

BUSINESS MEETING TO CONSIDER THE NOMINATION OF CHARLES T. HAGEL TO BE SECRETARY OF DEFENSE

TUESDAY, FEBRUARY 12, 2013

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

The committee met, pursuant to notice, at 2:55 p.m. in room SR-222, Russell Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Nelson, McCaskill, Udall, Hagan, Manchin, Shaheen, Gillibrand, Blumenthal, Donnelly, Hirono, Kaine, King, Inhofe, McCain, Sessions, Chambliss, Wicker, Ayotte, Fischer, Graham, Vitter, Blunt, Lee, and Cruz.

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

Majority staff members present: Michael J. Kulken, professional staff member; Gerald J. Leeling, counsel; and Peter K. Levine, general counsel.

Minority staff members present: John A. Bonsell, minority staff director; William S. Castle, minority general counsel; and Anthony J. Lazarski, professional staff member.

Staff assistants present: Kathleen A. Kulenkampff and Mariah K. McNamara.

Committee members' assistants present: Carolyn Chuhta, assistant to Senator Reed; Jeff Fatora, assistant to Senator Nelson; Jason Rauch, assistant to Senator McCaskill; Casey Howard, assistant to Senator Udall; Christopher Cannon, assistant to Senator Hagan; Mara Boggs, assistant to Senator Manchin; Chad Kreikemeier, assistant to Senator Shaheen; Elana Broitman, assistant to Senator Gillibrand; Ethan Saxon, assistant to Senator Blumenthal; Marta McLellan Ross, assistant to Senator Donnelly; Nick Ideka, assistant to Senator Hirono; Mary Naylor, assistant to Senator Kaine; Jim Catella, assistant to Senator King; Joel Starr, assistant to Senator Inhofe; Paul C. Hutton IV, assistant to Senator McCain; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Joseph Lai, assistant to Senator Wicker; Brad Bowman, assistant to Senator Ayotte; Peter Schirtzinger, assistant to Senator Fischer; Joshua Hodges, assistant to Senator Vitter; Charles Prosch, assistant to Senator

Blunt; Peter Blair, assistant to Senator Lee; and Brooke Bacak, assistant to Senator Cruz.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. The committee meets today to consider the nomination of former Senator Chuck Hagel to serve as the next Secretary of Defense.

We received Senator Hagel's nomination three weeks ago. We held a hearing on the nomination 12 days ago. Senator Hagel has provided the personal and financial information required by the committee. He has received letters from the director of the Office of Government Ethics and the acting Defense Department General Counsel certifying that he meets our ethics and conflict of interest standards.

He has responded to our advanced policy questions and our questions for the record, and for these reasons I believe the time has come for the committee to act on this nomination.

Senator Hagel has received broad support from a wide array of senior statesmen and defense and foreign policy organizations. At our January 31 nomination hearing, Senator Hagel was introduced and endorsed enthusiastically by two former chairmen of committee, Sam Nunn and John Warner. Senator Hagel's nomination has been endorsed by five former Secretaries of Defense who served under both Democratic and Republican Presidents: Bob Gates, Bill Cohen, Bill Perry, Harold Brown, and Melvin Laird.

He has been endorsed by three former Secretaries of State and by six former national security advisors. He's received letter of endorsement from 9 former ambassadors who worked with him on Middle East issues, from 11 retired senior military officers, and from 50 retired ambassadors and national security officials.

He's been supported by the major groups of American veterans, including the Veterans of Foreign Wars, the Iraq and Afghanistan Veterans of America, AmVets, Vietnam Veterans of America, and the American Legion. He's received support from the Military Officer's Association of America, the Foreign Area Officers Association, and the Noncommissioned Officers Association.

Senator Hagel's credentials are underscored by his service in war and in peace. As a young man, Senator Hagel enlisted in the Army and served in Vietnam where he received two Purple Hearts, the Army's Commendation Medal, and the Combat Infantryman Badge for his service. Senator Hagel served as Deputy Administrator of the Veterans Administration during the Reagan Administration, and was twice elected to the U.S. Senate where he served on the Foreign Relations and Intelligence Committees.

Since he left the Senate 4 years ago, Senator Hagel has served as chairman of the board of directors of the Atlantic Council. The Atlantic Council counts among its other directors and honorary directors seven former Secretaries of State and four former Secretaries of Defense, along with numerous other senior officials from the administrations of both parties. The Atlantic Council is very much a part of the mainstream of American foreign policy establishment.

Much of the time and attention in our committee hearing was devoted to a handful of statements that Senator Hagel made over the

course of his career that raised questions about his views on Iraq, Israel, and other issues. Senator Hagel explained or clarified these statements and placed them in context. He apologized for one remark and told the committee that he would say other things differently if he had the chance or were making them over.

Senator Hagel was clear and firm in the positions that he takes today and that he will, if confirmed, take as Secretary of Defense. In particular, Senator Hagel stated forcefully and unequivocally that, first, “Iran poses a significant threat to the United States, our allies, and partners, and our interests in the region and globally. Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race and undermine the global non-proliferation regime. Iran is also one of the main state sponsors of terrorism and could spark conflict, including against the United States personnel and interests,” closed quote.

Second, he is quotefully “committed to the President’s goal of preventing Iran from obtaining a nuclear weapon.” All options, in quotes, “must be on the table to achieve that goal,” and his policy, if confirmed, will be, “one of prevention, not of containment.”

Third, while he believes engagement is clearly in our interests, engagement is not negotiation. And he stated, “I’ve never thought engagement as weakness. I never thought it was surrender. I never thought it was appeasement. I think it’s clearly in our interest. Get the international sanctions behind you, keep military options on the table, and if the military option is the only option, it’s the only option.”

Finally, he is, “a strong supporter of Israel,” and believes that, “we have a special relationship Israel,” and if confirmed he “will ensure our friend and ally, Israel, maintains its qualitative military edge in the region, and will continue to support systems like Iron Dome, which is today saving Israeli lives from terrorist rocket attacks.”

Senator Hagel has also recognized the very real risks posed to our national security as a result of the unique budgetary pressure arising out of cuts previously agreed upon by Congress, the budgeting by continuing resolution, and the impending threat of a sequester. This is what Senator Hagel told the committee. Quote, “Sequestration, if allowed to occur, would damage our readiness, our people, and our military families. It would result in the grounding of aircraft and returning ships to port, reducing the Department’s global presence and ability to rapidly respond to contingencies. Vital training,” he said, “would be reduced by half our current plans, and the Department would be unable to reset equipment from Afghanistan in a timely manner.”

And he continued: “The Department would reduce training and maintenance for non-deploying units and would be forced to reduce procurement of vital weapon systems and suffer the subsequent schedule delays and price increases. Civilian employees would be furloughed for up to 22 days. All of these effects also negatively impact long-term readiness. It would,” he said, “send a terrible signal to our military and civilian workforce, to those we hope to recruit, and to both our allies and adversaries around the world,” closed quote.

Some members of this committee strongly oppose President Obama foreign policy, but regardless of how we may feel about the President's policies, our vote on Senator Hagel nomination will not change those policies. If there is a risk here, it is that the defeat of this nomination will leave the Department of Defense leaderless at a time when we face immense budgetary challenges and our military is engaged in combat operations overseas. Such an absence of senior leadership would be unlikely to benefit either our national defense or our men and women in uniform. And I would add, given the recent explosion of a nuclear device by North Korea, the delay in adopting this nomination and approving it, I think, will send the exact wrong message to North Korea.

The President needs to have a Secretary of Defense in whom he has trust, who will give him unvarnished advice, a person of integrity, and one who has a personal understanding of the consequences of decisions relative to the use of military force. Senator Hagel certainly has those critically important qualifications, and he is well qualified to lead the Department of Defense.

Senator Inhofe?

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman. Let me first of all say I have said many, many times, going back to my first meeting with Senator Hagel when he was first elected, how much I admire his service to his country, the job that he did, his Purple Hearts, and all of that. The question is in my mind is that, and that alone, enough justification for confirming him to the nomination for the Secretary of Defense.

Now, I also listened to Mr. Chairman, and what you said was accurate in terms of what he said now during these hearings. My problem is that is not what he said and that is not what he lived in the past.

I was—I guess I was the first one who decided that I was going to oppose him, his nomination, and that was before we nearly knew nearly as much as we know today. At that time, I was aware that he was one of two senators who voted against sanctions against Iran. He was one of four Senators who voted against labeling the or declaring the Iranian Revolutionary Guard as terrorists. He was one of four who did not sign a letter, and I remember that because I helped take the letter of solidarity around to the various senators. And he was one of only four who did not sign that.

I was also concerned about the Global Zero Movement. It sounds real good. We want a nuclear free world. The problem is, and I have heard all of his answers to this, but the group that he is a part is for, if necessary, unilaterally doing away with our nuclear capability. I was concerned with the fact that arguably you could say that Iran is probably—could be one of the most severe of the terrorist type of states. And they have said things like, we want to wipe Israel off the map. Israel is a cancerous tumor in the heart, and America is rotten from the bottom up, all these things. And yet they, that country, is endorsing his confirmation.

And then lastly, I have mentioned this several times. It was Senator Cruz who showed us, Mr. Chairman, and I want to tell you how much I personally appreciate your kind of bending the rules

a little bit to allow him to put the Al-Jazeera video up where he agreed with Al-Jazeera's comments about Israel committed war crimes, Israel committed sickening slaughter, and America is the world's bully.

So I just cannot for those reasons—and others have other reasons, but those are the reasons that I opposed him and I still oppose his confirmation. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe. Now, what we are going to do is give everybody an opportunity to make a statement. We will then vote. The time of the vote will be determined by how many of us want to make statements. I cannot set that time yet until we get a feel for how many members want to make statements. What I will do, and I have not had enough chance to chat with Senator Inhofe on this in terms of the specific time. But my inclination is to say that we should make statements within a time limit of eight minutes. Would that sound fair?

Senator INHOFE. Very fair.

Chairman LEVIN. Thank you. I am not urging everybody to speak or to use their eight minutes, by the way. That I hope was not implied by my decision. So after we get a feel again for about how many want to speak, then we will try to set a fixed time later on this afternoon so that everybody will be given perhaps 20 minutes or so warning at least as to what that fixed time is.

We will do the best we can, and now call upon Senator Reed.

Senator REED. Thank you, Mr. Chairman, and I will try to set the example by taking much less than 8 minutes.

As you pointed out, some of the most respected experts on foreign policy and national defense policy in the United States, who have served both Republican and Democratic presidents, are strongly and enthusiastically supportive of Senator Chuck Hagel's nomination to be Secretary of Defense: Bob Gates, Bill Cohen, Madeleine Albright, Bill Perry, Brent Scowcroft, Ryan Crockett, Thomas Pickering.

These ladies and gentlemen have represented the United States' interests through a lifetime of service. They are, I think, some of the strongest evidence of the support and the confidence that they have and we should have in Senator Hagel's nomination to be Secretary of Defense.

