

STATEMENT OF PAULA A. DESUTTER
BEFORE THE HOUSE ARMED SERVICES SUBCOMMITTEE ON
STRATEGIC FORCES

INF Treaty Withdrawal and the Future of Arms Control
February 26, 2019

Mr. Chairman, Ranking Member Turner, Members of the Committee, thank you for the opportunity to address this important and timely issue.

The Chairman's invitation described the purpose of the hearing as:

The purpose of this hearing is to receive testimony on the implications of recent events for the future of arms control and strategic stability with Russia. The subcommittee is interested in your perspective on Russia's violation of the INF Treaty, the Trump administration's decision to suspend implementation of and withdraw from the INF Treaty, and the Administration's ongoing deliberations with respect to the extension of the New START Treaty.¹

I will address each of these issues in turn.

Russia's Violation of the INF Treaty

The Intermediate-Range Nuclear Forces Treaty (INF Treaty) was signed on December 8, 1987 and entered into force on June 1, 1988. It was designed to be effectively verifiable to ensure that compliance problems could be rapidly identified and addressed before they posed a threat to U.S. and international security. Effective verification was not, as sometimes misunderstood, simply a matter of having on-site inspection provisions, but was integrated into the fabric of the Treaty, in the form of such things as "look-alike, count alike" language. It was designed, as stated in the December 2, 1988 noncompliance report, "to control the declared INF inventory (and to eliminate it entirely in three years) and to make as complicated and costly as possible the retention or acquisition of any illegal covert inventory."

From the outset there were numerous instances of Russian INF Treaty noncompliance. As soon as compliance issues arose, the United States raised the issue with Russia and sought, and achieved, resolution. In some of these cases, Russia neither admitted nor explained the reason for the failures to comply, but they moved to correct their noncompliance. All of these cases were addressed in the annual noncompliance reports to Congress.

Informing Congress of noncompliance issues is mandated by law. But beyond meeting the legal obligation for such reporting, my view has always been that doing so is also important in terms of the Executive Branch's opportunities for seeking the cooperation of the Legislative Branch --

¹ Invitation Letter of February 19, 2019 from Subcommittee Chairman Cooper.

which can be critical in obtaining resolution of the issues. When I was working in the Arms Control & Disarmament Agency's Verification Bureau, I took a copy of a Sense of Congress Resolution on the Krasnoyarsk radar violation with me to a meeting with the Soviets on their ABM Treaty violations. I handed it over, explaining that the demand for elimination of the radar was NOT just an Executive Branch demand, but was also a demand by Congress. Much later, as Assistant Secretary of State for Verification and Compliance, I met with Senator Lugar's staff on several occasions to seek their advice and intervention. Senator Lugar's role as Chairman of the Senate Foreign Relations Committee and leadership of the Nunn-Lugar program carried persuasive weight.

Russia has demonstrated a disturbing lack of regard for their arms control obligations that has only increased since Vladimir Putin's ascendancy as Prime Minister and especially as President of Russia. Putin's Prepared Remarks at 43rd Munich Conference on Security Policy of February 10, 2007, represented, in my view, a turning point.

Sadly, it appears that Vladimir Putin's willingness to violate its treaty obligations was aided and abetted by the Obama administration, which, failed to raise the Russian INF Treaty violation for years, and in my opinion, covered up the Russian violation from 2010 until 2014.

During his February 25, 2014 Senate confirmation hearing before the Senate Armed Services Committee, Brian McKeon, President Obama's nominee for a senior Pentagon post (Principal Deputy Under Secretary of Defense for Policy), revealed that the day before the Foreign Relations Committee's Sept. 16, 2010, vote on the New START Treaty, the U.S. intelligence community flagged an INF Treaty compliance issue to senior staff of that committee, the Intelligence and Armed Services Committees, and Senate leadership. McKeon said that later that month, after the Foreign Relations Committee had already voted the New START Treaty out of Committee, General Clapper, then the Director of National Intelligence, told Senators that there was information sent to Senate Security about the issue which raised compliance questions regarding "possibly New START, possibly INF." As Vice President Joe Biden's lead negotiator on New START and an Obama administration liaison with the Senate during the New START ratification process, McKeon was in a position to know.

Before the intelligence community would provide information to the Senate, as they did in September 2010, they would have ensured that key executive branch officials were fully informed of a potential violation. I can assure you that when I left the Department of State in January 2009, I had not been briefed on any INF Treaty violations. Therefore, the intelligence community would have briefed the Obama administration of the issue after January 2009 but before September 2010.

