all options available for future life extension programs, including reuse, refurbishment, and replacement on a case by case basis.

We are committed to fully funding the ongoing life extension program for the W76 submarine-based warhead for completion in 2017 and for the full scope LEP study and follow-on activities for the B61 bomb to ensure first production begins in 2017. We will also participate in the Nuclear Weapons Council on a study of the LEP options for the W78 ICBM warhead. The New START Treaty does not place any limits on any of these programs.

I believe these factors point to a treaty that enhances U.S. national security without jeopardizing the nuclear deterrent that helps underwrite it. As you consider this treaty, you can be certain that the Nation's nuclear stockpile will remain safe, secure, and effective. To modernize our enterprise, we are investing in science, technology, and engineering. The President's fiscal year 2011 budget request would increase science funding in the NSA by more than 10 percent. We are investing in the infrastructure we need. The highest infrastructure priorities are the construction of major new nuclear facilities for plutonium and uranium. And we are investing in human capital and creating an environment that can attract highly trained and motivated personnel.

I should also depart and say that these personnel, over 150 of them, for over 40 days and in large part 40 nights have been turning their attention to the Gulf spill, and it's been remarkable to see that work.

We have begun this work already, but it will take sustained leadership from this Congress to see it through. The President's fiscal year 2011 budget request reflects a 13 percent increase over fiscal year 2010 and includes more than \$7 billion for weapons activities and infrastructure. Over the course of the next decade, our plans call for an investment of \$80 billion. With Congress's support, we will transform from a Cold War capacity-based infrastructure to a modern capabilities-based nuclear security enterprise. This will provide the confidence and the tools that allow the United States to consider further nuclear reductions as we work toward a world without nuclear weapons.

Thank you and I look forward to your questions.

[The prepared statement of Secretary Chu follows.]

Chairman LEVIN. Thank you very much, Secretary Chu.
Admiral Mullen.

**STATEMENT OF ADM MICHAEL G. MULLEN, USN, CHAIRMAN
OF THE JOINT CHIEFS OF STAFF**

Admiral MULLEN. Chairman Levin, Senator McCain, and distinguished members of the committee: I am pleased to add my voice in support of ratification of the New START Treaty and to do so as soon as possible. We are in our seventh month without a treaty with Russia.

This treaty has the full support of your uniformed military. Throughout its negotiations, Secretaries Clinton and Gates ensured that professional military perspectives were thoroughly considered. During the development of the New START Treaty I was personally involved, to include two face to face negotiating sessions and several conversations, other conversations with my counterpart, the chief of the Russian general staff, General Makarov, regarding key aspects of the treaty.

The Joint Chiefs and I also had time to review the analytic work done in the nuclear posture review regarding the shape of future U.S. strategic nuclear forces. Its recommendations were transmitted as guidance to the negotiating team in Geneva regarding the three central limits on strategic systems and the warheads associated with them that are contained in the treaty.

In short, the conclusion and implementation of the New START Treaty is the right thing for us to do, and we took the time to do it right. The chiefs and I believe the New START Treaty achieves important and necessary balance between three critical aims. It allows us to retain a strong and flexible American nuclear deterrent. It helps strengthen openness and transparency in our relationship with Russia. It also demonstrates our national commitment to reducing the worldwide risk of a nuclear incident resulting from the continuing proliferation of nuclear weapons.

I firmly believe that the central limits established in this treaty and the provision that allows each side the freedom to determine its own force mix provides us with the necessary flexibility to field the right future force to meet the Nation's needs. We plan to retain our triad of bombers, ballistic missile submarines, and land-based intercontinental ballistic missiles in sufficient diversity and numbers to assure strategic stability between ourselves and the Russian Federation. We will also maintain sufficient capability to deter other nuclear states.

In addition, the agreement provides for an array of important verification measures that are critical to both sides in monitoring compliance with the new treaty, and those have been spoken to in earlier statements.

This treaty is also a critical element in the President's agenda for reducing nuclear risks to the United States, our allies, and partners and the wider international community. Our recently concluded NPR acknowledges the continuing role for nuclear weapons in the defense of America, while placing additional emphasis on positive steps to prevent nuclear terrorism and the risks from nuclear proliferation.

In summary, this New START agreement is important in itself and should also be viewed in a wider context. It makes meaningful reductions in the U.S. and Russian strategic nuclear arsenals while strengthening strategic stability and the United States' national security. Coupled with the administration's clear commitment to prudently invest in our aging nuclear infrastructure and in warhead life extension programs, this treaty is a very meaningful step forward. I encourage the Senate to fully study the treaty. I believe you will see the wisdom of ratifying it, and I sit before you today recommending that you do so.

Thank you, sir.

[The prepared statement of Admiral Mullen follows:]

Chairman LEVIN. Thank you very much, Admiral Mullen.

Because of the large number of Senators that are here this morning and because Secretary Gates must leave a few minutes after 11:30, we're going to having a first round that's going to be limited to 5 minutes, and then if there is additional questions and there's time after that first round we will try to have a second round which might be a few minutes each.

Secretary Clinton, let me start with you. During the course of the negotiations on the New START, were there any side agreements, any informal agreements, any secret agreements with Russia that are not included in the treaty relative to any limitations on U.S. missile defenses or any other subject?

Secretary CLINTON. No.

Chairman LEVIN. Admiral—let me ask this of Secretary Gates. Article 5, paragraph 3, of the treaty would prohibit the future conversion of ICBM silos or SLBM launchers to be used for missile defense interceptors, and vice versa. Now, you've testified I believe that—I think Secretary Clinton testified perhaps, maybe you did too, that we have no plans to do such conversions and that it would not make any sense to do so because the cost is greater than a new silo for the purpose of missile defense.

But there's also a larger issue of the potential misunderstanding or miscalculation, it seems to me, if either side could use silos of one type for the other purpose. Would you agree, Secretary, that it could be potentially destabilizing and dangerous if either side were to launch missile defense interceptors from ICBM silos or from ballistic missile submarines because such launches could appear to the other side to be launches of ICBMs or SLBMs?

Secretary GATES. First I would like to just reinforce Secretary Clinton's testimony to the effect that not only did we not have any plans currently to transform, convert, ICBM silos into missile defense silos; as you said, it doesn't make any sense from a financial standpoint. It's a lot cheaper to build missile defense silos on their own, as we are doing at Greeley.

Yes, I think it would be destabilizing if you didn't—if you didn't know what was coming out of a missile silo. I think this is one of the challenges, frankly, that we face as we go forward with conventional prompt global strike. Any of these things that are confusing to a party on the other side I think needs to be dealt with very carefully.

Chairman LEVIN. You made a very brief reference in that comment to what we're planning to build at Fort Greeley in Alaska. I believe that reference is to the plans to build eight spare silos there. Does that not make it clear, even more clear than I think it already is, that there is no constraint on our ability to build those missile defense silos or even more if needed?

Secretary GATES. Yes. We are not only building out the second site at Fort Greeley, but then there will be eight spare silos once that work is complete.

Chairman LEVIN. Admiral, let me ask you a question about the verification issues. We don't yet have a national New intelligence estimate on verification, but is it your judgment that this treaty is verifiable? Was the intelligence community involved during these negotiations?

Admiral MULLEN. Yes, sir, the intelligence community was involved throughout, both obviously internally in our discussions as well as in our negotiations with the Russians. And it is my judgment that this treaty provides the necessary means to adequately verify, consistent with previous treaties, even though some of the verification means are different. Secretary Gates pointed out the numbers of inspections. Something that is very specifically different is the agreement in the treaty to put unique identifiers on every single weapon. Clearly, continue to support the National technical means and an ability to verify.

Speaking specifically of telemetry, while not required, the agreement also included the exchange of telemetry on five, up to five launch missile tests or launches every year. So in totality, I'm very

comfortable with the verification regime that exists in the treaty right now.

Chairman LEVIN. And as a matter of fact, is there not a concern from an intelligence perspective as to the status quo that there are no verification provisions that currently exist and there's no inspections that currently exist?

Admiral MULLEN. You mean—

Chairman LEVIN. Without this treaty.

Admiral MULLEN. Absolutely, absolutely. We are—as I said, we're in our seventh month right now with no treaty with the Russians. I just reemphasize what Secretary Gates said, that we are much better—it's my view we are much better off with it than without it.

Chairman LEVIN. Including from a verification perspective?