And there has been a lot of discussion about—particularly about his approach to our strong historic partnership with the state of Israel. And I was particularly struck by the words of Deputy Israeli Foreign Minister Danny Ayalon. He is the former ambassador to the United States. He is now one of the senior members of the foreign ministry. And he has said, "I have met him," Senator Hagel, "many times, and he certainly regards Israel as a true and natural U.S. ally." That is coming from someone who is a serving member of the Israeli Government. And I think that is the case, and that is what his lifetime of effort as a senator, as an individual, as a business leader points out.

And I would just conclude by echoing the point that the chairman made. This is a very dangerous moment, I do not have to remind anyone in this room, for us. We are facing budget issues. We are facing national security issues. We are in the process of—our

retrograde operations in Afghanistan. Just within hours ago, the North Koreans detonated a nuclear device.

This is a time that the men and women of the Department of Defense need a Secretary of Defense, and I would urge our strong support of Senator Chuck Hagel. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Reed.

Senator McCain.

Senator MCCAIN. Well, thank you, Mr. Chairman. I believe that Senator Hagel, as far as I can determine, has complied with the requirements for—that are the parameters for the information that needs to be disclosed to this committee.

I am somewhat disturbed to hear that today there are two more speeches that he had not reported that maybe have just surfaced. And yet at the same time, I believe he has complied.

I do not believe that we should move forward with his nomination until questions are answered that Senator Graham, and Senator Ayotte, and I have asked to be answered.

For the first time in my political career, I found myself in agreement with Mr. Robert Gibbs, who stated on a Sunday television show that Senator Hagel's performance before the Senate Armed Services Committee was the most unimpressive and unfocused that he had ever observed. I agreed with him. It was the most unimpressive that I have—performance that I have seen in watching many nominees who came before the committee for various positions. He did not even know that the—our policy toward Iran is not one of containment, had to be corrected by the chairman of the committee. And of course, his failure to answer specific questions that I asked is very disturbing.

And let me point out that the surge was an issue of the lives of thousands of American servicemen and women who are serving in Iraq. Senator Graham, and I, and others, not many, were harshly critical of the Bush administration, called for the resignation of Secretary Rumsfeld when he said that there was only a few dead end kids left in Iraq, and took on our own administration, our own President, our own Secretary of Defense.

Senator Hagel—then Senator Hagel also thought we were losing, and then when the surge was implemented, gave a statement that the surge was the worst blunder since Vietnam, and then went on with some nonsense about whether Lyndon Johnson was in Cambodia or not. And he continued to oppose the surge and said that it would fail.

I think we are all responsible for our record, and I will be glad and have quite often been pointed out where I have been wrong. But for him to fail to agree that what was clearly and obviously a success, to me indicates that he really did not want to be forthcoming to this committee. And I do not think he complied with the requirements of answering the questions for members of this committee.

And I am aware that some think that it became rather tense. We are talking about thousands of young Americans who had their lives on their line in Iraq, including some people that—well. And Senator Hagel's judgment was wrong, continues to be wrong, and refuses to admit that he was right on this issue and many other issues.

And his gratuitous attacks, for example, saying that President Bush was the worst President since Herbert Hoover, of course, were just gratuitous attacks on the President of the United States.

But you can only judge somebody by their past performance in order to predict what their future performance will be. His performance before this committee was the worst that I have seen of any nominee for office. He refused to answer a simple, straightforward question as to whether the surge was a success or not, and whether he supported it or not. That was a key moment in the history of this country.

And so, Mr. Chairman, I hope that we will get the answer that Senator Ayotte, and Senator Graham, and I have asked to be answered. And I hope that that will happen. But I cannot vote to report out Senator Hagel's nomination favorably.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator—on this list now in order of appearance. Senator Hagan is not here. Senator Shaheen, do you wish to make a statement?

Senator SHAHEEN. Yes, Mr. Chairman. I think, while I appreciate the concerns that have been raised about Senator Hagel, and I certainly would like to have seen him be much more—much feistier at his hearing, I do think for anybody to suggest that he is not qualified, they have not really looked at what his background has been.

He was the deputy administrator of the VA. He managed a quarter of a million employees during the Reagan years. He turned around the USO when it was in financial difficulty. We all know much about his record as senator when he helped to shepherd the 9/11 GI Bill through the Senate. He has served on the Defense Policy Board at the Pentagon as co-chairman of the President's Intelligence Advisory Board, not to mention all of the things that have been said about his service in Vietnam and his heroism as an enlisted man.

So I think—I understand that people disagree with his position on certain issues, and, therefore, everybody has the right to vote in the way that they say. But the concern that I have is the suggestion that this man who has served his country really since he was a young man and enlisted in Vietnam, is not qualified to be the Secretary of Defense, I think is just not accurate and reflects certainly a different understanding of his background and his experience than I have.

So I intend to vote for him. I think he will be an excellent Secretary of Defense, and I hope that we will confirm him.

Chairman LEVIN. Thank you, Senator Shaheen.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman. I thank the members of the committee.

First, let me just say upfront that I think all of us deeply respect Senator Hagel's service to his country in Vietnam and service in this body. We know that there are always difficult decisions that you have to make, and I certainly respect that service that he has given to our country.

In thinking about this nomination, I certainly come at it from a perspective which I understand that the President deserves a certain level of deference with respect to who serves on his Cabinet.

In fact, that is why I voted, for example, for my colleague, Senator Kerry, who had an overwhelming vote in the Senate, even though he and I probably vote very differently on many issues. But certainly he was confirmed overwhelmingly in this body.

I find myself on this nomination in a very different place. I very much agree with my colleague, Senator Reed, who was here, as he described the state of our country, and the state of our national defense, and the challenges we face around the world right now. It is a very, very difficult time and a dangerous time around the world.

One of the first challenges that we face, and I think one of the greatest national security threats that we face, is the march of Iran toward obtaining a nuclear weapon. And I find myself in reviewing Senator Hagel's record and also what he said when he appeared before us in a very lengthy hearing before the committee, to be very much at odds with him on this issue. And I think also some of his prior positions are at odds with members of both sides of the aisle.

For example, as has been mentioned previously by Senator McCain, I was very troubled that he did not clearly what our position was when it came to containment, particularly since I believe everyone in this room voted—well, except for the newer members. We recently voted in a vote of 90 to 1 in the U.S. Senate explicitly rejecting a policy of containment toward a nuclear-armed Iraq. Yet Senator Hagel seemed to believe that—his first statement was that the President had a strong position of containment toward Iran. And then he switched his position to say that we do not have a position on containment. And then finally, of course, the chairman corrected him to let him know what our position was on containment.

This is one example, I think, of many within the hearing where there were some issues that I felt that he needed to give us answers on. And this one I thought was just—this is one of the biggest threats facing the world right now, and I was deeply troubled by his statements with regard to containment. And also I think if you look at his prior history of when he served in this body where he has been on sanctions, as has already been described, I think all of us here hope that we can stop Iran from obtaining a nuclear weapon short of military actions.

But if you are going to do that, the only way we can do that is through sanctions. Yet when he was in this body, he was one of two senators to oppose sanctions in 2001, again in 2008 in the Banking Committee, one of two senators to oppose sanction. And then when I asked him during the hearing, Senator Reid, the Majority Leader, came to the floor on October 2nd of 2008, and brought forward an Iran Sanctions Act that is very similar to the one that we have passed since I have been here. And he blocked unanimous consent for consideration of that before this body.

I think it is important to note that a similar Iran Sanctions Act was co-sponsored by Secretary Kerry, Secretary Clinton, and then President—excuse me, then Senator, now President, Obama. So this is an issue that we have been strongly on that he is really to the fringe, I think, of both parties of where we have been on sanctions. And that troubles me given the threats we face around the world right now.

Of course he also voted against the sense of the Senate in designating the Islamic Revolutionary Guard Corps as a terrorist organization, and he told us during the hearing, because it was part of an elected legitimate Iranian government. I do not think that the people who rose up in 2009 in the Green Movement who were persecuted and shot at by the Iranian government would call that government a legitimately elected government, nor would, at the time that he voted against designating the Islamic Revolutionary Guard Corps a terrorist organization, would—at the time they were assisting those in Iraq that were murdering our troops. And so that troubles me that he would not think of designating the Guard Corps at that time a terrorist organization.

Two other issues I would like to talk on, and that is we are facing grave budget challenges right now. And I remember when Senator Blunt asked him about a prior statement that he made after the Budget Control Act was passed. He was asked about the across-the-board cuts made to our military, and he said, different than what our Secretary of Defense Panetta has said now, that he felt that the Pentagon was bloated and needed to be pared down. During our hearing, he said that those were statements he made prior to the Budget Control Act being passed, but that was not the case. And that was later corrected.

So in terms of shepherding the Pentagon, I certainly do not think that we want to be in a position of thinking, especially in light of the testimony we heard this morning, that the Pentagon is bloated or needs to be pared down. I think all of us agree here that there are things that we could do better in the Pentagon. And I know that many of us have worked on things that we could do better and more efficient in the Pentagon. But sequestration is not the answer to that.

Finally, you know, hours ago, as Senator Reed mentioned, the North Koreans have detonated a nuclear device. And yet a year ago, Senator Hagel was a signatory toward a report that essentially would eliminate a portion of our nuclear triad. We have three legs to our nuclear triad, and he was a signator on a report that recommended that that would be a manner in which we could eliminate a triad—a leg of our nuclear triad.

It seems to me with the North Koreans testing, with Iran marching toward a nuclear weapon, that is a deep concern that our Secretary of Defense less than a year ago would sign on to a report that would state that position.

Now during his hearing, he tried to claim that this was just an illustration, but that is actually different than what the report itself says. The report itself says on the first page that these are next steps, are possible and desirable. And so I was not satisfied with his explanation of this being an illustration during the hearing, and I am concerned that that is really where his viewpoints are. And I am concerned that those viewpoints will drive the recommendations that he makes to the President as the Secretary of Defense.

So for all those reasons, respectful of his service to our country, I just think that with the challenges we face around the world right now, I judge him based on his record. I respect his service. But also I have to judge him based on his performance before us

in the Senate Armed Services Committee, and I cannot support his nomination.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Hagan.

Senator HAGAN. Mr. Chairman, I want to thank you for the fair, open, transparent process that this committee has followed as we have considered this important nomination. And after spending several weeks of closely reviewing his qualifications, meeting with him personally, participating in the nomination hearing, I will vote for his nomination to become our country's next Secretary of Defense.

Senator Hagel certainly has shared my concerns about the serious negative consequences that sequestration would have on North Carolina. And as we heard at the hearing this morning, it is important that our next Secretary of Defense be strong, be an advocate for stopping these cuts that would be devastating to our military strength.

I also believe that Senator Hagel will continue to look for ways to enhance our military and our intelligence collaboration with Israel, one of our most important allies. And I appreciate and respect Senator Hagel's service to our country as an enlisted soldier in Vietnam. And it is my hope and expectation that this perspective that he has will aid in the support of the many service members and their families who call North Carolina home, and certainly all of our other States.