The first Obama administration report, a much watered-down version of the more than 500-page report essentially completed at the end of the Bush administration, was submitted in July 2010. On Russian compliance with the INF Treaty, the July 2010 report concluded: "The Parties to the Treaty last met in the Special Verification Commission in October 2003. There have been no issues raised in the intervening period." The same language was used in the 2011 and 2012 reports.

Since the administration knew about, but had not raised, the violation with Russia, the 2010, 2011 and 2012 language was technically true but misleading. But by 2013, the administration, especially Rose Gottemoeller, the Assistant Secretary of State responsible for producing the reports, who had been nominated to be Undersecretary of State in May 2013, had a problem.

Congress was demanding action. According to a January 2014 New York Times article, the INF Treaty issue was first raised with Russia in May 2013 by Gottemoeller. So, while the July 12, 2013, report retained: “The Parties to the Treaty last met in the Special Verification Commission in October 2003,” they changed “There have been no issues raised in the intervening period” to “There were no issues raised during this reporting period.” The reporting period was Jan. 1, 2012, through Dec. 31, 2012. This was clearly purposeful and clearly hid the truth during a critical period.²

By failing to raise the INF Treaty noncompliance concerns with Russia for three years, the Obama administration missed the opportunity to seek reversal of the violation before Russia had deployed the cruise missile and invested 3 years of Russian national treasure. Moreover, it signaled to Russia that their violations were to be tolerated. While Russia is responsible for undertaking a program or programs they knew violated the INF Treaty, failure to report and raise the violation during the critical 2010-2013 period, made it even less likely that Russia would reverse the violation by eliminating its violating cruise missiles.

A second INF Treaty issue concerns a new nuclear ballistic missile, the RS-26, tested at both medium and long ranges. While discussed in the Jan. 30 New York Times article, it has not been addressed in any Obama noncompliance reports, which should address all possible violations or circumventions of arms control agreements. A third possible INF Treaty violation concerns the 3M14, a ground-, sea- and submarine-launched cruise missile with a range of 2,500-km.⁴ The 3M-14 is the Russian Kalibr cruise missile

For information on other likely Russian violations of the INF Treaty and New START, I would urge Members to direct their staff to the publications of Dr. Mark Schneider of the National Institute for Public Policy, including National Institute for Public Policy Information Series Issue No. 424, September 5, 2017, Russian INF Treaty Violations: Implications for the Nuclear Posture Review and the Future of the INF Treaty.

The Russian violation of the INF Treaty reported by the Obama administration, eventually revealed to be the 9M729 SSC-8 cruise missile, disturbing on its own, should be viewed not as an isolated incident, but as part of a pattern. As reported in Obama administration compliance reports, in addition to the single INF Treaty violation addressed, Russia has continued to fail to comply with the Biological Weapons Convention, the Chemical Weapons Convention, the Conventional Forces in Europe Treaty, the Open Skies Treaty, the Vienna Document on Confidence-and Security-Building Measures. While not addressed in the Obama administration reports, I hope that the Trump administration’s Bureau of Verification and Compliance will ensure that other probable Russian violations of New START and the INF Treaty will be fully assessed and reported.

² For Members ready reference, I have included the full INF Treaty sections of the annual noncompliance reports from 2011-2018 at the end of my statement, at pages 7-20.

The Trump Administration's Decision to Suspend Implementation of and Withdraw from the INF Treaty

Arms control agreements can be viewed as lines in the sand. The better agreements have that line as far as possible from essential elements of your national security and that of your allies. This is important to provide time for you to detect and verify violations, seek their reversal, or to undertake action, alone or with allies, to take measures to deny the violator the benefits of violation. When another party to the agreement crosses that line by violating the agreement, either: 1) they made a mistake; or 2) they did it deliberately. One way to tell the difference is that if it was a mistake, once it is raised with them, you can expect them to take corrective action. If they refuse to correct the violation, then the action is deliberate.

Deliberate violations are generally undertaken to gain unilateral advantage over the party or parties that ARE complying. If you do nothing to respond to the violation to deny the violator the benefits of the violation, you can expect them to undertake further violations, probably of an even more serious nature. In the INF Treaty case, we are talking about a detected and verified violation. This means that other violations may well be underway but have not yet been detected.