Admiral MULLEN. Yes, sir.

Chairman LEVIN. Thank you very much.

Senator McCain.

Senator McCAIN. Thank you, Mr. Chairman.

I thank the witnesses. Secretary Clinton, I understand we've yet to receive requested data on Russian compliance and verification since 2005. When do we expect that data to be available to the Senate?

Secretary CLINTON. Senator McCain, that will be available shortly. We are moving as quickly as possible. I know how important that is for your consideration and we will get it to you very shortly.

Senator McCAIN. Thank you.

Both you and Secretary Gates have talked about Article 5, that it would never be considered, that it would be not something that we would ever plan on. Why is it in the treaty then?

Secretary CLINTON. Well, it's in the treaty in effect, I would argue, Senator, because there has been longstanding discussions between the Russians and the U.S. that arose during the implementation of the START Treaty. Specifically, there were questions asked about whether or not these silos that cover the countryside in many of our States, that are no longer operative, were going to be converted. And we said no, we had no intention of continuing with the conversion, and this would now be no longer a subject of continuing contention or discussion.

It seemed to us to be a smart negotiating decision to put something in that frankly we never intended to pursue. There were a number of issues that were very, very difficult to resolve in this treaty. Just mentioning two of them, the kind of verification, the numbers of visits, and telemetry. So in the course of the negotiation to state that we're not going to do something we're not going to do seemed to be an appropriate position for us to take.

Senator McCAIN. Well, if we were going to state in a treaty everything we were not going to do, it could be a very heavy document.

Well, here's my fundamental dilemma here that I think many of us face. At the time of the signing of the treaty the statement was made by the Russians: The treaty, etcetera, will—"This treaty between the Russian Federation and the United States of America signed at Prague on April 8, 2010, may be effective and viable only in condition where there is no qualitative or quantitative buildup

in the missile defense system capabilities of the United States of America.”

That is a strong statement at the time of the signing of the treaty.

Then Mr. Medvedev, President Medvedev, made the statement on April 12 in an interview with George Stephanopoulos, said the two countries negotiated a formula in the preamble of the New START Treaty that states there is “an interconnection between the strategic offensive arms and missile defense. So if these circumstances will change, then we will consider it is a reason to jeopardize the whole agreement.” That’s what Mr. Medvedev said.

Mr. Lavrov said on March 30, Foreign Minister Sergei Lavrov said in a press conference after the G-8 foreign ministers meeting in Canada that there are obligations regarding missile defense in the treaty text and the accompanying interpretive text that constitute “a legally binding package,” etcetera.

Now, I for one am going to have to get some kind of statement from the Russians as to exactly what this treaty means in their view, because if the statement, the signing statement at the time that states there’s an interconnection between this treaty and missile defense systems, that clearly states that “only in condition that there is no qualitative or quantitative buildup in the missile defense capabilities of the United States of America,” that’s a pretty clear statement.

President Medvedev has made the same statement. Foreign Minister Lavrov has made the same statement. So Russian leadership have all made the statement that this treaty is contingent upon the United States not changing or qualitative or quantitative buildup in missile defense systems. That’s bound to be worrisome to anyone, particularly in light of the decision that was made concerning the Polish and Czech missile defense systems’ cancellation or replacement with another system that was done earlier in this administration.

So it’s clear from many statements that Russian leadership has made that there is a very different interpretation of this treaty from what has been stated here concerning the connection to missile defense systems and that of the Russians. So I’d be more than happy to hear your response.

Thank you, Mr. Chairman.

Secretary CLINTON. Well, Senator, thank you for giving us the opportunity to respond. Let me start by saying that historically there have been these kinds of unilateral statements made by the Russians. In fact, in connection with the signing of the original START Treaty the Russians made similar statements that it would consider U.S. withdrawal from the ABM Treaty as sufficient grounds for its withdrawal from START. However, as you know, when the United States withdrew from the ABM Treaty in 2001 the Russia Federation as the successor to the Soviet Union did not withdraw.

Second, these unilateral statements have no binding effect, no legal effect. The agreement that Presidents Obama and Medvedev signed is the treaty.

Thirdly, with many—as with many other arms control treaties, it provides that either party, including obviously us, may withdraw

from the treaty if that party decides that extraordinary events have jeopardized its security interests. Now, the Russian unilateral statement merely reflects its current view that they disagree, as we've heard for years, with our commitment to building up missile defense system capabilities.

It is not in any way affecting us by undermining that commitment. We remain committed, as you heard, in word and deed, most particularly in financial ways.

Finally, what we read from Medvedev in an April statement—I'm not sure it's exactly the same one that you quoted from—is, when asked about the unilateral statements, said: "That doesn't mean that because of this if the American side starts to build up the missile defense system that the treaty would automatically lose its power."

Then he went on to say: "I would like to make sure that there is no impression that any change in the U.S. missile defense system would be a reason to abandon a signed agreement."

So I view the unilateral statement—and we have one of our own, which is now in the record—as really a kind of press release, if you will. Here's our position, but we just signed a treaty which, as even the president of the Russian Federation says, is truly the agreement that we're going to be following.

So I understand the question, but I think that both historically and substantively and then even in the words of President Medvedev, this is not an issue that in any way constrains or limits our commitment to missile defense.

Secretary GATES. I would just make two very quick comments. First, to reinforce the point, the Russians can say what they want. If it's not in the treaty it's not binding on the United States.

Second, what's interesting is, even in their own unilateral statement they hedged, because at the end of the statement they say about the buildup in missile defense capabilities: "such that it would give rise to a threat to the strategic nuclear force potential of the Russian Federation." Since I said in my initial opening statement, or in my opening statement, that we have no intention of creating such a capability that would threaten the strategic deterrent capability of the Russia rocket forces, even they basically gave themselves an out.

Senator MCCAIN. Of course, that's in the eye of the beholder. So we obviously have a situation here where the official statement of the Russian government states unequivocally and follow-up statements by members of the Russian government that this treaty would be directly affected by "only in conditions where there is no qualitative or quantitative buildup in the missile defense system capabilities of the United States of America."

It is at best an ambiguous situation.

I thank you, Mr. Chairman.

Chairman LEVIN. thank you, Senator McCain.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman, and thanks to all of you for being here.

Let me begin with this statement. My own feeling is that if this New START Treaty is ratified it will be a small step forward for mankind, but a long way, I'm sure you'd agree, from the dream

that people harbor of having a nuclear-free world. The sad fact is that the current state of international relations as well as human history suggests that we're not on the verge of seeing a transformation of human behavior to lead us to a point where we will have a nuclear-free world.

So as we take this small step forward in reducing the number of deployed strategic warheads, it of course makes the status of our nuclear stockpile smaller, somewhat smaller, as a result of this treaty if it's ratified, even more important. I want to just state the observation that there will be a lot of issues, some already raised here today, about this treaty, but ultimately I think that whether or not the New START Treaty is ratified will depend on members of the Senate of both parties having the confidence that the administration is committed to modernizing our current nuclear stockpile.

As you suggested, Secretary Gates, in an interesting way, in kind of a twist of fate, the ratification of this arms control treaty may actually enable you and the administration and the last administration to receive the funding from Congress that you have been asking for to modernize our current nuclear stockpile.

So let me begin with a baseline question. I assume that you've been asking for this money because you feel that our current nuclear stockpile is aging and in various ways is in need of modernization. Secretary Gates?

Secretary GATES. Let me start and then ask Dr. Chu to chime in. The short answer is yes. This has been an evident need for the United States for some time. We are essentially the only nuclear power in the world that is not carrying out these kinds of modernization programs. We have never claimed to want any new capabilities, but simply to be able to make our weapons safer, more secure, and more reliable.

The Schlesinger-Perry study that was conducted and reported here to the Congress really laid out in considerable detail I think a lot of the worries that we have, not about our stockpile today, but about where we may be in 5 or 10 years, as both the human capital and the components themselves age having to do with these weapons systems. So this is a long-term need on the part of the Nation. We've needed it for quite some time.

Congress voted down the Rapid Replacement—the Reliable Replacement Warhead program. There has been no progress toward providing any additional funding for our nuclear weapons modernization programs since that time. So I think you've put your finger on it, frankly, and just basically realistically I see this treaty as a vehicle to finally be able to get what we need in the way of modernization that we have been unable to get otherwise.

Dr. Chu.