And I was pleased to hear his assurances that he will monitor and be a helpful partner in getting the answers about the water contamination at Camp LaJeune. Thank you.

Chairman LEVIN. Thank you very much, Senator Hagan.

Senator Fischer.

Senator FISCHER. Thank you, Mr. Chairman, and thank you, Ranking Member Inhofe.

For the past several weeks I have carefully reviewed Senator Hagel's record. I know Senator Hagel. I met with him privately and participated in the committee's hearing, questioning in both rounds. Ultimately while I respect his military service, I do not believe he is the right choice for this job.

I am concerned by Senator Hagel's record on important topics, and his testimony before this committee did nothing to clarify those questions. As many of you have said, this is a very dangerous moment for our country. The next Secretary of Defense will likely make critical decisions with respect to budgeting for national defense that will define its future for decades to come: confronting a pre-nuclear Iran, dealing with an increasingly belligerent nuclear armed North Korea, and a bellicose China. I do not believe he will chart the right course for our country, and the effect of his decisions on these topics will last for decades.

I do appreciate the President will nominate candidates that hold very different views than I do. My support for Senator Kerry's nomination indicates this. But I cannot support a candidate whose views are so far afield. As the Washington Post editorial board indicated, these positions are far to the left of those held by President Obama.

For those reasons, I cannot support his nomination. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Fischer.

Senator Donnelly, not here at the moment.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chair, Mr. Ranking Member, and colleagues. I am honored to serve with you on this committee. One of my personal and political heroes, former Senator John Warner, appeared and talked about his committee service in a most glowing way. He was a decorated war veteran of two Service branches, Navy and the Marines, and he was a Secretary of the Navy. But he said his proudest public service was his service as a committee member, both ranking and chair of this committee. And I have tried to approach this question thinking about Senator Warner and the way he approached his job.

I am going to vote for Senator Hagel's nomination to be Secretary of Defense for three reasons. First, the standard I think we should apply; second, aspects of Senator Hagel's experience and character; and finally, some thoughts about the inquiries and objections that others have raised that I have taken seriously.

With respect to standard, I echo the point that Senator Ayotte made earlier. I think we owe deference to a President for choices to executive positions, and I think that that is a very important thing to grapple with. When the American public chooses someone to be President, they are giving that individual a mandate to govern, and that mandate includes the assembly of a team that the President feels is the appropriate team. Deference is not a rubber stamp. Deference is not—does not mean that you cannot vote no. But I think that deference is an important thing, and I approach any executive nomination with that in mind.

Moving particularly to Senator Hagel from his experience, I view his enlisted service and the fact that he would be the first former enlisted to be chairman—to be Secretary of Defense is an incredibly important thing. I want our Secretary of Defense to go to sleep every night and wake up every day worrying about our men and women, and especially those who enlist. And I have no doubt, and I do not think that is on this committee would have any doubt, that that would be his overriding concern. And I want that to be an overriding concern. He has been a powerful veterans advocate in his position with the VA and in his service to help revive the USO.

His role in the Senate is very important. This is a job that is not an internal management job, but it helps someone to have that understanding of the different branches of government and the relationship that is the appropriate one between the executive and the legislature. And I think Senator Hagel will bring that to the table.

And finally, he has private sector leadership, experience in a variety of ways, both in a for profit and the NGO world. He truly has a well-rounded base of experience to bring to the job.

On the character side, Senator Hagel has shown it again and again that he is willing to sacrifice and that he has courage. Sacrificing in service, sacrificing for his country again and again. And he is willing to step up and do it again, and I give him credit for that. And I think he has shown courage, including the courage to say I was wrong. That is something that is hard for me to do in

public life. I think it is hard for a lot of us to do public or privately. But Senator Hagel has had the courage and the independence to acknowledge that he was wrong when he felt that he was.

And I think what he owes to the President, what any Cabinet Secretary owes to the President, is the best advice they can give at the time. The President will make the call, but I do not want Cabinet Secretaries who are going to be hedging their advice based on what they think will be popular or what the President will like. And I do not have any doubt that Senator Hagel will be giving the advice as Secretary that he thinks is the right thing, and then trusting the chain of command and our Commander in Chief to make the call.

Finally, on a matter of character, I think that Senator Hagel's philosophy is one that understand America's role in the world. Our strength is not just military strength. Ever since Teddy Roosevelt won the Nobel Prize for brokering the end of the Russo-Japanese War, America has played a big role on the stage of the globe and an important one. We are exceptional, and we are exceptional in the role we play in the world. But we get it right when we appropriately balance military strength, diplomatic strength, economic strength, and strength of the moral example. And I think Senator Hagel understands that those all have to be in balance, and I appreciate it.

Finally, a number of questions—tough questions and objections were raised, and they were all fair. And Senator Hagel said the same thing at the hearing, that he did not mind answering for anything he had said. And much as I would say he could see some things that he might have said better, I feel that pretty much every day in public life I can see things that I might have said better.

But while the questions were fair, I think the fair answer to them is review the entire record. Just two examples.

When you first hear that the Senator voted in the Senate against the designation of the IRG as a terrorist organization, it does make you sit back and wonder why. The day we were together, he explained why. Many Senators voted against that designation because they believed that there was a potentially perilous consequence to designating a Department of a government as a terrorist organization, that that could, in fact, lead to an executive overreach, and potentially be a preliminary step toward hostilities or even warlike activity without appropriate consultation with Congress.

I am going to be an incredible stickler on the need for an executive to consult with Congress. And things that might serve as pretext for executive action need to be avoided. That is why a number of other senators, including Senator Webb, my predecessor in this seat, voted against the same IRG designation. When that was explained in the context of the committee hearing, it made a lot of sense. We might have voted differently on it, but he had a credible rationale.

And finally, I did not view the back and forth over containment as Senator Hagel saying that he wants to have a containment policy vis a vis Iran. We were talking containment and prevention shorthand on the floor, and he said he supported the President's ideas, policy views about containment. Well, we all know the Presi-

dent's policy about containment is we are not about to contain a nuclear Iran because a nuclear Iran would jeopardize Israel, and would also inspire the very kind of arms race in the Middle East that the President and Senator Hagel have always been against.

I think a fair read of that discussion was the he understood what the President's policy was. And if you read Senator Hagel's writings, I think he has been very, very clear about that, that we have no containment policy, that the answer we have to containment is we are going to prevent Iran from getting a nuclear weapon, and I believe he will do it.

The questions and objections I think are fair. I think they were answered. And I am going to support his nomination.

Chairman LEVIN. Thank you very much, Senator Kaine.

Senator Graham.

Senator GRAHAM. Mr. Chairman, I am often asked what has happened to the committee. Nothing. We just disagree on occasion. [Laughter.]

This is a good committee, and we got a good chairman. We have got a good ranking member. I like my colleagues.

It is the times in which we live. The Democrats are going to get almost universal support by Republicans, and the Republicans are going to get almost no Republican support. [Laughter.]

While—how is that? Well, you know, John Kerry is a good friend, so is Chuck Hagel. I find myself disagreeing with Senator Kerry on occasion, but I think he is in the mainstream of thinking. I think he will do a good job for the country.

I do not vote against nominees very often. Senator Obama, if we use his standard, I think we would all be in pretty good shape over to vote just a lot no, but we are not.

At the end of the day, it is just not the one vote about the Iranian Revolutionary Guard. It is a series of votes and statements that paint an unusually disturbing picture. There is the left lane in politics, the right line, and the middle lane, and when it comes to some of the Iranian-Israeli issues, there is the Chuck Hagel lane. He is in a league of his own, guys. There is nobody with this kind of series of votes and these series of statements. It is just not one thing. I mean, I say dumb things every day, but it is a series of things, a series of votes, and edge about him that makes many of us very unnerved about his selection at a time when the world is on fire.

Syria is a contagion that is going to take the king of Jordan down, and if these press reports are true about our policy in Afghanistan, we are going to have 8,000 troops left behind, 41 percent below the commander's recommendation. And we are telling the enemy we will be down to 1,000 by 2017. Afghanistan will fall apart in 18 months.

The next Secretary of Defense is going to have to deal with a world on fire, and I just believe that the testimony of Senator Hagel was not reassuring. I do not think he did come across clear and convincing that he understood our policies toward Iran. And the fact that you do not understand why and you cannot clearly articulate the bad news for America if the Iranians to get a nuclear capability sharply and to the point is unnerving for the times in which we live in.

This committee has a bipartisan reputation of holding presidents accountable. I joined with the chairman and Senator McCain and many others to look into the abuses of the Bush Administration when it came to interrogation techniques. I hope my colleagues on the other side will hold the Obama Administration accountable for what I think was a complete breakdown of leadership when it comes to Benghazi. We just cannot investigate Republicans. We are going to have to hold both parties accountable and both Presidents accountable, regardless of party.

So, Mr. Chairman, you are a good chairman. This committee will get over this aberration and we will get back to doing business. And we will find common ground on the—regarding sequestration I hope. But the reason I am voting against Senator Hagel's nomination is that there is very few people with his voting record when it comes to Iran and Israel. There are very few people who have been this wrong about so many different things.

And I cannot in good conscience support this nomination because I think it is sending the worst possible signal to our friends and our enemies alike. Thank you.

Chairman LEVIN. Thank you, Senator Graham.

Senator King.

Senator KING. Thank you, Senator. As I think about this, I approach it as if we are doing a hiring exercise. We are not—the President of course makes the nomination, but we are acting in an impartial capacity.

And when I hire somebody, the first thing I look at is experience, and as I mentioned at the hearing, I think Senator Hagel's experience as an enlisted man is important, particularly when we are going into an era where a lot of the responsibility of the Defense Department is going to be dealing with people returning from combat, dealing with soldiers—men and women—who have been in combat in Iraq and Afghanistan. And I think having somebody in the position that he has been nominated for, who has been there, who has been on the front lines and understands the stresses and the pressures, I think it is important. I think it is important for the morale of the entire enterprise.

In addition, he has experience here in the Senate. He has experience in managing large organizations. He has experience in ongoing questions of public policy. And so that is where I start is his experience. Look at the resume.

Number two, the next thing I do when I hire somebody is check references. And the references that you, Mr. Chairman, you read at the beginning of the meeting, the list of people that are supporting him from both sides of the aisles, former Secretaries of Defense, people that are sort of a who's who of national security policy in the United States, have supported him. And these are people that know him better than I do, and I put a lot of weight on that. When I see people like Bill Cohen, and Secretary Gates, and Perry, that carries a lot of weight with me. Those are serious who we know put the interests of the United States at a very high level, and they would not be recommending someone that they did not feel confident in.

The third thing, of course, in a process is the interview, and I think the interview was the confirmation hearing. And we had an

opportunity to question him, and I do not think he was as—I think Senator Shaheen used the word “feisty.” I think he was not as forceful as he might have been. I am not sure how all of us would have done in a nine-hour hearing or whatever it was. It was a pretty long day that day.