Other nations that observe your failure to deny the violator the benefits of his violation can reasonably be expected to conclude that you take neither compliance nor enforcement seriously, and be tempted to pursue their own programs, even if these violate a legally binding obligation they have undertaken.

While I am chagrined at the failure to raise Russia's violation of the INF Treaty between 2010 and 2013, the violation has been raised with Russia since 2013. The Department of State has a telling document on its website in this regard, which I am also attaching to my statement for the Members ready reference at pages 20-23.³ The U.S. efforts to persuade Russia to correct their violation has been to no avail. Russia has first denied the missile existed, then denied that the cruise missile is a violation. The latest step they've taken was to offer to let the U.S. view the missile, which would in no way correct the violation.

After years of acquiescence followed by more years of diplomatic efforts to persuade Russia to eliminate the missile and come back into compliance, in my view, unilateral compliance was no longer an option. When the United States draws a line in the sand and tells a country not to cross it — but then does not respond to repeated willful crossing — that line and every other line we have drawn becomes more anemic.

It is well established that if an agreement is materially breached by one party, the other party has no obligation to remain constrained. Article XV, paragraph 2⁴, of the INF Treaty recognizes

³ See <https://www.state.gov/t/avc/inf/index.htm> and the timeline of U.S. diplomatic efforts to seek Russian reversal of the INF Treaty violation at <https://www.state.gov/t/avc/inf/287411.htm>, included at the end of this document.

⁴ <https://www.state.gov/t/avc/trty/102360.htm> Article XV

"2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It

this, as does Customary International Law as reflected in the Vienna Convention on the Law of Treaties, Article 60.⁵

The Administration's Ongoing Deliberations with Respect to the Extension of the New START Treaty

Whether or not arms control agreements restricting the deployment of ballistic and cruise missiles with Russia (and others) that serve American interests will be possible depends on what America and others are willing to do to make it possible.

The easiest course of action for the Trump administration would be to simply extend the New START Treaty. But doing so would be neither sufficient to address the ballistic missile threat to the U.S. and our allies from nations such as China, nor, in my opinion, sufficient to constrain the ballistic missile threat from Russia.

First, with regard to Russia and New START, given the counting rules, the legal break-out potential is limitless, and while all the inspections looked impressive, many had no verification benefit. I believe that the weaknesses and flaws in New START were persuasively articulated in the minority views in the Executive Report on the Treaty, which I have appended to my statement beginning at page 24.⁶ The concerns expressed in the minority report are underscored by the fact that Russia is deploying so many new missiles with both strategic and theater options without a finding of noncompliance in the years since entry into force.

Second, nations that have been and are pursuing a ballistic and cruise missile build up are likely to be unimpressed by requests and negotiations asking for them to stop and reduce their ballistic missile programs, since the United States has not been producing and deploying missiles even near the level that Russia, China, and others have been. Should the U.S. pursue counterforce programs to give it leverage in any such negotiations, that calculation may change. Moreover, even if such a multilateral agreement were possible, the question of whether the other parties believe that violations will have real consequences has to be considered. In this regard, the U.S. withdrawal from the INF Treaty may make a significant contribution to the global view that the U.S. will not tolerate violations.

Finally, and most importantly, in the absence of a global, layered, and effective missile defense, I believe the incentive for other nations to deploy missiles to attack the United States, our allies, and forces abroad will continue to be irresistible.

shall give notice of its decision to withdraw to the other Party six months prior to withdrawal from this Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests.”

⁵ <https://treaties.un.org/doc/publication/unts/volume%201155/volume-1155-i-18232-english.pdf>

⁶ 111th Congress, 2d Session, U.S. Senate, Exec. Rept. 111-6, TREATY WITH RUSSIA ON MEASURES FOR FURTHER REDUCTION AND LIMITATION OF STRATEGIC OFFENSIVE ARMS (THE NEW START TREATY) Section VIII, “Minority Views of Senators Risch, DeMint, Barrasso, Wicker, and Inhofe”, pp. 110-124.

<https://www.congress.gov/congressional-report/111th-congress/executive-report/6>

Russia has loudly and repeatedly voiced its opposition to U.S. missile defenses. As a result, during the George W. Bush administration, the U.S. repeatedly stated that its missile defense programs were not intended to counter Russian and Chinese ballistic missiles. It strikes me as exceedingly odd to say that we want to defend against Iranian or North Korean ballistic missiles, but not those of Russia and China. As if getting nuked by some countries is bad but the other countries that want to nuke us should be given free reign to do so. Absurd. To me, it is not despite Russian and Chinese and other opposition to our missile defense programs that they should be urgently and effectively deployed, but at least in part BECAUSE of their opposition.