Secretary CHU. I would also add that, although we do not—we're not seeking any new military capability, we are seeking to make the weapons safer and more secure and more reliable. That means we are replacing old electronics that we can't even buy any more, tubes, with integrated circuits.

Senator LIEBERMAN. Right.

Secretary CHU. We are going to insensitive high explosives so it's much less likely that an accident, a fire, something of that nature, could set these weapons off. We're increasing the surety so that

should any terrorists or anybody get hold of these it would be impossible for them to set it off.

So the modernization includes all these factors. So we're actually improving the safety, security, and reliability of these weapons. No new military capability, but that's the program we're engaged in.

Senator LIEBERMAN. I appreciate the answer from both of you.

As you know, a while ago when the nuclear posture review came out there was some language in it that seemed—there's three means to keep the stockpile secure and reliable and effective, which were reuse, refurbishment, and replacement. The language in the nuclear posture review seemed to make it harder to replace even parts, it sounded like. I think in the section 1251 report which you made to Congress you clarified that. I just wanted to ask you two questions.

One is the obvious one, which you've said, Dr. Chu, that there are some parts that can't be reused or refurbished, and you have to replace those parts. But while no one is asking for a replacement warhead now, there's nothing in the language in the treaty or in any administration documents that essentially says to the scientists who we rely on here: Don't even think about it. In other words, that the scientists 4 years from now, 6 years from now, if they believe to protect our security we need to build a replacement warhead, that they're going to be free to make that recommendation.

Secretary CHU. That's correct. If you look at the language both in the treaty and in the nuclear posture review, the scientists at the National labs are asked to look at all the scientific possibilities within the menu of refurbish, replacement, and new designs. There is something that says, okay, before you go to detailed engineering design, that there's a pause button. But certainly to look at the scientific capabilities, it would be very prudent to not hold them back on any of those options, and that's the position we're taking.

Senator LIEBERMAN. Thank you. My time is up.

Chairman LEVIN. Thank you very much, Senator Lieberman.

Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

Secretary Clinton, you were very clear in answering the chairman's first question about whether there was any secret agreement or side deal associated with the negotiations of the New START Treaty that would affect missile defense. And you were very clear in saying that, no, there were not.

There's a press report that came out last night that claims that the administration is secretly working with the Russians to conclude an agreement that would limit U.S. missile defenses. It goes on to say that the administration last month presented a draft agreement to the Russians. Is this report accurate?

Secretary CLINTON. No. I'm not aware of the report, Senator Collins, but, as Secretary Gates said, we have consistently told the Russians that if they wish to work with us on missile defense we are open to working with them. So maybe there is something lost in the translation here, because we have consistently reached out to them. We would like them to be part of a broad missile defense system that protects against countries like Iran, North Korea, both of which they border, by the way, so it is in their interest.

But Secretary Gates mentioned that in his opening remarks, so if I could ask him to just perhaps add onto what I said.

Senator COLLINS. Yes.

Secretary GATES. Well, I have seen—I have just seen a reference to the newspaper story that you described, and what I emphasized, what I added, frankly, in my opening statement was that whatever talks are going on are simply about trying to elicit their willingness to partner with us along with the Europeans in terms of a regional missile defense.

But there is nothing in the approaches that have been made to the Russians that in any way, shape, or form would impose any limits whatsoever on our plans.

Senator COLLINS. Thank you.

Secretary Clinton, and perhaps Secretary Gates on this issue as well, one of my chief concerns is that tactical nuclear weapons are not addressed by this treaty. The Perry-Schlesinger commission noted that Russia has some 3800 tactical nuclear weapons. That's about ten times what is in our inventory. My concern is not just about the numbers, but study after study has pointed out that tactical nuclear weapons are particularly vulnerable for theft and diversion. The administration's own posture review has noted the fear of nuclear terrorism.

So if the administration believes that today's most immediate and extreme danger is nuclear terrorism—and I would agree with that assessment—why doesn't the New START Treaty address tactical nuclear weapons at all, since they are by far more vulnerable to theft and diversion?

Secretary CLINTON. Senator, we share your concern. The New START Treaty was always intended to replace START, and that was the decision made by the Bush Administration, which we then decided to pursue in order to deal with strategic offensive nuclear forces. But we share your concern about tactical nuclear weapons and we have raised with the Russians our desire to begin to talk with them, now that the New START Treaty has been negotiated, about tactical nuclear weapons.

We have to do this in conjunction with our NATO allies because, of course, our principal use of tactical nuclear weapons historically has been in Europe, and that's also where most of the Russian tactical nukes are located, close to their border with Europe.

I raised this issue at the last NATO ministerial in Tallinn, Estonia, received a very positive response from our NATO allies, that we will work on our posture toward tactical nukes, because there are some in NATO who wanted NATO unilaterally to begin to withdraw our own tactical nuclear weapons from Europe, and it's the Obama Administration's position that we will not do that, that we will only pursue reductions in our tactical nuclear weapons in concert with cuts in Russia's tactical nuclear weapons. And that was well received by the majority of NATO allies.

Secretary GATES. I would just add the personal opinion that I think any negotiation on tactical nuclear weapons with the Russians is going to be a very difficult one, and principally because they have such a disproportionately larger number deployed than we do in Europe, and a lot of them are forward deployed.

So I think for the Russians, getting the Russians to agree to anything that ends up providing an equitable status on both sides, if you will, will be a very steep hill to climb. I would just add further that, in terms of our own capabilities, that the F-35, including the aircraft that we're selling to some of our allies, will be dual capable.

Secretary CLINTON. If I could just add one more point, Mr. Chairman. I agree with Secretary Gates that negotiating with the Russians on tactical nuclear weapons will be difficult. But I would underscore the importance of ratifying the New START Treaty to have any chance of us beginning to have a serious negotiation over tactical nuclear weapons. And I would add, it's a point that Secretary Gates made earlier: If you look at what we have done in reaching out to our NATO allies, it is to prepare us to be able to have that discussion within the context of our strategic concept review within NATO, so that we can work toward a unified NATO position when we begin having serious discussions with the Russians.

But I would underscore the importance of ratifying this treaty in order to have any chance of building the level of exchange with the Russians that could lead to any kind of verifiable limits ought reductions.

Senator COLLINS. Thank you.

Chairman LEVIN. Thank you, Senator Collins.

Senator Ben Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman, and thank you to all of you for your service and for being here today.

I wanted to follow up a little bit on Senator Collins' comment about and your response about working cooperatively with the Russians in missile defense. In April I hosted the U.S.-Russian Inter-Parliamentary Group, which is a

combination of our United States Senate and the Russian Federation Council. And our discussions, like those held in many other meetings both in Moscow as well as here, have involved the discussions about the prospects of missile defense cooperation.

It seemed to be a very strong thought with the Federation Council that they are interested from the parliamentary side, from the legislative side, they're clearly interested in working cooperatively with us on missile defense. Now, I understand they come from their own perspective and we come from ours, but at least they're, not only at their executive level with President Medvedev, but now at the legislative side as well. I just thought I would mention that.

And I appreciate Senator Collins raising the question, because there are going to be all kinds of rumors and discussions going on and characterizations of those discussions that are not always as accurate as we would hope that they might be.

Secretary Gates and Secretary Clinton, the question was raised by Senator McCain that relates to an agreement as to whether or not there's a meeting of the minds on this treaty between the Russians and the United States, President Medvedev and President Obama, on the question of what's in the contract. It appears that there's a meeting of the minds within the contract, but some posturing going on outside the contract.

Perhaps it would be helpful for us if you could, if not just today, afterwards, submit something to show that this is nothing new, that there is always posturing around the agreements and there have been instances of posturing in the past, but we entered into agreements and, as you say, even in spite of some of the comments about whether or not we did certain things or didn't do certain things, they might do certain things.

Examples of that might be helpful in putting this to rest, because the question seems to be is there a meeting of the minds. Let me ask you just the question bluntly: Is there a meeting of the minds in your opinions? Senator Clinton—Secretary Gates first?

Secretary GATES. Well, I would just make two comments. First of all, I think that there is a meeting of the minds on the value of New START between the two presidents. Second point: There is no meeting of the minds on missile defense. The Russians hate it. They've hated it since the late 1960s. They will always hate it, mostly because we'll build it and they won't.

So on the issue before the house, the Senate, if you will, there is a meeting of the minds. On the peripheral issue that is not part of the contract, there is no meeting of the minds.