And I would say parenthetically, I remember the containment mistake. I remember the moment he made it, and it was a mistake. He was using—he knew the policy is prevention, not containment. The word popped out. He used the wrong word. It was not a deliberate statement of a policy difference with the President. It was literally—I would characterize it as a slip of the tongue. The same thing on the legitimacy of the Iran government.

The point he was making was it is an established government. He used the word “legitimate,” not in the sense that it was dually elected and met our standards, but it was an established government. And as Senator Kaine indicated, I think he had a rationale reason for taking that position because he was afraid if he took that vote, as Senator Webb said, it would have been used as a license by the Administration to take aggressive action toward the Nation of Iran. So I think that was a rationale policy.

The final thing I always look for when I am looking to hire somebody is character, and this man has character. Mr. Chairman, at the beginning of the hearing, you used the phrase, “He would give the President unvarnished advice with integrity.” And that is a very high quality, very high on my list. That is what the President needs is unvarnished advice, not somebody who is always going to agree with him, but somebody who is going to give him his best judgment and has absolute integrity.

And I think it would have been very easy for him to agree with Senator McCain in the hearing and avoid that contretemps, but was not there, and he did not do it. And that shows me some integrity.

And then finally, I agree with other people that have already stated, I think our role is not to substitute our judgment for the President, not to say this is who we would have necessarily hired, but the deference goes to the President to build his team. But I happen to think Chuck Hagel is a man of great integrity, great intelligence, and is the kind of person that I think will be a strong leader for the Department of Defense, and particularly for the men and women who are actually the warfighters.

So I intend to vote for his nomination with confidence and enthusiasm.

Chairman LEVIN. Thank you very much, Senator King.
Senator Vitter.

Senator VITTER. Thank you, Mr. Chairman.

Mr. Chairman, I am really concerned about process. I am really concerned that this committee vote and this entire nomination is being rushed, and that we are being asked to vote, maybe forced to vote, before all reasonable requests for information have been received.

I am concerned about two categories in particular. One is financial disclosure and information. I will leave the details of that to Senator Cruz because he has been very focused on that, but I certainly echo his concerns.

I want to focus on speeches. One clear category of the normal precedent of what the committee asked is speeches the nominee has made in the last five years. That is standard. That is not anything outside the norm. Senator Hagel in response to that said he, quote, “conducted an exhaustive search for all of my speaking engagement over the past five years,” closed quote.

After that so-called exhaustive search, he identified 80 speeches, 29 we have texts for, 51 we do not. So one flag is 51 speeches he has identified we do not yet have the substance. But that is not the biggest flag for me.

The biggest flag is that we have found six outside speeches that he never identified. Our staff has found them. You know, we have a lot less information to go on than he did, and we have found six additional speeches. Five of those we have just recently gotten text or video have not been able to review them. We have literally gotten those I think in the last 24 hours. One of those we know video exists. It is the June 13th, 2008 keynote speech to the Arab-American Anti-Discrimination Committee. We know the video exists, but we do not have it yet.

So my request is pretty simple, that we get that video and that we have some reasonable amount of time to review text or video of these six speeches and any others that surface. That is squarely—squarely—within the information the committee always requires. We are just delayed because Senator Hagel did not disclose it. We had to find it. And so that should not penalize us, and we should not reward him.

So again, my request is simple. We have five speeches, have them, but have not reviewed them yet. Gotten them in the last 24 hours. One we know a video exists. We do not have it yet. So I would like to be able to review that with others before this committee vote, and I think that is a pretty darn reasonable request. And I would ask for unanimous consent to submit for the record the information regarding these speeches.

Chairman LEVIN. It will be accepted.

Senator VITTER. Mr. Chairman, could I just ask for your response to that request?

Chairman LEVIN. The question is that we ask of all nominees, provide the committee with two copies of any formal speeches that you delivered during the last five years of which you have copies, and he answered that question.

Senator VITTER. Well, Mr. Chairman, my point is a pretty obvious. He answered it.

Chairman LEVIN. He did not have copies. He gave us copies of everything that he had. You have apparently been able to find transcripts of speeches from the organizations to which he spoke informally, and that is fine. But he answered the question, and there is no reason to believe he did not answer it accurately.

Formal speeches, two copies, last five years of which he had copies. Unless you believe he had copies and did not provide them, then your document will be accepted for the record. But that is it.

Senator VITTER. Mr. Chairman, he also identified a total of 80 speeches, including speeches which he did not have copies of.

Chairman LEVIN. That is correct.

Senator VITTER. My point is these six speeches were not on the list of 80.

Chairman LEVIN. Then he did not remember those speeches. He is not trying to hide speeches if he gave us 80 speeches. I could not give you a list of every speech I have made in the last five years, particularly informal speeches. There is no way. If I gave you a list which had 90 percent of the speeches that I had, I would be doing pretty well. So unless you think that he intentionally misled this committee and have any evidence of that, we will accept your list for the record.

[The information referred to follows:]

[COMMITTEE INSERT]

Senator VITTER. Putting aside whose fault it was or what his intent was—I cannot tell you what his intent was. I can just tell you the facts.

Putting that to the side, is it not reasonable for us to review these six speeches we now know about before we vote?

Chairman LEVIN. You will have time in the next 24 hours. I do not know when the Leader is going to bring this to the floor, but you will have time to review any speeches that you have access to. But those speeches—you can continue—if there is 80 out there that he has spoken—80 organizations, after these six come in, then you may discover, hey, there are two other organizations on that 80 that have found transcripts. This could go on forever.

We need a Secretary of Defense. We have had the use of an nuclear weapon in North Korea. We have made very single effort to provide all the information which this committee ever requires. And he has answered this question. And unless you have evidence that he has not answered it honestly, we are going to proceed.

Senator VITTER. Well, just in closing, I think that request is very reasonable. I am sorry it is being denied.

Chairman LEVIN. Senator Manchin.

Senator MANCHIN. I want to thank the chairman and thank the ranking minority member for having this, and I want to kind of confirm everything that has been said here. I think that it has been a thoughtful process, even though we might disagree. And it is amazing this process that we are going through right now.

I had some concerns because I had not known or had met Senator Hagel before he was presented. So I heard all the different rhetoric that was going on, and I wanted to find out for myself. So I asked the same question as I am sure most of my colleagues had. I wanted to make sure this was a person that would not hesitate to defend our country under any circumstances.

And then I looked at his character, too, and I remember he and I are from the same era. I remember the Vietnam War very well, at that time and the fear in young people in college be getting drafted by the hundreds every day. I remember losing some of my classmates. They would go out one time and six months later be coming back in a box. So I remember all that.

So here is not only a person that waited to get drafted, he enlisted. And not only did he enlist, he asked to go to the fight. And I think that told me right there everything I needed to know, that he would not hesitate to defend this country.

Also it was said that his testimony, and I was there, took, you know, and I started thinking about the things that we have talked about here, you know, it was less than a stellar performance. I am thinking if we were all judged on our less than stellar performances as a senator, would he be a senator today? So we have all had, if it has been a bad day, we have all had maybe a less than a stellar performance if that is what we are looking at.

And the other thing is, in an executive I know as governor and I know most of you all putting your offices together, you are going to choose a person that you know that basically—that you have confidence in, that you believe in, that would follow the orders that you are giving. And there is nothing that leads me to believe that he would have been nominated by the President if the President did not have complete trust that he would do that.

And so with all of that in mind, and also I asked the question directly about Israel because I believe very strongly it is truly the greatest ally and the only ally we have in that part of the world. And I wanted to make sure that his commitment to Israel, and I felt very comfortable with his answer, and standing by Israel. Also his commitment that we would do whatever we could to prevent Iran from having a nuclear weapon. And I have no doubt to believe.

I would say to all of us on this committee, we would have to think that either the President or the commitment we have made to this date would not be followed through, the thinking that he would not follow through on his orders that would be given to him. So I have not found any reason why I would not support Senator Hagel.'

Also the endorsements that were mentioned. So many people from both sides of the aisle came up. I mean, if it was going to be a political difference that we had on party lines, you would have thought that he would have only had maybe Democrats, or if it was on the other side, only Republicans, that would have been speaking for him. But when I saw Senator Warner come into that hearing, and the respect I have for Senator John Warner, a Republican from Virginia, one of the—I think one of the great senators, that gave me a little bit more confidence, let's put it that way.

So I have watched that, the eloquent speeches that have been given here. He is an independent thinking senator, and a lot of the things he said, as things that we say, as senators that are elected and represent our States, but to speak our mind. And he did that, and it seems like now that is being held against him. And I just—I felt that was unfair.

So for this commitment, his enlistment, his bravery, his willingness to not only fight, but willing to put his life on the line. And when I look around, how many of us have really had that opportunity or privilege of serving in the military, let alone being at war and putting ourselves, making the supreme sacrifice if called upon.

Senator McCain, I have the greatest respect, and you know that, for you and the service you have given to this country, and any of the other members of this. But I would say the minority of us have had that opportunity that you had in the service and that you have given to this country. And that weighs heavily on me, too, making that commitment to vote for Senator Hagel who has done that.

So I would hope it does not become a political vote, if you will. I would like to see a bipartisan vote, and I intend to support him. And I appreciate the opportunity to be able to speak upon that.

Chairman LEVIN. Thank you, Senator Manchin.

Senator Cruz is next. I do not know—Senator Wicker, I am sorry. Did you—were you here after Senator Cruz?

Senator WICKER. Yes.

Chairman LEVIN. Thank you. Senator Sessions, were you—did I—

Senator SESSIONS. I am not sure about that.

Chairman LEVIN. Okay. Senator Sessions—

Senator SESSIONS. I am happy to defer to the senior Senators. [Laughter.]

Chairman LEVIN. You are ahead of Wicker, but not ahead of Cruz. Okay. We are going to—we are going to call on your side. It is going to be Senators Cruz, Wicker, and Sessions.

Senator Cruz.

Senator CRUZ. Thank you, Mr. Chairman, and you are going to get me in trouble cutting in line in front of—

Chairman LEVIN. Better you than me.

Senator CRUZ. Let me say it is a true honor to have the opportunity to serve on this committee which has a long tradition of bipartisan cooperation, working in the interest of this Nation's national security. And I think there are few, if any, decisions that will have a greater import than this committee's decision confirming or not confirming the Secretary of Defense and the potential impact on the national security of the United States.

What I would like to address is my views on the merits of Chuck Hagel's nomination, and then also my views on his failure to disclose what I think are very relevant financial disclosures.

On the merits, I would like to say at the outset that my foreign-policy views are considerably less hawkish than some members of this committee. I have real concerns about the United States acting as the world's policeman, and I take seriously George Washington's admonition that we beware foreign entanglements.

That being said, I also agree strongly with the doctrine of peace through strength. I think the surest way to avoid military conflict is for the United States to stand strong against those who would initiate hostilities, potentially, against us.