Those who advocate U.S. pursuit of continuing New START and/or other strategic or theater arms control that includes Russia, should understand that, at least in my view, it would not be reasonable, given the history of noncompliance by Russia under Putin's leadership, and the significant possibility of Russian offensive deployments without detection, verification and response, to base U.S. national security and international stability on the expectation that Russia will comply. While a change in Russian leadership might well change this calculation, such a future is not within our power to effect.

There are steps that our country can take, and which this Committee can play a central role in facilitating, that could make future strategic and theater missile agreements viable tools in America's tool kit.

It is widely understood that President Reagan's Strategic Defense Initiative was the program most responsible for the Soviet Union's willingness to agree to START and the INF Treaty. But missile defense can only be traded away for arms control agreements at our peril. Missile defenses provide an insurance policy against further and future cheating on arms control agreements. Thus, an effective layered U.S. missile defense offers the American people protection from the threat of nuclear attack by our enemies, dis-incentives investment by our current and future foes in offensive missiles tipped by weapons of mass destruction, and can make further and future arms control agreements more likely and more likely to be given advice and consent to their ratification.

Reports on Adherence to and Compliance with Arms Control, Nonproliferation, And Disarmament Agreements and Commitments, prepared by the U.S. Department of State pursuant to Section 403 of the Arms Control and Disarmament Act, as amended (22 U.S.C. 2593a).

August 2011 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **1 year**).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Elimination of all declared missiles and launchers under the Treaty was completed in 1991.

The Treaty is of unlimited duration and bans the possession, production, and flight testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with ranges between 500 and 5,500 kilometers, their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded at the end of 13 years following the Treaty's entry into force, that is, on May 31, 2001. All inspection activities have now ceased in accordance with the provisions of the Treaty. The remainder of the verification regime continues for the life of the Treaty.

The Parties to the Treaty last met in the Special Verification Commission in October 2003. There have been no issues raised in the intervening period. (emphasis added)

August 2012 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **2 years**).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Elimination of all declared missiles and launchers under the Treaty was completed in 1991.

The Treaty is of unlimited duration and bans the possession, production, and flight testing of intermediate- and shorter-range missile systems. The Treaty required complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with ranges between 500 and 5,500 kilometers, their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded at the end of 13 years following the Treaty's entry into force, that is, on May 31, 2001. All inspection activities have now ceased in accordance with the provisions of the Treaty. The remainder of the verification regime continues for the life of the Treaty.

The Parties to the Treaty last met in the Special Verification Commission in October 2003. There have been no issues raised in the intervening period. (emphasis added)

July 2013 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **3 years**. According to the NYT, Rose Gottemoeller raised the issue with the Russians in May 2013).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Elimination of all declared missiles and launchers under the Treaty was completed in 1991.

The Treaty is of unlimited duration and bans the possession, production, and flight testing of intermediate- and shorter-range missile systems. The Treaty required complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with ranges between 500 and 5,500 kilometers, their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded on May 31, 2001, that is, 13 years following the Treaty's entry into force. All inspection activities have now ceased in accordance with the provisions of the Treaty. The remainder of the verification regime continues for the life of the Treaty.

The Parties to the Treaty last met in the Special Verification Commission in October 2003. There were no issues raised during this reporting period. (emphasis added)

July 2014 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **4 years**. **This is the first compliance report that addresses the violation**).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Elimination of all declared missiles and launchers under the Treaty was completed in 1991.

The Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers (km), their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded on May 31, 2001, that is, 13 years following the Treaty's entry into force. The remainder of the verification regime continues for the duration of the Treaty.

FINDING

The United States has determined that the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

COMPLIANCE ANALYSIS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 km but not in excess of 5,500 km. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 km but not in excess of 1,000 km. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles and launchers of such missiles, or support structures and equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles, or produce, flight-test, or launch any shorter-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon-delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance which can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 11 of Article VII provides that a cruise missile which is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher which is used solely for test purposes and which is distinguishable from GLCM launchers.