Senator BEN NELSON. Senator Clinton, can you be quite as candid as that?

Secretary CLINTON. Of course I can.

Senator BEN NELSON. Of course. [Laughter.]

Secretary CLINTON. I think Secretary Gates said it very well. We have an agreement. We have a signed agreement. Somebody can have a signed, enforceable agreement to buy and sell a car or buy and sell a house and then they can go out and make all sorts of statements, but it has nothing to do with their obligations under the agreement.

The only point I would add to what Secretary Gates has said is that historically in these agreements the Russians have said things like that. In my opening testimony I talked about the original START Treaty, where before it was signed the same kind of sequence. The Russians said if the U.S. pulls out of the ABM Treaty, we're pulling out of START. Well, the U.S. pulled out of the ABM Treaty in 2001 and Russia didn't pull out of START.

So there is a history. We'll be happy to for the record give you some additional information. But we are very comfortable. I don't think the four of us would be here—and I think you know all of us—telling you how comfortable we are with where we believe the meeting of the minds occurred and what this treaty means, and the fact that, as Admiral Mullen now has said twice in this hearing, we have no treaty, we have no verification going on at this moment. So is it the perfect treaty? I don't know that such a thing exists, but in our very considered opinion it is so much in America's interest to get on with entering into this treaty.

Senator BEN NELSON. Sort of a reminder of Contracts 101.

Secretary CLINTON. Yes. Well, as an old law professor, I couldn't resist.

The other thing I would say, Senator Nelson, is thank you for participating in these inter-parliamentary activities. I have to confess, when I sat behind the table I was not as aware of the importance to our counterparts that these parliamentary meetings hold.

I don't know that we in our Congress appreciate the significance of these and the potential opportunities that they offer to us. So thank you.

Senator BEN NELSON. Thank you.

Admiral MULLEN. Senator Nelson, if I can, just briefly back to the meeting of the minds. As I both participated but also watched these negotiations, the number of times that the two countries' leaders personally engaged each other and in the details of this I thought was extraordinary. So to the points that have been made in terms of within the bounds of the treaty the meeting of the minds was very evident to me right up to the end, through very difficult negotiations.

Again, the commitment was extraordinary from my perspective in terms of their both understanding, participation, and the negotiations.

Senator BEN NELSON. Thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Nelson.

Senator THUNE.

Senator THUNE. Thank you, Mr. Chairman.

Secretary Clinton, welcome back to the committee. Secretary Gates, nice to have you. Admiral, thank you for your service. Secretary Chu, welcome to the Armed Services Committee.

Secretary Gates, the administration's fact sheet on section 1251, the report, explains that the U.S. nuclear force structure under the treaty could comprise up to 420 ICBMs, 240 SLBMs, and 60 bombers. Since deployment at the maximum level of all three legs of the triad under that explanation add up to about 720 delivery vehicles, it is of course mathematically impossible for the U.S. to make such a deployment and to be in compliance with the treaty's limit of 700 deployed strategic nuclear delivery vehicles.

Clearly, significant additional decisions are going to have to be made with respect to U.S. force structure under the treaty. I would be reluctant to cast a vote in favor of the treaty without being fully briefed in more precise detail about the plans for our nuclear delivery force structure.

My question is, when can this committee expect to receive a more precise outline of how the U.S. nuclear force posture will be made to comply with this treaty's limits of 700 deployed nuclear delivery vehicles, and will the administration provide a classified briefing to those of us who are concerned on the specific planned force structure for these deployed nuclear delivery vehicles?

Secretary GATES. Certainly we would be happy to provide a classified briefing in terms of the options that we have under consideration. Let me say just from the outset that we do not anticipate any changes in the force structure under this treaty that would affect current basing either of aircraft or our missiles here in the United States.

The reductions in the treaty do not need to be made until the seventh year, and I'm going to ask Admiral Mullen to chime in here, but I think our interests are best served as we watch the developments of the next—my opening statement, as the fact sheet did, said here are the categories and the numbers that we are working with, and frankly I see no reason for us to make final deci-

sions within those narrow frameworks until we have a better sense of strategic developments with Russia and with other countries as well, especially since we have all this time under the treaty.

But I think that one key point of reassurance again is, of all of the options that we're looking at, the ones that we think we're likely to implement, that it would not involve closing any of our missile bases or changing our basing of our bombers at this point.

Admiral?

Admiral MULLEN. Sir, I would just add that the uniformed leadership feels very strongly about not making those decisions before they are due. That's really 7 years out. The strength of the treaty as represented in the 1251 and the numbers that you described gives us some flexibility. Clearly, as we evolve—we're at the beginning of looking at what the next submarine looks like in that part of the triad. What we wanted was as much flexibility for as long as we could have to make that decision, and we saw no need to do that now.

I understand the math. I understand exactly where you are. But it just was not—we felt very strongly we wanted to wait as long as we could to continue to assure the certainty of each leg of the triad as it's laid out in this treaty.

Senator THUNE. The press has reported that the administration is going to spend about \$100 billion over the next 10 years in nuclear delivery systems. About \$30 billion of that would go toward development and acquisition of a new strategic submarine and, according to estimates by U.S. Strategic Command, the cost of maintaining our current dedicated nuclear force is approximately \$5.6 billion per year or about \$56 billion over the decade.

That leaves roundly \$14 billion of the \$100 billion the administration intends to invest, even less if you factor in inflation. That \$14 billion is not nearly sufficient to develop and acquire a next generation bomber, a follow-on ICBM, a follow-on air-launched cruise missile, and develop a conventional prompt global strike capability. So the question is, in light of those figures I just mentioned and the fact that you've yet to make additional modernization decisions, why do you believe that \$100 billion is sufficient investment in our delivery systems over the next decade?

Admiral MULLEN. From my perspective, Senator, the current investment is a projection of what we understand right now. We are undertaking in the Department a very thorough look of what the future with respect to the long range of the next generation bomber is, recognizing that the entire infrastructure—sorry—all the systems are going to go through some modernization over the next couple of decades.

From what I've seen inside the Department over time is obviously when those decisions get made resources get made available to support them. So one of the big challenges and concerns right now is the next generation missile submarine and, quite frankly, replacing it, containing it, containing its costs, and making sure that we can in the long run sustain that part of the leg as we look at how we're going to move ahead in the next generation bomber, as well as the next generation ICBM.

So I'm comfortable right now that the investment there certainly supports us moving ahead, and we'll have to make adjustments over time based on where the triad goes specifically.

Secretary GATES. Senator, I would just say that with that figure that you mentioned there are placeholders for each of the modernization programs because no decisions have been made. They're basically to be decided, and along the lines that Admiral Mullen is just describing those are decisions we're going to have to make over the next few years, in terms of we're going to have to modernize these systems and we're going to have to figure out what we can afford.

Senator THUNE. So at this point we don't know whether or not the administration is going to pursue some of these programs? Is that what you're saying?

Secretary GATES. I am saying that we have not yet made decisions on how we are going to modernize long-range strike, how we are going to modernize the ICBM force. We are in the process. We have money in the budget for a new nuclear reactor for the Navy for the next generation nuclear submarine, so we are on track in that particular area of modernization.

Senator THUNE. I see my time has expired, Mr. Chairman. But there may be some questions I'd like to submit for the record.

Senator Udall [presiding]: So ordered. And thank you, Senator Thune, for your thoughtful comments.

Chairman Levin has taken a much more dangerous step than his support for ratifying this treaty. He's deputized me to serve as the chairman of the committee until he can return. So I will recognize myself for 5 minutes.

I noted that Dr. Kissinger testified in front of the Foreign Relations Committee last month about this treaty, and he said that it's an evolution of treaties that have been negotiated in previous administrations of both parties, and its principal provisions are an elaboration or a continuation of existing agreements. Therefore, a rejection of them would indicate a new period—that a new period of American policy had started that might rely largely on the unilateral reliance on its nuclear weapons and would therefore create an element of uncertainty in the calculations of both adversaries and allies.

Would any of you like to comment on his statement? Maybe I'll start with the Secretary of State.

Secretary CLINTON. Well, Senator, we very much agree with that assessment. Our Department has been briefing along with our colleagues from Defense, from the Joint Chiefs, and from Energy, a series of former diplomats and Defense officials and Energy officials, including Dr. Kissinger.