And Senator Hagel, although I very much respect his personal heroism and character and service, putting his life on the line defending this Nation, his foreign-policy views laid out over 2 decades put him, in the words of the Washington Post, no conservative publication, near the "fringe of the Senate."

In fact, his views in the Senate long articulated have consistently made him the Senator who has expressed the greatest degree of antagonism to the Nation of Israel of any member of this body and the greatest degree of skepticism toward sanctions, toward any firm response to Iran, to Hamas, to Hezbollah, to those terrorist organizations that would seek to harm or to murder innocent Americans.

Indeed, we saw with his nomination something truly extraordinary, which is the Government of Iran formally and publicly praising the nomination of a Defense Secretary. I would suggest to

you that, to my knowledge, that is unprecedented to see a foreign nation like Iran publicly celebrating a nomination.

And on the merits, in my view, if Chuck Hagel is confirmed, it will make military conflict in the next 4 years substantially more likely, because, in my view, Chuck Hagel's being confirmed will only encourage the Nation of Iran to continue and accelerate its program to develop nuclear weapons capacity. And if that occurs, the chances are far greater that our young men and women will be sent into harm's way.

I don't want to see that happen. And I think encouraging those who would do harm to this country is not, ultimately, in the interest of this Nation.

That is on the merits. I would also like to address the procedural issues.

Twice, Senator Hagel has been asked to provide additional financial disclosures. I would like to focus in particular on one request. Senator Hagel was asked to disclose all compensation that he has received in excess of \$5,000 over the past 5 years. That was a request that initially came from six Senators. In response to that request, he flatly refused.

Now, I would like to point out that information is entirely within his control. There are no legal impediments to his disclosing the compensation he personally has received. And yet he flat out refused.

The next iteration, he received a letter from 25 Senators. It included every Republican member of this Armed Services Committee. It also included the minority leader and the minority whip.

That letter stated that, in our collective judgment, this committee should not vote and the full Senate should not vote on his confirmation, unless and until he discloses his personal financial compensation over the last 5 years.

I will confess, Mr. Chairman, I was surprised by his response. I fully expected him to provide some attempt at adequate disclosure in response to that request, and that very clear statement that, in the absence of that disclosure, it was the judgment of a large number of Senators in this body that his confirmation should not come to a vote.

His letter came back, and it again flatly refused to comply. It gave no reason other than that he is not legally obligated to turn it over, and, therefore, he will not.

I will point out that, right now, this committee knows absolutely nothing about the personal compensation Chuck Hagel received in 2008, in 2009, or 2010. We do not know, for example, if he received compensation for giving paid speeches at extreme or radical groups.

Now, in my view, given the two letters he received, it is a fair inference to assume that he and those handling his nomination assembled that information, assembled his compensation. And the only reasonable inference, I think, is when they assembled it, there was something in there that they did not want to make public.

It may be that he spoke at radical or extreme groups or anti-Israel groups and accepted financial compensation; we don't know. It may be that he received extraordinary payments from defense contractors, which I would suggest is a matter of conflict of interest this committee and this Senate would be interested in.

We don't know what it was, because he simply said: No, I will not tell you the compensation I personally received.

And I will point out, on this question, I agree with Senator Harry Reid. When it came to the nomination of John Bolton, and a number of members of this body asked for additional disclosures from John Bolton, and those disclosures were not forthcoming, Harry Reid, said the following, "The administration's stonewalling has not only had the effect of slowing down the confirmation process, it has also put a further cloud over this individual and has—perhaps unnecessarily—raised the impression that the nominee and the White House have something to hide."

I don't know if Mr. Hagel has received funds directly or indirectly from foreign sources, from extreme sources, but his refusal to provide disclosure I think is highly troubling. And I would suggest every member of this committee and every member of this body should stand together in at least insisting on adequate disclosure.

I will make one final point: Some have asked, would you make this same request of a Republican nominee? I will point out to you, Chuck Hagel is a Republican. I don't know him personally, unlike many members of this committee. I simply know his record. And I can tell you this, whether this nominee were nominated by a Democrat or Republican President, I would be very interested to know, and I think the American people would be very interested to know, whether a nominee for Secretary of Defense has received substantial funds directly or indirectly from foreign nations, foreign lobbyists, foreign corporations, or foreign individuals. I would certainly ask that of either party.

And, in fact, I suspect, had Mr. Hagel been nominated by a Republican President, there might be considerably more agreement on that point.

So I would ask each of us just to give serious thought to our constitutional responsibility to advise and consent. And I would urge this committee, and the Senate as a whole, not to march ahead with such speed that there is not sufficient time to assess this nominee.

Just today, we discovered speeches that he had given that he had not disclosed.

And it is a quite mild threshold to ask what compensation has he personally received and deposited in his personal bank account in the last 5 years. I would suggest that should be a relevant concern for every one of us.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Cruz.

As I mentioned before, my answer to the letter on this subject is now part of the record.

The first point that you raise, I said the following, that with regard to the demand that Senator Hagel disclose all compensation over \$5,000 that he has received over the past 5 years, the standard financial disclosure form, which the committee requires all nominees to provide, calls for the disclosure of all entities from which the nominee has received compensation in excess of \$5,000 during the previous 2 years.

Now, you may want to change the committee's questions. They are standard questions. And you can take that up at any appro-

prate time with the committee that you want, but it is not going to be a separate rule for Senator Hagel than it is for all the other nominees. The 2-year disclosure requirement that has been consistently applied by the committee is established in section 102(b)(1)(A) of the Ethics in Government Act. It applies not only to all nominees for Senate-confirmed positions, but also to all candidates for Federal elected office.

My comments about your request for foreign funding are also part of the record. They go way beyond what anybody has ever requested. And I think it is not even feasible, in many of the requests that you have made, to answer them.

But the question that we do ask in part E of the form that we ask all nominees to fill out is the following: During the past 10 years, have you or your spouse received any compensation from or been involved in any financial or business transactions with a foreign government or an entity controlled by foreign government? And the answer is no.

Now, you have every right to make a request beyond these requests that are required by our rules, but I don't think that we ought to deny a vote to a nominee because he wants to—or, he has decided not to respond to a request that not only goes beyond our rules, but, in some cases, goes way beyond our rules.

Finally, if you wish to modify the form that we ask nominees to fill out, that is well and good. But we are not going to do that retroactively. We are not going to single out one nominee for that. We will either do it for all nominees, in which case you can raise this at a committee meeting on process. You will be more than welcome to do that. But we are not going to single out one nominee for this kind of disparate treatment.

Senator—

Senator CRUZ. Mr. Chairman, may I give a brief response?

Chairman LEVIN. You may.

Senator CRUZ. I would point out that these requests are not out of the ordinary. And, in fact, two prior nominees have been asked very similar questions.

When George W. Bush nominated Henry Kissinger to the 9/11 Commission, this body asked what foreign compensation had his firm received. And indeed, a number of prominent members of this body, including the majority leader, said they would oppose his confirmation unless and until he disclosed any foreign conflicts of interest.

Now, Mr. Kissinger made the decision, rather than disclose them, to withdraw, which was a reasonable decision for him to make. That is one precedent.

A second precedent was the nomination of Hillary Clinton for Secretary of State. In that instance, questions were likewise raised about potential foreign funds, and Secretary Clinton did something quite admirable. She voluntarily disclosed every foreign donation to the Clinton Foundation, even though the committee rules didn't require it, because there was a reasonable question that could be raised if foreign funds had gone to that foundation.

I would suggest those two paths are both reasonable paths to take. Number one, if reasonable questions are raised about financial conflicts of interest in a sensitive national security position of

the receipt of foreign funds, one position is to say, "I won't make that disclosure, and I will withdraw from my nomination." And I will point out that Henry Kissinger's was for an advisory board, not to be the chief civilian officer of the U.S. military, a far more important position. Or the second route is to provide disclosure enough to make clear there is not a foreign conflict of interest.

Senator Hagel's response is truly unprecedented. I am not aware of any precedent where questions have been asked—"Is there a foreign conflict of interest?"—where the nominee has said, "I refuse to answer your questions, and, nonetheless, I will not withdraw. I expect to be confirmed anyway."

And I would suggest that sets a dangerous precedent. And, indeed, if subsequent investigations reveal substantial financial conflicts of interest, and this Senate has proceeded with unnecessary haste and without giving due time to advise and consent on that nomination, I would suggest that each of us who did so would bear some significant part of the responsibility for that decision.

Chairman LEVIN. The precedent, which would be set here, would be by your unilaterally changing these rules that we have followed. If this nominee, or any other nominee, wishes to respond to your request, which goes beyond the rules, they are free to do so.

But we are not going to accept a change in the rules that applies to one nominee. If you wish to change these rules, you may do so at a procedural meeting of this committee. But we are not going to accept your suggestion and innuendo that there is some kind of conflict of interest here, because there is no evidence of a conflict of interest.

He has been asked this flat-out question by our committee: Have you or your spouse ever represented in any capacity—e.g., that is, employee, attorney, business, or political advisor or consultant—with or without compensation, a foreign government or an entity controlled by foreign government? His answer is no.

Now, if you have any evidence to the contrary, that is one thing. But without any evidence to the contrary, to say that you haven't gotten answers to questions which go beyond the questions that we ask every other nominee is not going to be accepted by this chairman.

Senator CRUZ. Mr. Chairman, you asked for evidence to the contrary. I would point to the letter that Mr. Hagel submitted. There were seven private funds that had paid him substantial sums of money that 25 Senators asked him about, and he responded. And the question was, of those private funds that have paid you hundreds of thousands of dollars, did they receive foreign funds? He responded that for six of those funds, he could make the representation that the substantial fees he was paid did not directly derive from foreign sources. But for the seventh of those funds, a fund called Corsair Capital, which paid him \$200,000 in the 2 years we know about and, for all we know, substantially more in the years in which he has not responded to the question, he said he could not even make that representation. He could not even say that the \$200,000 he received did not come directly from a foreign government.

And the question this committee asked—"Have you been paid directly by a foreign government?"—I would suggest it is every bit as

relevant to know if that \$200,000 that he has disclosed came from a foreign government.

Now, it may be perfectly appropriate. We might conclude that it was benign; it was reasonable. But it is, at a minimum, relevant to know if that \$200,000 that he deposited in his bank account came directly from Saudi Arabia, came directly from North Korea area.

I have no evidence to suggest that it is or isn't. But his statement was that he could not even tell this committee that \$200,000 did not come directly from a foreign government. I would suggest that it is evidence that, at a minimum, would suggest further inquiry is justified.

Chairman LEVIN. Senator Cruz, you are free to vote against this nominee for any reason you choose, including that he has not responded to questions which you have asked beyond the questions that this committee asks.

But let's be clear as to what the question is that this committee asked. During the last 10 years, have you or your spouse received any compensation from or been involved in any financial or business transactions with a foreign government or an entity controlled by a foreign government? His answer is no.

You say you don't have any evidence yes or no to the contrary. If and when you come up with any evidence that he has not answered this question honestly, I am sure that you will provide that to the committee.