I think the overwhelming sentiment is that this treaty is in our National security interests and that a failure to ratify this treaty would have both foreseen and unforeseen consequences. But one of the foreseen consequences is a return to a period of instability and unpredictability between the United States and Russia, which would not be in our security interests because, given what we view as the major threats we face today, nuclear war with Russia is not one of them, thank goodness. That is an evolution, as Dr. Kissinger

has said, of both political and strategic and economic changes over the last years since the Cold War.

But, human nature being what it is, as Senator Lieberman said, if you introduce instability and unpredictability, there is no way that we wouldn't have to be responsive. I think you'll hear from all of us that we think this treaty continues the tradition that other treaties have exemplified of making it possible for us to have an understanding with, legally binding agreements with, the Russians that are very much to our interest as well as to theirs.

We are working with the Russians on a range of matters. I think it would have been very unlikely a year ago that we would have seen Russia supporting our sanctions in the United Nations against Iran. We have been building confidence with Russia around a range of important issues, and this negotiation over the New START Treaty, especially as Admiral Mullen said, bringing in both of our presidents at a very high level probably a dozen times to hammer out some of the particulars in the treaty, has really been to our National security interest.

So that is I think very much in support of what Dr. Kissinger testified to.

Secretary GATES. I would just add one point. Secretary Clinton in her opening statement talked about the contribution the treaty provides in terms of transparency, predictability, and stability. One of the strategic developments that we see going on that hasn't been mentioned in this hearing is that the Russians are over a period of time reducing their reliance—reducing the size of their conventional forces, for a variety of economic, demographic, and other reasons.

As they reduce their size of their conventional forces, they are particularly focused on the modernization of their strategic forces, and particularly their nuclear capabilities. I think that from our National security standpoint having this treaty that provides the transparency, predictability, and stability in that kind of an evolving environment is very much in the interests of the United States.

Senator UDALL. Admiral Mullen, would you care to comment if there's any ramifications here for mil to mil relationships?

Admiral MULLEN. Actually, I've worked this multiple times with my counterpart and our staffs. I guess I'd characterize it the same way as I did between the two countries' leaders: very difficult, very challenging, strong positions. Many of the issues that have been raised here, the one of tactical nuclear weapons, the issues of missile defense, the issues of telemetry.

But I was actually in the end very encouraged, though the negotiations were difficult, with the willingness to move to a position to get to this treaty from the Russian military perspective, obviously the two countries, but in particular the Russian military perspective. So I am encouraged by that.

Part of that I think is also represented in the increased mil to mil relationships across the board, this being a big piece of it. For myself and my counterpart to say when we get through with this, which we have, that this is indicative of the kinds of things we can do in many other areas. Counterterrorism is something that immediately comes to mind, counter-piracy. So from where we were to

where we are over even the last couple of years, it's improved dramatically. And this is a big piece of it.

Senator UDALL. My time has expired and I'm going to recognize Senator Brown next. But let me make two short final comments. It's a very powerful picture to have the four of you sitting here representing a broad set of viewpoints supporting the treaty. Thank you for taking your time to be here.

Then second, I read with great interest and Secretary Clinton, Secretary Gates, and Admiral Mullen and I think Secretary Chu as well, you are aware of the Hagel- Hart commission work on our policy towards Russia. They talk about a realpolitik that Dr. Kissinger in effect is the leading practitioner of, and there are ways in which they point out we can work with Russia, there are ways in which we can't, there are cultural and historical differences.

But the points you make about expanding our relationship through the approval of this treaty are really powerful ones. So thank you again for being here.

Senator Brown, you're recognized.

Senator BROWN. Thank you, Mr. Chairman.

Thank you to our panel. Secretary Clinton, thank you for your leadership on this treaty and everything you've been doing, keeping us informed, which is very helpful to me as the kind of new kid on the block.

I have a great concern about Iran and I find that their nuclear ambitions are more destabilizing than actually us getting a handle on the U.S.-Russian relationship. I'm wondering, in your negotiations with Russia have you been able to broach that subject with Russia? I can't imagine that they would like a nuclear Iran to help destabilize that region and potentially export their brand of terrorism in many instances around the world and the region.

Any comment on that?

Secretary CLINTON. Thank you very much, Senator, and welcome to this committee.

Senator BROWN. Thank you.

Secretary CLINTON. I think your concerns are very well placed. We—obviously, the four of us and many, many others in the government spend a great deal of our time thinking about Iran, how to prevent it from obtaining nuclear weapons. I believe that our close cooperation with Russia on negotiating this New START Treaty added significantly to our ability to work with them regarding Iran.

Three quick examples. Because we developed very good working relationship, despite our disagreements on the New START Treaty, between our militaries and our civilian leadership, I think it gave us just a better base on which to raise the concerns about Iran. It took a while to make the case to the Russians that Iran indeed was pursuing not just a peaceful civil nuclear capacity, but in our view poised to pursue nuclear weapons.

Once they became convinced that there was some concern there, they began working with us. In the fall we reached an agreement with Russia and France to try to get Iran to demonstrate some good faith by shipping out its low enriched uranium to outside of Iran to be enriched and then returned, and the Russians stood with

us. They stood with us through all the ups and downs of that negotiation.

Finally, the Russians have consistently made it clear that they share our concerns now about a nuclear-armed Iran. It's hard to draw a straight line from the many ways we've been cooperating with them, but I think in human relations, Senator, you do have to build the relationship, and we've been doing that at the highest levels between our presidents and then between our counterparts. You saw the results with the Security Council vote.

You'll see President Medvedev coming here next week for a summit with President Obama, where we now have a very comprehensive set of issues that we engage on very openly, candidly, not always in agreement, but nevertheless we feel like we've made a very strong basis for further work on what we see as some of our major threats, namely a country like Iran getting nuclear weapons, terrorists getting nuclear, access to nuclear materials, and Russia is now very much working with us.

Senator BROWN. Well, thank you. I would encourage you to continue that relationship because I find it disturbing that, with all the efforts we're trying to do, Russia and France are still contributing greatly financially to the regime and allowing them to circumvent some of those sanctions. So I would appreciate your continued leadership on that.

Secretary GATES. Senator, I might just point out, because you've just put your finger on a kind of schizophrenic Russian approach to this. When I was in—

Senator BROWN. I'm glad you said that. Thank you.

Secretary GATES. When I was in Moscow 3 years ago, then-President Putin told me that he considered Iran Russia's greatest national security threat. Within the same time frame, one of their deputy prime ministers told me, he said: You know, they don't need a missile to deliver a nuclear weapon to Russia.

At the same time, the Russians are seeing this growth of terrorism in the Caucasus that is a deep concern to them. And yet they have these commercial interests in Iran that go back more than 20 years. In 1992 I raised, when I visited Moscow as the first head of CIA, I raised this with my counterpart about their support for the nuclear reactor in Iran. And we went back and forth, and finally he said: It's all about the money.

So I think that it is this balancing act in Russia. They recognize the security threat that Iran presents, but then there are these commercial opportunities which, frankly, are not unique to them in Europe.

Senator BROWN. Thank you for that add-on, Mr. Secretary.

I have one final question, and that is, I'm always wrestling with our reduction in the strategic nuclear warheads to 1,550 while the Russians will continue to deploy at least 3800 tactical nuclear warheads in addition to their strategic nuclear warheads, and as a result the Russians maintain a ten to one superiority in tactical nuclear weapons and their tactical nuclear weapons will outnumber our strategic nuclear weapons by two to one.

I'm just trying to wrestle with—how does that work in terms of the numbers? Because you can deploy some of these weapons on submarines, move close to our coast. It seems that—I'm trying to

get a handle on how that's creating stability within the—and I direct this to the Secretary—how this is creating nuclear stability and a favorable manner for us and our allies.

Secretary GATES. Well, it is a concern, obviously. The strategic arms talks have always focused strictly on the strategic weapons, ICBMs, SLBMs, and long-range heavy bombers. I would just—the Europeans are clearly concerned about this. There is a huge disparity in the number of those deployed weapons in Europe, as you suggest.

I think that there is a general feeling on our part, and certainly on the part of our European allies, that the next step needs to involve—in our discussions on arms control with the Russians—needs to address this issue. I would just echo something Secretary Clinton said earlier in the hearing. We will never get to that step with the Russians on tactical nukes if this treaty on strategic nuclear weapons is not ratified.

Senator BROWN. Thank you, Mr. Chairman. My time has expired.

Chairman LEVIN [presiding] Thank you, Senator Brown.