But for the purposes of this proceeding with this nomination, we will now make—your objection is clear on the record. If you come up with any evidence, you can supply that to us, that he has not answered these questions honestly.

But we are now going to proceed to call on Senator Nelson.

Senator NELSON. Mr. Chairman, Senator Cruz has stated his opinion, which he is entitled to. But I want to put on the record that this Senator feels like that Senator Cruz has gone over the line. He, basically, has impugned the patriotism of the nominee in your conclusions, which you are entitled to come to, about him, in essence, being cozy with Iran. And you have also stated your opinion that you don't think he has been truthful with this committee.

Now, those are two fairly strong statements. And I couldn't help but having had the privilege of serving on this committee for a while, and seeing the two former chairmen on either side of the nominee, and I looked at the former Republican Chairman John Warner's face, as some of the questions were asked, as he visibly winced.

There is a certain degree of comity and civility that this committee has always been known for. And, clearly, in the sharpness of difference of opinion, to question, in essence, whether somebody is a fellow traveler with another country, I think, is taking it too far.

And I would encourage this committee to take the role model of its former chairman, Senator McCain, who can get into it hot and heavy, but at the end of the day, he is going to respect the other person's motives. And I would implore the committee to consider that.

Now, I would just respond on a former question that was asked about this Global Zero report. I would simply turn to the transcript of the committee hearing, page 79. Senator Sessions has asked questions, and Senator Hagel's response at line 10, on page 79: "Thank you, Senator. Let me first correct some of your interpretation of what the Global Zero report was and what it actually said. First, it did not propose or call for anything. It was, in fact, the word specifically used at the front end of that report was 'illustrative,' proposing nothing but laying out different scenarios and possibilities and schedules.

"And here's the key part of all this—and by the way, this was summarized in a letter to President Obama in 2009—bilateral, never unilateral. Nothing was ever suggested on a unilateral basis to take down our arsenal. 'Negotiated,' 'verifiable,' these are terms that were in the report.

"As Senator Nunn said in his opening statement—and I have alluded generally to this—the mainstream thinking of most Presidents we have had in the last 65 years—and I go back to Ronald Reagan's comments, as Senator Nunn quoted—was reduction of nuclear weapons for the obvious reasons. That is why we have engaged in treaties to reduce nuclear weapons. Those were not unilateral arrangements; those were bilateral arrangements."

And I continue in the transcript on page 121 at line 2, where Senator Ayotte asked, "Here is what is troubling me. You have testified before this committee today that you have never been for unilateral nuclear disarmament; in other words, unilateral actions by the United States of America. Yet this report itself, which you call an illustration, it is illustration or recommendation, or however you want to frame it, is to actually—there are many recommendations in it. One of them is to eliminate a leg of the triad, which is the land-based ICBMs. Would agree with that? That is the illustration that is contained in this report, or you call an illustration. Is that right?"

Senator Hagel, "I call it an illustration, Senator, because that is the term; it is used at the front end of the report."

Senator Ayotte, "Well, let me talk about the other terms that this report uses, because this report twice, as Senator Sessions has asked you, on page 1 and on page 16, says that the illustrations for this example given in this report, one of which is eliminating a leg of the triad, nuclear triad, could be implemented unilaterally. So here is what I am struggling with: Why would you ever put your name on a report that is inherently inconsistent with what you are telling us today, is that you have never been for unilateral disarmament as a possibility?"

And Senator Hagel's response is, on page 122, "Well, it is not inconsistent, I don't believe, Senator. But you used the term 'could.' That is a pretty important operative word in the report. The report does not recommend that we do these things. The report says 'could'—illustrative scenarios, possibilities. And you probably know the other individuals who were involved in that report, mainly General Cartwright, the former commander of Strategic Command."

So I wanted to insert those things into the record from the previous hearing.

Chairman LEVIN. Thank you very much, Senator Nelson.

Senator CRUZ. Mr. Chairman, if I may be heard on a point of personal privilege?

Chairman LEVIN. Let me call on Senator Inhofe.

Senator INHOFE. Well, I just want to make one observation.

My friend, Senator Nelson, I think I wrote down the words criticizing our Senator there for implying that Chuck Hagel was cozy with terrorist-type countries, referring to Iran. Let me say, I would say, he is endorsed by them. You can't get any cozier than that.

Chairman LEVIN. I have been endorsed by people I disagree with totally. I don't want people who hate me to ruin my career by endorsing me.

Senator Cruz.

Senator CRUZ. If I may be heard on a point of personal privilege, the Senator from Florida leveled to charges directly at me, and I would suggest both of those charges are false.

The first thing the Senator from Florida said is that I had impugned Chuck Hagel's patriotism. To the contrary, I have repeatedly and explicitly praised his personal character and patriotism and service. My focus is entirely on his long-standing foreign-policy record and his consistent opposition to sanctions to any form of direct action dealing with those who would cause harm. And so in no way, shape, or form have I impugned his patriotism. I focused on his foreign-policy record, which even the Washington Post describes as at the fringe.

Second, the Senator from Florida suggested that I stated that Mr. Hagel has not been truthful. To the contrary, my point is exactly the opposite, that the question this committee asked, whether he has directly received money from foreign sources, enables him to answer that question truthfully no, while at the same time not disclosing whether the hundreds of thousands of dollars he has received have come indirectly from foreign sources.

His answers could be entirely truthful, and yet the example I used of Corsair Capital, that money, that \$200,000, could have come from a foreign nation to Corsair Capital, and he could answer the truthfully, no, I haven't received it, because it came from an intermediary.

And my point is not that he has lied. It is, rather, that he has refused to answer reasonable questions of disclosure. So I would suggest, in no way, shape, or form have I intended to or have I in fact impugned his character. My focus has consistently been on his record, which I think is a record that is troubling and would be dangerous to the national security interests of the country.

Chairman LEVIN. The record of the committee will have to speak for itself.

Let me now call upon Senator Wicker.

Senator MCCAIN. Could I—

Chairman LEVIN. Yes, Senator McCain.

Senator MCCAIN. I just want to make it clear, Senator Hagel is an honorable man. He has served his country. And no one on this committee at any time should impugn his character or his integrity.

Chairman LEVIN. I think we would all agree with that, I hope. Senator Wicker.

Senator WICKER. Well, let me see if I can reel this back, Mr. Chairman. [Laughter.]

You know, this is not my idea of a good time. We have a Republican nominee for Secretary of Defense by Democratic President. We have every Democrat on the committee supporting him. Every Republican on the committee with just as heartfelt reason to oppose the nomination.

Chuck Hagel's wife grew up in Mississippi. She has kinfolk still there. Presumably, they wonder why I can't support their kinsman.

Mr. Chairman, you say we need a Secretary of Defense, and we do. The acts of today by North Korea demonstrate that. What is going on in Iran demonstrate that. But we need the right Secretary of Defense.

And I have to say, sitting there this week with Secretary Pannetta, a man who I have served with, a man who I am proud to have voted for, I was proud to vote for him at the beginning of his term as Secretary of Defense, and here at the end of that term, I am just as proud.

Mr. Chairman, I would be delighted and eager to vote for you for confirmation as Secretary of Defense. I would do that without hesitation. I would have voted for Senator Warner, Senator Nunn. Clearly, Senator Hagel brought the right people with them.

But we need the right Secretary of Defense. And Chuck Hagel is not the right Secretary of Defense for this time.

We need a Secretary of Defense who can stand before the world and articulate that we reject a policy of containment of a nuclear Iran. We need a Secretary of Defense that can stand before the world and be clear in making the point that the Iranian Government is not a legitimately constituted government.

When Senator Hagel made the misstatement about the legitimacy of the Iranian government, Senator Gillibrand had to come back later, explain it to him, walk him back, and help him correct that misstatement. We need a Secretary of Defense who doesn't need help in that regard.

And clearly, we need a Secretary of Defense who doesn't need to be passed a note saying we are not in favor of a containment policy. He got that wrong, and the chairman had to take a third stab at it and correct the nominee for Secretary of Defense on one of the major issues of the day.

Now you could say that Senator Hagel had a bad day, and it was—it was a troubling performance before this hearing. The members of this committee acknowledge that and know that. But here is my larger objection. Here, in Chuck Hagel, we have a Senator who made a career out of taking a contrary view against bipartisan consensus positions that have been held across this table and across the aisle and at both ends of this building.

There has been a bipartisan mainstream national security consensus in this Congress on Israel, on our policy with regard to Iran, on our entire Middle Eastern policy, backing Jimmy Carter's Camp David accords in 1978. And Chuck Hagel, without question, has made a career out of going in front of the cameras, getting invitation after invitation because it was good TV, and making it clear that he was outside that national bipartisan mainstream on all of these crucial national issues.

Now, suddenly, he is the nominee, and we are to believe that he is squarely in the mainstream of American thought in this regard. This is the individual who said the Israeli Government essentially continues to play games. He is the individual who said he didn't believe in unilateral sanctions because they don't work and they isolate the United States.

And a week later, when it is necessary to say something different to the Senator from California, he walks that back. He is the same Senator who decried the systematic destruction of an American friend by the country of Israel and who said there is a Jewish lobby in this country that gets its way through intimidation, and that results in this Government doing dumb things.

Now when asked by Senator Graham, when asked by me about the Jewish lobby, he clearly reiterated that he should not have said the Jewish lobby. He should have said the pro-Israel lobby, or the pro-Israeli lobby. He told me, "No, I shouldn't have said intimidate. I should have said influence."

So there is an Israel lobby that influences. Well, what about the dumb things? Well, it finally got to the point where he was just unable to tell Senator Graham anything other than he really just didn't have anything at all in mind.

This is a man who has planted himself for 8 years in the U.S. Senate clearly, as Senator Graham says, not in the left lane, not in the center lane, not in the right lane, but in the Chuck Hagel outside the mainstream lane. And let me just tell you, my friends, I think we know in our hearts, we could do better.

Senator King is going to be a wonderful Senator. He says this is a job interview. Boy, during that job interview, it occurred to me that the prospective employer would say we can do better than this. We can do better. The President can do better.

I can name several people in this room who could do better, and we need to do it for the people of the United States and for the security of the United States.

Chairman LEVIN. Thank you, Senator Wicker.

Senator McCaskill.

Senator MCCASKILL. Thank you, Mr. Chairman.

President Obama, when he became President, had campaigned a lot on foreign policy and the war in Iraq. And what did he do when he became President? He turned to the Secretary of Defense of President Bush and asked him if he would continue to serve as his Secretary of Defense.

Now I remember when he did that, and I remember the hue and cry that went up from many in the President's base. They were upset with the President because he had dared to ask Secretary Gates to stay on. President Obama weathered that criticism because he wanted the advice and the counsel of Secretary Gates.

This is a President who was just reelected by the American people. As much as some people in this room don't like it, he was elected President of the United States by the American people, and he has selected an honorable veteran, a Republican, who has served our country in various capacities, including this body.

He has got a resume that qualifies him. He has got a character that until today I assumed was not questioned on either side of the aisle and references embraced by an impressive bipartisan group of

leaders in national defense, including the former chairman of this committee and ranking Republican of this committee, who is revered by both sides of the aisle. Not only did he introduce him, he warmly embraced him and endorsed him.

Now we have had the same set of disclosure rules in this committee for 25 years, same set of rules. We have applied these rules across the aisle, didn't matter whether it was a Republican or a Democrat.

During this period of time, we have confirmed Secretary Carlucci, Cheney, Aspin, Perry, Cohen, Rumsfeld, Gates, and Panetta, as well as thousands of other nominees for senior civilian positions in the Department of Defense. We asked Senator Hagel the same questions that we asked all of those fine men, and he answered them all. And there is a whole section on foreign affiliations, and he answered each one of these questions on foreign affiliations "no."

And then there are five different questions that cover the waterfront in terms of foreign affiliations. And I certainly respect my friends across the aisle deeply, and I know we have different opinions about this, and I know that there are legitimate policy differences here.

But in this committee, it is my hope that if we have someone in front of this committee who at a time when many of his generation were running from facing battle, were trying to figure out a way—I remember, trying to figure out a way to get a deferment, trying to figure out a way to use their connections to avoid the battlefield, trying to get to Canada. This is a man who stood up and said, "Let me go," and not only did he go, he served with courage on the battlefield.

Now I am not saying you have got to agree with him. I am not saying you have got to vote for him. But I will say this. I think we have got to be really careful with inferences that would leave the impression that this man would somehow purposely evade or purposely mislead this committee as to his relationship with any foreign government.

He has answered these questions clearly and completely. He has done everything that we have ever asked a nominee to do. So I think it is very troubling that we have gotten close to that line.

And I have got to tell you, Senator Inhofe, be careful because you might have an organization that would endorse you that you find abhorrent. And then would you have the right to say—would I have the right to say you are cozy with them? What if some horrible organization tomorrow said that you were the best guy they knew?

The idea that somebody is endorsed by someone else, that that somehow signs him up to agree with this country that he has acknowledged to this committee is a threat to our Nation, that he has acknowledged that he will not be part of any policy of containment, that he knows we must stop them from getting nuclear weapons, and that they are a state sponsored organization of terrorism. He answered that very clearly to my questions.

So I just think am I sad that this is going to be a party-line vote? Yes, I am. Senator Graham said that this is an aberration. I sure hope so. Because this Nation deserves us trying to have it not be a partisan situation on this committee. So I hope this is an aberra-

tion, and I do respect everyone who cannot confirm, vote to confirm this Secretary.

But I do think a great deal of deference should be given to the Commander in Chief on his selection, and I do think his resume, his references, and most importantly, his integrity qualify him for this job.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCaskill.

Okay. Let me just add one quick thing. This committee has had to deal with difficult issues before, and there have been occasions when we have actually split on a party line. We have survived those very, very strongly. We will survive this one, and we will be just as strong coming out as we were going in.

This is a bipartisan committee. We are proud of that tradition. That tradition is a lot stronger than any particular single vote or any particular single comment. So we will, I am sure, I have no doubt about this committee's future bipartisanship, as difficult as this vote is.

Senator Inhofe.

Senator INHOFE. I will just be very brief here. When you talk about the relationship between Senator Hagel and a country, and we were talking about the subject, the country is Iran. When they are the ones who say that they want to wipe Israel off the map, that Israel is a cancerous tumor in the heart. They hate America from the bottom of their heart. And yet he appears with some of their people on Al Jazeera, where he agrees with the statement that Israel has committed war crimes.

That goes far beyond just being endorsed. Now that needs to be in the record, Mr. Chairman.

Chairman LEVIN. Well, I think the transcript of that will be put in the record because it will be very, very different in terms of many of our impressions of it than the way it has just been described.

But let us proceed, and we will go to Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman.

And I respect, as you know, your chairmanship so much, and we produced the defense bill unanimously last year again. It came out of the committee. So that does speak well, I think, for our bipartisanship.

I would note that I am uncomfortable. I don't think it is necessary that we rush this vote today. We just received certain speeches. I haven't seen them. And a video apparently of one is in existence, but not been produced. And there are other things that cause me to think we should be slower about this.

With regard to the committee rules, in Judiciary Committee, like this committee, there are basic questionnaires that go to everyone, but that does not limit the inquiry. We have had much broader inquiry about individuals when they have this problem or this question and people ask. And so, I think it is not unreasonable to ask that a nominee disclose his income over a period of time.

If I am wrong about that, I will change my view. But I don't think that is an unreasonable, burdensome question to ask of a nominee who wants to be Secretary of Defense. It has certainly been done to others, and just because we limit it to 2 years doesn't

mean on a given circumstance we couldn't ask for more. But that is what I would say there.

Colleagues, we are facing and going to be debating the nuclear posture of the United States a great deal. I understand the President may talk about it at some length tonight. It does not totally surprise me because I believe he comes out of the anti-nuclear left, and as one wise observer of all these processes over the years said to me recently, "I am not surprised that the anti-nuclear left would propose the things that are in the Global Zero report. That has been out there for 30 or 40 years. What surprises me is that position may be held by the Secretary of Defense of the United States of America."

My view is that this nominee has been somewhat erratic in his positions over time, and I am concerned about that. Senator Nelson and I swapped as chairman of the Strategic Subcommittee, where the nuclear powers—nuclear weapons issues are debated, and we have been involved in it for some time. The Global Zero report that Senator Hagel was one of five—one of four other people that signed it and produced it, said some very troubling things. And it outlines a vision for nuclear weaponry in the United States that is contrary to our historical position.

Just about 3 years ago, legislation I proposed actually, America's Strategic Posture, a bipartisan report, was produced. William J. Perry, who was openly known to favor reducing nuclear weapons, continuing to reduce them. James Schlesinger, he was chairman. Perry, the chairman. Schlesinger, vice chairman.

Other people like James Woolsey, Lee Hamilton, Morton Halperin, John Glenn were on this committee. We appointed them to see where we were and to produce a bipartisan analysis from the best heads in the country about what we should do about our nuclear weapons. They did not say change the triad. They did not say take weapons off alert. They did not say eliminate all ICBMs. They did not say eliminate all tactical weapons. In fact, the contrary.

So this is what—so now, apparently, Senator Hagel participates in this Global Zero report just last year, less than a year ago, and this is what it said. "In our illustrative plan, the United States over the next 10 years reduces its arsenal to a maximum of 900 nuclear weapons and increases the warning and decision time over its smaller arsenal."

Warning time means you take them off alert so it takes a lot longer to get them launched than it would today. It goes on to say, "These steps could be taken with Russia in unison through reciprocal presidential directives, negotiated in another round of bilateral arms reduction talks, or implemented unilaterally."

It goes on to make this unusual statement. "Security is mainly a state of mind, not a physical condition, and mutual assured destruction no longer occupies a central psychological or political space in the U.S.-Russian relationship." I don't think that is true of where Russia is.

Further on—that was on page 1 of the report. Then it says this about bilateral nuclear arms negotiations on page 16.

Chairman LEVIN. Would you forgive the interruption, Senator Sessions?

I think I am able to set a time for a vote now if we could get some idea about how long you want to speak, and I am not trying to limit you. Can you give us an idea about how long? Because I just talked to Senator Blumenthal, and I want to ask Senator Hirono the same question.

Senator SESSIONS. Okay, Mr. Chairman. Well, I just wanted to share a few thoughts. About how much time do you want me to take?

Chairman LEVIN. No, just tell—is 5 minutes enough?

Senator SESSIONS. Seven.

Chairman LEVIN. Seven? That is fine.

Senator SESSIONS. I will try to finish in five.

Chairman LEVIN. No, that is no problem.

Senator Hirono, may I ask you about how long you want to speak?

Senator HIRONO. About 3 minutes.

Chairman LEVIN. Three minutes.

Senator Blumenthal, 2 or 3 minutes. And Senator Udall wanted a couple of minutes.

I am now going to schedule a vote for 5 p.m. We will vote at 5 p.m. We will hopefully have just about everybody there. If not, if somebody is on their way, we can stay here until everybody has an opportunity either to vote in person or to vote by proxy.

Senator Sessions—so 5 p.m., we are going to start the vote.

Senator Sessions, forgive the interruption.

Senator SESSIONS. Let me ask one question, Mr. Chairman. There are several members, maybe the majority of the members on this side had requested we don't carry this vote tonight, and we would like to have it delayed. We recognize that you are the majority, and I would just make that request to you.

Chairman LEVIN. Thank you.

And we have made a decision. We are going to proceed to a vote today. And so, that vote—we recognize the request, but we just have got to stick to a plan, which was a reasonable plan, and we are going to start the vote at 5:00 p.m. and now go back to Senator Sessions.

Senator SESSIONS. Well, a growing concern on our side about moving this nomination so rapidly and a belief that there are further disclosures. So I don't know where we will end up on that.

But the report says this. "The reductions in de-alerting proposed under this illustrative plan could be carried out in unison with the United States and Russia through reciprocal presidential directives, negotiated in another round of bilateral arms reduction talks, or implemented unilaterally."

It also says, "A less good approach," but still a good approach, apparently, "would be to adopt this agenda unilaterally."

Senator Hagel was very anxious to tell us the report did not call for unilateral actions on behalf of the United States. And it clearly suggests three unilateral actions—three times it suggests the possibility of unilateral actions. And I think it just was surprising to me how driven they were to reach this conclusion.

In a footnote, a question was raised about observers, I being one of them, who made the point that if we continue to draw down our weapons and they get to a certain level, more and more nations

could see themselves as peer competitors. And far from being deterred from building up nuclear weapons, they might see it as an opportunity to be on an equal par with Russia and the United States.

I think that is a legitimate concern. They dismiss that and say, well, that “Global Zero discussions with high-level Chinese government officials and military officials and experts indicate strongly that China remains committed to this course of a low nuclear policy. China would not race to parity or supremacy and would, in fact, take the opposite position to join an arms reduction process if the United States reduces their arsenals to low numbers.”

I mean, forgive me, but I don’t know who he talked to, and I am not sure they would tell him the truth anyway. Matter of fact, I doubt it. And this is the kind of thing that went into that report.

General Schwartz, Air Force Chief of Staff, about this report, was asked about it, he was not sympathetic. General Schwartz said, “I don’t agree with this assessment or this study.”

The current STRATCOM Commander, General Robert Kehler, Strategic Forces Command that has the nuclear requirements for the U.S. Government, said, “Regarding the Global Zero report, in my view, we have the force size, force structure, force posture today that we need for our national security needs.”

What did the report call for in conclusion? They are not shy about saying it. The United States “could seek to achieve,” this is in the conclusion, “such reductions in 10 years and plan to base its arsenal on a dyad,” no longer a triad, “of nuclear delivery vehicles. The optimal mix of carriers would consist of 10 Trident missile submarines”—there are currently 14—“and 18 B-2 bombers.”