Just a quick comment if I can on something which was raised, I think, and I came back in the middle of the answer, on the commercial relationship between Russia and Iran. I understand—and, Secretary Clinton, perhaps you can confirm this—that following the UN resolution adoption of sanctions that Russia finally has actually cancelled the sale of the S-300 to Russia. Now, there are different reports we get on that, but—I'm sorry, the sale to Iran. Did I say to Russia? The Russia sale to Iran of those anti-air systems.

Do you know if that's accurate?

Secretary CLINTON. I will check on this, Mr. Chairman. My recollection is that they announced once again a postponement, an indefinite suspension. I think we have to sort of separate out—and we can get more information for both Senator Brown and the committee. Iran is entitled to civil peaceful nuclear energy.

Chairman LEVIN. We understand that.

Secretary CLINTON. So the Russians have consistently been working on the reactor at Bushehr and providing such support. Until the recent UN Security Council resolution, you could make an argument that they were also entitled to defensive weapons, which the S-300 are claimed to be. The Russians over the past 15 months, in part I would argue because of our relationship-building, have never delivered those and have consistently postponed it.

So I will doublecheck. If they've cancelled the sale, I'm not aware of it. But I am very much aware and supportive of their continuing suspension.

Chairman LEVIN. It's a very significant development if they not only have postponed it, which they have regularly, and we're very happy they've done so because of the statement that that makes to Iran. But I think there was a report that they actually went beyond that following the UN resolution.

Secretary CLINTON. Well, I think that what they said is they would not deliver the system. So is that a cancellation or is that an indefinite suspension? Either way it's good news because they will not deliver the security.

Chairman LEVIN. Thank you.

Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman.

Once again, thank you to all of you testifying today certainly for the work that you're doing for our country. I think we all appreciate that very, very much.

I wanted to talk just a minute about the recruitment and retention of nuclear scientists and engineers. Responsible stockpile stewardship management requires modernized infrastructure and a highly capable work force to sustain the nuclear deterrent. Our labs cannot anticipate potential problems and reduce their impact on our nuclear arsenal without being appropriately resourced.

I'm concerned that our ability to recruit and retain nuclear scientists and engineers is threatened by a lack of financial stability in the stockpile stewardship and life extension program, as well as the perceived lack of importance. This has affected the National Nuclear Security Administration's ability to recruit and retain the best and the brightest.

Secretary Chu, could you describe, please, what the heads of Los Alamos, Lawrence Livermore, and Sandia have said regarding the negative impact budgetary pressures are having on their ability to manage our nuclear arsenal without testing?

Secretary CHU. Certainly. Well, Senator, this is a very big concern. When I became Secretary of Energy and looked at the fraction of the NNSA budget that was devoted to the scientific and technology programs that goes directly to what you speak of, the intellectual capabilities, that fraction of budget was declining, was on a 10-year path to going in half.

So I said we have to stop this, we have to reverse this. So in the last year and in this budget for 2011 we're on a path to rebuild that. It's vital because there is a population bulge that is nearing retirement and we need the very best people in order to carry this stockpile stewardship program, the nonproliferation program, our obligations to provide safe, secure, and reliable weapons going forward.

We believe we can do this and in the proposed budget of 2011 and in the out years that's the path we're taking. There is also an issue of the fact that in order to recruit the best and brightest they have to be convinced that the country cares about this. They have to be convinced because essentially these people go black in a certain sense. They disappear and they can't publish and a lot of their best work cannot be published in the open literature.

But if they are convinced that the United States does deeply care about this and it is such a vital part of our National security, we can get those people. It also depends on the facilities. You have to continue to maintain and modernize those facilities.

The plans in this budget go to all, speak to all those things.

Senator HAGAN. It's also interesting, I was talking to some individuals with an energy company just recently and, due to the fact that we haven't been building nuclear power plants, there has been a vacuum of nuclear engineers. This company is actually helping to fund nuclear engineering programs at several universities because of the need for nuclear engineers and scientists.

Secretary CHU. That doesn't directly impact the NNSA mission, but certainly within the nuclear engineering side in another part of the Department, the nuclear energy side, we have been consist-

ently giving out on the scale of \$5 million to students for advanced—this is master's and Ph.D. mostly, and we're looking to improve that.

There's certainly been—we anticipate there is—there is now a shortage and there will be an increasing shortage as the world looks to nuclear energy as part of the solution to decreasing carbon emissions.

Senator HAGAN. Some experts indicate that if the Senate does not ratify the New START Treaty it can potentially send conflicting messages about the administration's emphasis and commitment to nonproliferation and the Nonproliferation Treaty. Some experts add that ratifying the New START Treaty will send a positive message in achieving consensus with other countries on nuclear issues. In other words, if the two nations that possess the most nuclear weapons, us and Russia, agree on verification and compliance with nuclear weapons and are committed to nonproliferation, it is possible to achieve consensus with other countries.

It is important to encourage non-nuclear states to sign and abide by the Nonproliferation Treaty. Ratifying this treaty will demonstrate our commitment to nonproliferation, sending a message and isolating Iran. In April of '09 during a Senate Foreign Relations Committee hearing on the New START Treaty, Dr. James Schlesinger indicated that at this juncture for the U.S. to not ratify the treaty it would have a detrimental effect on our ability to influence other nations with regard to nonproliferation.

Secretary Clinton and Secretary Gates, if the Senate does not ratify the New START Treaty what implications will that have on gaining international consensus on the Nonproliferation Treaty?

Secretary CLINTON. Well, Senator, I think your question really summarized our concerns. We have seen positive response because of our commitment to this treaty, because of President Obama's speech in Prague, because of our active involvement in the Nonproliferation Treaty review conference. Because we have been willing to work toward further disarmament goals with Russia, that has given a boost to nonproliferation efforts globally.

Just speaking personally from my exchanges with my counterparts in NATO and elsewhere, it was a great boost to our leadership in moving the nonproliferation agenda. I think we saw that in getting an agreement out of the NPT Rev Con, which the United States was not able to do in 2005, in the very positive response from our NATO allies, many of whom still very clearly have doubts about Russia, those in Eastern and Central Europe, and in our conversations coming out of our nuclear posture review and the National security statement that has recently been put out.

So I think the premise of your question is absolutely the case, that we have been able to obtain concessions and move this greater agenda forward because of our work with Russia on this treaty.

Secretary GATES. I have nothing to add to that.

Senator HAGAN. Thank you.

My time is up. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Hagan.

Senator Chambliss.

Senator CHAMBLISS. Thank you, Mr. Chairman.

To the panel, thanks for what you do, not only on this particular issue, but your service to our country. We appreciate you very much.

Pretty obvious that, based on the questions that have been asked, there's a real issue regarding not just missile defense, but the comments that have been made by the Russians and, as Senator McCain said, they've been so strong and so direct. I don't know whether there's been any challenge to that on the part of the administration to President Medvedev, but certainly he's going to be here, as you say, next week. He's going to be meeting with the President. He'll also be meeting with some members on the Hill. So there will be an opportunity to clarify this. I hope the President challenges him on it, because it is a key issue with respect to where we go.

With that in mind, to Secretary Clinton and Secretary Gates, I want to focus on what I see as relevant decision points with respect to missile defense and what factors the U.S. will consider when making these decisions. First of all, some of my colleagues have stated that in the overall context of U.S. national security the issue of missile defense may be more important than any agreement that the U.S. and Russia enter into regarding nuclear weapons. That's because we're much less likely, as both Secretary Clinton and Secretary Gates have alluded to today, to face a nuclear conflict with the Russians than we are to be attacked or threatened by a rogue nation or a terrorist group that possesses nuclear weapons.

I agree with that perspective and that's why we need a robust missile defense system, not to protect us from the Russians, but to protect us from primarily rogue nations. Secretary Gates, I think you even spoke to this issue directly in previous testimony.

Now to my question. In the 2020 time frame, the United States is currently planning to deploy the SM-3 Block 2B missile in Europe and, although it is intended to defend against launches from the Middle East, the missile will have an ICBM intercept capability and could represent under this treaty from the Russian perspective a qualitative or quantitative improvement in U.S. missile defenses that could provoke a Russian withdrawal from the treaty.

Assuming the threat to the U.S. and our European allies still warrants deploying the SM-3 Block 2B missile around the 2020 time frame, and assuming that you were in your current position when that decision needed to be made, would you recommend the United States deploy this system regardless of the Russian response?

Secretary GATES. Yes, sir, I would. I think that the kind of missile threat that we face from rogue states such as Iran and North Korea is such a problem, and I think by 2020 we may well see it from other states, especially if we're unsuccessful in stopping Iran from building nuclear weapons. I think you'll see proliferation in the Middle East of nuclear weapons and probably missiles. So I think that the need will be even greater perhaps by that time.

So fast forwarding 10 years, it seems to me that the plan that we have laid out and the developments that we've laid out as part of the Phased Adaptive Array, plus keeping the ground-based interceptors in Alaska and Vandenberg and continuing to upgrade those for the longer range missiles, would be absolutely essential.

I would say there's one other reason why I think we would need to do this, and that is because one of the elements of the intelligence that contributed to the decision on the Phased Adaptive Array was the realization that if Iran were actually to launch a missile attack on Europe it wouldn't be just of one or two missiles or a handful; it would more likely be a salvo kind of attack, where you would be dealing potentially with scores or even hundreds of missiles. So the kind of capability that we're talking about with the SM-3 Block 2B would give us the ability to protect our troops, our bases, our facilities, and our allies in Europe.

So for all those reasons, that would be my recommendation if, God forbid, I were still in this job 10 years from now.

Senator CHAMBLISS. Mr. Secretary, you didn't think you would be there now. So who knows.

Secretary Clinton, I assume you concur with that?

Secretary CLINTON. Yes, I do, Senator, completely.

Senator CHAMBLISS. Thank you.

Chairman LEVIN. What, with the "God forbid" part?

Secretary CLINTON. The whole thing, Mr. Chairman. [Laughter.]

Senator CHAMBLISS. Well, frankly, that makes it much more comforting. I assumed that that was the case, Mr. Secretary, but it is much more comforting to us.

My time is up, so I don't have time to get into the issue of rail mobile launched weapons, which this treaty is silent on. We know the Russians have a history of that. As I read the treaty, those would be exempt, would not be counted, and that could be a serious issue for a number of us. I will submit a question for the record to you relative to rail as well as sea and air-launched ICBMs.

But lastly, just to comment, with the complexity of this issue and the obvious determination on the part of the administration, as has been expressed by each of you today, I don't know whether you've given any thought to doing a red team on this. But with all the complexities and the difficulties on this side, I would hope maybe you'd give some thought to having a red team look at this, so that we can be better prepared to move as quickly as what you folks obviously want us to move.

Thanks, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Chambliss.

Senator Burriss.

Senator BURRIS. Thank you, Mr. Chairman.

I would like to add my thanks to these four distinguished Americans for your service to the country. Admiral Mullen, I would just like to ask you, was any of the war-gaming done to determine whether we still will be able to respond effectively to a provocation if our nuclear arsenal is reduced to the level that's indicated in the treaty?

Admiral MULLEN. Actually, the analysis that was done prior to and in support of the negotiations with respect to that from a military capabilities standpoint was extensive. The uniformed leadership, one, is aware of that; and two, certainly took that into consideration as we arrived at our positions and comfort level with the provisions that are in the treaty.

Senator BURRIS. Senator Chu, you just heard Senator Hagan raise a question about the training and the talent pool of our sci-

entists and engineers. Are we really training enough at our universities, and are we doing—do we have a role in—that is, the Department—in assisting in their training process so that we can have the brain power to deal with this new technology?

Secretary CHU. Well, I think the American research universities that train the type of people that we seek in the NNSA and the National labs are doing an excellent job. It's really a matter of recruiting the best of those, some of the best of those people, into—

Senator BURRIS. Is money a problem, salaries?

Secretary CHU. No. I think the intellectual challenge, the importance of the work, the facilities you will have access to are the real issues. If you were in it to look for money, you would not go into science.

Senator BURRIS. Secretary Clinton, you said that the treaty will reduce the number of nuclear weapons. I'm not one to really depend on newspaper articles, but let me just see what you and Secretary Gates' thoughts are on this article that just came out yesterday. It was an op-ed piece published in the Washington Times on June 16, and Keith Payne comments that Russian strategic analysts have noted that the New START Treaty does not require any real reduction in the Russian nuclear arsenal. To quote him, he says: "The new treaty is an agreement to reducing the American and not the Russian strategic nuclear force. In fact, the latter will be reduced in any case because of the massive removal from the order of battle of obsolete arms and a one at a time introduction of a new system."

Russian defense journalist Alexander Gaut also noted in the Washington Times that Russia will "fulfil its pledge without eliminating a single actual weapon." The same is true regarding warheads.

Is there any truth to this article, Secretaries?

Secretary GATES. Well, let me start. It looks like three of us are ready. But I would just comment in very simplistic terms: The Russians, the number of their strategic nuclear delivery vehicles is in fact below the treaty limits, but the number of warheads is above the treaty limits. So they will have to take down warheads.

Secretary CLINTON. That's correct, Senator. We can give you additional material to respond. You will find there are, unfortunately, a number of commentators or analysts who just don't believe in arms control treaties at all and from my perspective are very unfortunately slanting a lot of what they say. This is a perfect example of that, because, as Secretary Gates just pointed out, there would be reductions on the Russian side.

Senator BURRIS. That's very interesting, how they can have these conflicting analyses of what really is there.

Secretary Gates, Secretary Clinton, you answered the question on Iran. I'd like to raise one here. As you know, Iran and North Korea have been pursuing the technology for nuclear weapons. Will the treaty change if they manage to develop these nuclear weapons? Will there be any changes in our treaty, New START, with Russia if these two countries come up with nuclear weapons?

Secretary GATES. No. We think that the North Koreans already have them. As we've talked earlier in the hearing, we clearly are

committed to preventing Iran from getting them. But it would have no impact on this treaty.

Senator BURRIS. Thank you very much.

Thank you, Mr. Chairman. My time has expired.

Chairman LEVIN. Thank you very much, Senator Burris.

It's now 11:30 and we're going to have just maybe a couple minutes second round. Secretary, if you're able to stay. If not, we understand that. Do you want to stay on for a few more minutes?

Secretary, is there any military need for a new nuclear weapon at this time?

Secretary GATES. To the best of my knowledge, no.

Chairman LEVIN. Admiral?

Admiral MULLEN. Same answer.

Chairman LEVIN. I want to go back to this language in these statements, because I went back and looked at the statements in START I and they are incredibly similar, so much that the opening words to the statement are exactly the same. On the U.S.-Soviet negotiations, they said that "This treaty"—the Soviets—"may be effective and viable only under the conditions of compliance with the ABM Treaty."

And they said: "The extraordinary events referred to in" such and such an article, which is the supreme national interests allowing withdrawal—"include events relating to withdrawal by one of the parties."

We then issued our statement saying no, it doesn't, basically. But their statement has the same format, with the same opening words, as a matter of fact, for each.

So this START I Treaty was negotiated by the first President Bush, is that correct, with the same kind of statements, unilateral statements, that were made after the treaty was agreed to? You both—I think you've all indicated that either side has a right under that treaty to withdraw if its supreme national interests indicate it, and under this pending treaty; is that correct?

So if the Russians, for whatever reason, they decided their supreme national interest required them to withdraw, they can withdraw. But if they withdraw—and even if they don't withdraw—we could withdraw if our supreme national interests so indicated to us. Is that correct, Secretary Clinton, Secretary Gates?

Secretary CLINTON. Yes.

Chairman LEVIN. Can we take your nodding of the head?

Secretary GATES. Yes.

Chairman LEVIN. So I would hope that we would treat these kind of unilateral declarations the same with the current administration as was the case with the first President Bush. The analogies are so close, they're almost perfect. Nothing is quite perfect in this life, but that's about as close as you can come.

Finally, on the statement of Russia, cooperating with Russia in terms of missile defense. The cooperation which you're talking about to the Russians is the possible addition of information from their radar to a missile defense system. They're essentially joining up to make more capable what we are going to proceed with in the area of missile defense; is that correct?

Secretary GATES. Yes.

Chairman LEVIN. And it's not a limitation on us; it's a possible addition to the capability of our anti-ballistic missile system.

Secretary GATES. It would be an expansion.

Chairman LEVIN. An expansion or additional capability, which would be a very powerful statement to Iran, just like the recent sanction vote in the UN was a powerful statement to Iran they are more and more isolated, not just from people who have traditionally been very outspoken about the threat, but now even from the Russians and the Chinese.