This would decommission, as they overtly say, 67 B-52 nuclear bombers. They would be totally eliminated, all the B-52s.

Continuing, “Under normal conditions, one half of the warhead stockpile, 450, would be deployed on these carriers. The other half would be kept in Reserve, except during national emergency. All land-based intercontinental missiles armed with nuclear payloads would be retired.” All ICBMs would be retired. “And the carriers of nonstrategic warheads, all of which would be eliminated.”

And the carriers of nonstrategic, that is tactical nuclear weapons, would be eliminated from the stockpile. B-52 bombers would be completely eliminated or converted to carry only conventional weapons.

Well, I really think that is an extreme position. It is contrary to the established bipartisan commission that we established, the concurrent bipartisan policy of the U.S. Defense Department. And I don’t know how you will vote on this nomination, but please, ladies and gentlemen, as we go forward, we are going to have to be very careful about how we handle strategic nuclear weapons.

There is no doubt our allies are very uneasy. They don’t understand where we are heading. They don’t have the confidence that we need them to have. And if an ally doesn’t think that we are going to be there for them, then will they not have a high incentive to build a nuclear arsenal themselves to defend themselves? That worries me.

And the members of this committee that I talked to and met privately said they receive delegations from various countries I won’t

name that we respect and are great allies with are really troubled by this.

I asked a Russian professor on one occasion, "Would you eliminate your tactical nuclear weapons?" He said, "Do you know how many troops the Chinese have on our border? We are never going to eliminate tactical nuclear weapons."

We have got to be careful about this dream of a world without nuclear weapons. Will it encourage Iran? Will it encourage North Korea, if we reduce our weapons, to stop producing nuclear weapons? If we continue to go down and people lack confidence in us, what about countries like Saudi Arabia or Egypt or Turkey or other countries around the world, South Korea or Japan? Would they not feel further pressure to build a nuclear arsenal, and therefore, proliferation would occur?

So, Mr. Chairman, I think this is out of the mainstream. It represents a rather erratic position. And having been involved in this virtually the entire time I have been in the Senate, I think it is so far away from where we need to be that I would not be able to support my friend Chuck Hagel.

I like him. He absolutely deserves our respect for being on the ground, in combat, putting his life on the line, serving his country. And he is a frank and open person. But he has not been particularly consistent, in my view, over the years. He has taken some views that I think are not good for America, and I believe in the Secretary of Defense, the entire world and all Americans really need to know that is one person that is stable, solid, can be counted on to issue measured judgments and to execute them as promised.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Sessions.

Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I will be very brief in the interest of time, just to say that I will be supporting Senator Hagel.

I want to thank particularly Senator McCain for his comments about Senator Hagel that none of us are seeking to impugn his character. And in fact, many of the Senators who question him commented that he is a good and decent man and that they respect his record as a decorated combat veteran.

He would be the first enlisted man to serve as Secretary of Defense and, therefore, I think uniquely qualified to address what I view as probably one of the two or three major challenges for the next leader of the Department of Defense, which is how to attract and retain the best in America, the best people in America to serve in our military.

We all are fond of saying that our people are our greatest asset, and it is true. Anybody who has visited our warfighters in Afghanistan, as I have three times—and privileged to go with Senators McCain and Graham and Ayotte a couple of those times—stand in awe, I think, of the work that they have done and the sacrifices they have made.

And this country traditionally, after such wars, hollows out its military. I am convinced that Senator Hagel is committed, passionately committed to the men and women in uniform and our vet-

erans. And he has been a veterans advocate, as well as a decorated combat veteran himself.

So I believe there is a reason that we afford the President some prerogative in choosing his team, which is, ultimately, it is the President that we hold accountable for his policies. His policies, the administration's policies will have to be Senator Hagel's policies, if he is confirmed as Secretary of Defense.

And we should hold the President accountable. And I hope to work with my colleagues on issues like Iran and Israeli security and as well working to stop sexual assault, repealing—implementing the repeal of “don't ask, don't tell,” the dangers and realities of suicide, PST, and of course, the looming danger of sequestration. The management of the Department of Defense is a huge challenge, and I hope that we will come together on a bipartisan basis to help whoever the next Secretary of Defense is—and I believe he will be Senator Hagel—to address those challenges.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Blumenthal.

Senator Hirono.

Senator HIRONO. Thank you, Mr. Chairman.

There are good-hearted, right-minded people on both sides of the Chuck Hagel nomination question, and I don't think there are any minds to be changed at this point. I would like to offer a few points about this nominee for the record.

First, it is important to our national security to have leadership in the Department of Defense right now. The Defense Department, it is never an easy place to run, but today it faces an unusually difficult set of challenges. We need a Secretary of Defense in place to manage the fallout from sequester, should it come to fruition, as well as the budget constraints we face in the future.

We need a Secretary in place to guide the fundamental rebalancing of our military after the end of the war in Iraq, as the winding down of the war in Afghanistan continues, and as we pivot to the Pacific. And this rebalancing must be done while being vigilant about the circumstances in North Korea, Syria, North Africa, and elsewhere, as well as the large and ever-increasing cybersecurity threats to our data systems, power grid, and other infrastructure.

Second, at the same time, we, as a country, must have a larger discussion about the next generation of warfare. How, when, and under what circumstances will digital weapons be used? There are ongoing questions regarding the use of drones. What role will Congress have in overseeing the use of these weapons? We need a Secretary of Defense in place to participate in these discussions.

Third, we also need a Secretary of Defense who will look after the needs of our soldiers, sailors, airmen, Marines, and their families. We need a Secretary of Defense who has fought for veterans issues and can work with the VA to ensure that these two agencies will work in coordination for the benefit of our veterans. Senator Hagel has tremendous breadth of leadership in both the public and the private sectors.

I think that we owe tremendous deference to the President to put together the team that he can count on, and I am confident that Senator Hagel will provide the President unvarnished advice and

that he will ask the kinds of tough questions that he has always asked, not necessarily the popular questions.

So Senator Hagel, in my view, is clearly qualified to be Secretary of Defense, and I will be supporting his nomination.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hirono.

Senator Udall.

Senator UDALL. Mr. Chairman, Ranking Member Inhofe, it has been a—

Chairman LEVIN. Pardon?

Senator UDALL. Mr. Chairman, Ranking Member Inhofe, it has been a spirited discussion. I intend to proudly vote for Sergeant Hagel. He is a patriot. He has earned the right to wear two Purple Hearts and many other commendations.

And the enduring case for me was made at his nomination hearing by the long list of former Defense Secretaries and National Security Advisers, both Republicans and Democrats, who stood together and supported Senator Hagel's nomination.

And the enduring image for me will always be Senator Hagel flanked by Senators Warner and Nunn, our iconic respected national security leaders.

Let us vote, Mr. Chairman.

Chairman LEVIN. Well, we are almost at the 5:00 hour.

Senator SESSIONS. Could I say one good thing—

Chairman LEVIN. Please.

Senator SESSIONS.—about our nominee?

Chairman LEVIN. Great way to end.

Senator SESSIONS. I thought I heard him do the containment comment. First, I perked up. But my honest evaluation, Senator King, is it was just a misspeaking. I don't think he rejected or meant to adopt a containment policy rather than not allowing them to have a nuclear weapon.

I meant to say that earlier. Thank you.

Chairman LEVIN. Thank you very much.

On that very positive note and a generous note, we will—and I say that very seriously. And this committee is a very strong bipartisan committee, as I said before, and we will continue to be, one difficult vote notwithstanding.

And the clerk, a quorum being present, 5:00 hour having come, we will now consider the nomination of Charles "Chuck" Hagel to be Secretary of Defense. Is there a motion to favorably report Mr. Hagel's nomination to the Senate?

Senator REED. So moved.

Chairman LEVIN. Is there a second?

Senator NELSON. Second.

Chairman LEVIN. The clerk will call the role.

The CLERK. Mr. Reed?

Senator REED. Aye.

The CLERK. Mr. Nelson?

Senator NELSON. Aye.

The CLERK. Mr. Udall?

Senator UDALL. Aye.

The CLERK. Mrs. Hagan?

Senator HAGAN. Aye.

The CLERK. Mr. Manchin?
 Senator MANCHIN. Aye.
 The CLERK. Mrs. Shaheen?
 Senator SHAHEEN. Aye.
 The CLERK. Mrs. Gillibrand?
 Senator GILLIBRAND. Aye.
 The CLERK. Mrs. McCaskill?
 Senator McCaskill. Aye.
 The CLERK. Mr. Blumenthal?
 Senator BLUMENTHAL. Aye.
 The CLERK. Mr. Donnelly?
 Senator DONNELLY. Aye.
 The CLERK. Ms. Hirono?
 Senator HIRONO. Aye.
 The CLERK. Mr. Kaine?
 Senator KAINE. Aye.
 The CLERK. Mr. King?
 Senator KING. Aye.
 The CLERK. Mr. Inhofe?
 Senator INHOFE. No.
 The CLERK. Mr. McCain?
 Senator MCCAIN. No.
 The CLERK. Mr. Sessions?
 Senator SESSIONS. No.
 The CLERK. Mr. Chambliss?
 Senator INHOFE. No, by proxy.
 The CLERK. Mr. Wicker?
 Senator WICKER. No.
 The CLERK. Ms. Ayotte?
 Senator AYOTTE. No.
 The CLERK. Ms. Fischer?
 Senator FISCHER. No.
 The CLERK. Mr. Graham?
 Senator GRAHAM. No.
 The CLERK. Mr. Vitter?
 Senator INHOFE. No instruction.
 The CLERK. Mr. Blunt?
 Senator BLUNT. No.
 The CLERK. Mr. Lee?
 Senator INHOFE. No, by proxy.
 The CLERK. Mr. Cruz?
 Senator CRUZ. No.
 The CLERK. Mr. Chairman?
 Chairman LEVIN. Aye.
 The CLERK. Fourteen to 11, and 1 no instruction.
 Chairman LEVIN. The——
 Senator WICKER. Mr. Chairman?
 Chairman LEVIN. Okay. Let me announce the vote first, if you would?
 Senator WICKER. On that, it was my understanding earlier that the vote would be left open, and I would just suggest that Mr. Vitter may have heard that and might——
 Chairman LEVIN. We will—thank you.

Thank you. I did say that, and we will leave the vote open for an additional 10 minutes to give Mr. Vitter a chance to come and vote in person. If he does so, the vote will then reflect that vote in person. If not, it will be as announced.

I think we all trust each other so that we know what I am saying here. The vote—would you just please announce the vote again, subject to that one vote change?

The CLERK. Fourteen ayes, 11 nays, 1 no instruction.

Chairman LEVIN. And if Mr. Vitter does show in the next, what did I say, 10 minutes, he can then cast a vote. It will not change the outcome.

Given that vote, we will now favorably report the nomination of Chuck Hagel to the Senate.

We thank you all, and we look forward to another wonderful year together.

[Whereupon, at 5:03 p.m., the committee adjourned.]