So if we could negotiate something with the Russians for them to expand and add capability to a missile defense system that was essentially a defense against an Iranian threat, would you agree, Secretary Gates, that that would be an extraordinarily powerful statement to Iran about their tightening and tightening isolation?

Secretary GATES. Yes, I do.

Chairman LEVIN. And do you agree with that, Secretary Clinton?

Secretary CLINTON. Yes, I do, Mr. Chairman.

Mr. Chairman, if I could, just on a follow-up to your last questions, which I very much appreciate. I want to ensure that the record is clear on one additional point. Senator Collins raised a certain press report about a U.S.- Russia deal to limit U.S. missile defenses and I want to be as clear as I possibly can. Number one, there is no secret deal.

Number two, there is no plan to limit U.S. missile defenses, either in this treaty or in any other way.

Number three, on that score the story is dead wrong. I want to be very clear about that because I don't want anyone using what is yet again another inaccurate story to argue against this treaty. As Secretary Gates and I have both said, we will continue to explore missile defense cooperation with Russia, but the talks are not secret and there is nothing on the table or even in the wildest contemplation that would involve any limits on our missile defense. Instead, we're seeing to see whether they can be expanded with additional capabilities for our security.

Chairman LEVIN. Which would then be an additional powerful weapon against the great threat that is out there, which is Iran.

Secretary CLINTON. That's correct.

Chairman LEVIN. Thank you.

Senator Brown.

Senator BROWN. Thank you, Mr. Chairman.

I merely wanted to continue listening and learning. First of all, I know the Secretary is under time restraints, and I know we're going to have additional hearings. But I do want to just throw this out there. For me it's also a trust and verification issue. In the back of my mind I'm saying, yes, we're going to do all these wonderful things, but how can we actually verify and ensure that we're not being misled.

I don't have a question. I just want you to know that's where my head's at. If you can reach out off line to let me know, that would be wonderful.

Mr. Chairman, thank you for your leadership in holding these hearings.

Chairman LEVIN. Thank you very much, Senator Brown.

Now, Senator McCaskill has questions, but not of you, apparently, Secretary Gates.

Senator MCCASKILL. Well, I do.

Chairman LEVIN. Oh, you have to go, too, yes. I wasn't going to say it, but they are for you, Admiral.

So again, Secretary, thank you so much. I know you stayed beyond what you thought you would be able to.

So, Senator McCaskill, your timing, as always, is perfect.

Senator MCCASKILL. Thank you.

Thank you all for being here. I appreciate it. I have been following most of the hearing, even though I have not been here physically.

I know Secretary Gates said earlier that all 18 B-2s will be retained, Admiral Mullen. Obviously this is of great concern because we are proud to house all of the B-2 fleet in the 509th Bomb Wing at Whiteman Air Force Base in Missouri. Talk a little bit about a practical perspective. What should Whiteman expect in terms of inspections and verification visits from Russia, and how can we—how can I reassure all the great folks at Whiteman that the technology and the secrets that we have with the B-2 fleet will not be in any way compromised?

Admiral MULLEN. With respect to the future of both—actually, the future capability, the capability which you describe is absolutely critical. One of the areas that we looked very carefully at throughout the analysis and negotiation was the preservation of the three legs, and then in the future what kind of—what does that mean for the future force structure.

We don't have to make any significant—any decisions with respect to that until 7 years into the treaty. In terms of preserving the capability that we have, the technical capability that we have, there is nothing—from my perspective, there is nothing in this treaty in terms of verification which would threaten that understanding. The treaty has a provision for 18 inspections a year, 10 of which are what I would call operational kinds of inspections and 8 of which are administrative kinds of inspections in support of the verification regime.

There are more in terms of verifying the number of warheads, if you will. That's a provision literally for each, that's there for each system. That's I think an important strength of this verification treaty on both sides.

But in terms of protecting our capability and the investment that we've made in both technology and systems and people, this treaty will more than do that. So we do have a great, great group of people at Whiteman, as we do in this enterprise, the nuclear enterprise, throughout the military, and I don't think they need to worry about that at all.

Senator MCCASKILL. First, Secretary Clinton, let me reiterate again for the record how proud you make our country, the job you do around the world. I think you reflect so well on our Nation and I think you're doing masterful work under very difficult circumstances. We have so many places to worry about right now.

I would be curious from you what you see the consequences of not ratifying the treaty, particularly as it relates to the deterrence of the rogue extremists that we are dealing with around the world.

If you would, if you would speak to what happens if we can't get this done?

Secretary CLINTON. Well, Senator, I think you've really put into words what our greatest fear is, because we believe that the consequences of not ratifying this treaty would have very serious impacts on our relationship with Russia and would frankly give aid and comfort to a lot of the adversaries we face around the world.

With respect to the first, it would not only disadvantage us because we wouldn't have the transparency, the verification regime, to know what is going on inside Russia, but it would very much undermine the relationship that President Obama has been leading us to establish to provide more confidence between the United States and Russia so that together we can tackle the threats posed by Iran, North Korea, and networks of terrorists.

Second, it would, unfortunately, turn back our efforts to try to unify the international community against those threats. We've made progress with Russia, and Russia has influence with a number of other countries, to begin to recognize that the Cold War is over, the standoff between the United States and the former Soviet Union is a thing of the past. Thankfully, we can look for other ways to build confidence and trust between us, which is imperative given the very real threats of nuclear-armed rogue states and networks of terrorists.

At the nuclear security summit which the President called and led, for the first time we got more than 45 nations to come together to acknowledge the obvious, that we all face the threat of these nuclear materials falling into the wrong hands, and therefore we have to come to some new understandings, work more closely together. I think Russia is an absolutely critical partner in our efforts to do that.

Senator MCCASKILL. What is the confidence level that we have in terms of the Russian military, their ability to implement, especially if you look at the current economic state of Russia? Do we have the kind of confidence we need to have in their ability to implement within the Russian military?

Admiral MULLEN. Overall, yes, ma'am. I have watched from my perspective since 2004 the evolution of the Russian military, both when I was stationed in Europe and dealing with them more directly, literally from an operational force perspective, up to now. They have—from my perspective, they have made a significant decision and a shift to invest in their strategic forces. I've watched them modernize them, put the money in, conduct the training, where they have certainly been challenged economically and fiscally in their own defense budget.

But this is an area that they continue to focus on and invest in. I've seen it and I've also had that reaffirmed by the head of their navy when I was the head of our Navy, as well as when I was in Europe in my Navy job, and certainly from the current—actually, the last two heads of the Russian general staff, in my current job.

So they're very committed to getting this done.

Secretary CLINTON. Senator, if I could just add something to what Admiral Mullen said, because I think this is another very key point. Secretary Gates referred to it. This treaty may seem modest in scope, but given the changes in Russian military posture where

they are moving away from reliance on a large land-based army and conventional weapons to focus what may be scarcer resources on their strategic capacity, I think this treaty actually is more significant, because as the Russian military makes these changes our relationship with them in this going on strategic nuclear offensive weapons gives us actually more insight into what their future plans are. So it's a look forward as opposed to a static look or a look backwards.

Senator MCCASKILL. Well, I think this treaty represents yet another opportunity where we have to talk about proving a negative. That is, what happens if we don't? What are we preventing by doing it? That's always tough, but I'm firmly convinced that this treaty is so much preferable to the alternative, and I appreciate all of you being here today and enduring. Secretary Chu, thank you for all your good work. You maybe more so than the others on the panel are wearing lots of different hats right now. So maybe it's a relief to not spend all morning talking about oil. We welcome you, Hillary, and thank you all for your service to our country.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCaskill.

Senator Brown had a question or a request.

Senator BROWN. Thank you, Mr. Chairman. I'm hopeful I could submit some questions for the record a little later.

Chairman LEVIN. Absolutely. Those questions will be welcome, and the witnesses are alerted that we would hope for prompt answers.

We're very grateful to all of you for again your service. We don't want to not mention that, not just for being here today, but really for your extraordinary service. I'm not going to go through that service because we all want to probably get to lunch. But I would, if you can delay for a couple moments before you leave, Secretary Clinton, I have something that I would like to talk to you about if we could.

Our hearing is adjourned. It was a very, very useful hearing. We thank all our witnesses.

[Whereupon, at 11:50 a.m., the committee adjourned.]