Compliance Discussions

In 2013, the United States raised these concerns with the Russian Federation on repeated occasions in an effort to resolve U.S. concerns. The United States will continue to pursue resolution of U.S. concerns with Russia. (emphasis added)

May 2015 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately **5 years**. This is the second compliance report that addresses the violation).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988.

FINDING

The United States has determined that in 2014, the Russian Federation continued to be in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

BACKGROUND

The INF Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers (km), their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The INF Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations

The United States noted concerns about the Russian Federation's compliance with the INF Treaty in earlier, classified versions of the Compliance Report. In the 2014 Report, the United States published its determination that the Russian Federation was in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

COMPLIANCE ANALYSIS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 km but not in excess of 5,500 km. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 km but not in excess of 1,000 km. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles and launchers of such missiles, or support structures and equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles, or produce, flight-test, or launch any shorter-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon-delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance that can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 8 of Article VII of the INF Treaty provides that if a launcher has contained or launched a particular type of GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 11 of Article VII provides that a cruise missile that is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher that is used solely for test purposes and that is distinguishable from GLCM launchers.

The United States determined the cruise missile developed by the Russian Federation meets the INF Treaty definition of a ground-launched cruise missile with a range capability of 500 km to 5,500 km, and as such, all missiles of that type, and all launchers of the type used to launch such a missile, are prohibited under the provisions of the INF Treaty.

Compliance Discussions

In 2013 and 2014, the United States raised these concerns with the Russian Federation on repeated occasions in an effort to resolve U.S. concerns. The United States will continue to pursue resolution of U.S. concerns with Russia.

IMPLICATIONS FOR U.S. SECURITY AND OTHER INTERESTS

The Administration believes that it is in the mutual security interests of all the Parties to the INF Treaty that Russia and the other 11 successor states to the Soviet Union remain Parties to the Treaty and comply with their obligations. Moreover, the INF Treaty contributes to the security of our allies and to regional stability in Europe and in the Asia-Pacific region.

April 2016 Compliance Report Section on the INF Treaty

(Note: the Administration has known about the violation since at least September 2010, so approximately 6 years).

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988.

FINDING

The United States has determined that in 2015, the Russian Federation (Russia) continued to be in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

CONDUCT GIVING RISE TO COMPLIANCE CONCERNS

The INF Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers (km), their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The INF Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The on-site inspection regime concluded on May 31, 2001, 13 years following the Treaty's entry into force, per Article XI. The remainder of the verification regime continues for the duration of the Treaty.

In 2014 and 2015, the United States published in the unclassified version of the Report its determination that Russia was in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

ANALYSIS OF COMPLIANCE CONCERNS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 km but not in excess of 5,500 km. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 km but not in excess of 1,000 km. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles and launchers of such missiles, or support structures and equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles, or produce, flight-test, or launch any shorter-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance that can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLCM, all launchers of that type shall be considered to have been tested for launching GLCMs.

Paragraph 8 of Article VII provides that if a launcher has contained or launched a particular type of GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 11 of Article VII provides that a cruise missile that is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher that is used solely for test purposes and that is distinguishable from GLCM launchers.

The United States determined that the cruise missile developed by Russia meets the INF Treaty definition of a ground-launched cruise missile with a range capability of 500 km to 5,500 km, and as such, all missiles of that type, and all launchers of the type used or tested to launch such a missile, are prohibited under the provisions of the INF Treaty.

EFFORTS TO RESOLVE COMPLIANCE CONCERNS

As was the case in previous years, in 2015, the United States again raised concerns with Russia on repeated occasions in an effort to resolve U.S. concerns. The United States will continue to pursue resolution of U.S. concerns with Russia.

April 2017 Compliance Report Section on the INF Treaty

INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988. Additional information is provided in the higher classification versions of this Report.

FINDING

The United States has determined that in 2016, the Russian Federation (Russia) continued to be in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

CONDUCT GIVING RISE TO COMPLIANCE CONCERNS

The INF Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers, their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The INF Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded on May 31, 2001 - that is, 13 years after the Treaty's entry into force, in accordance with Article XI of the Treaty. The remainder of the verification regime continues for the duration of the Treaty.

In previous editions of the Compliance Report published in 2014, 2015, and 2016, the United States determined that Russia was in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a GLCM with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

ANALYSIS OF COMPLIANCE CONCERNS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 kilometers but not in excess of 5,500 kilometers. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 kilometers but not in excess of 1,000 kilometers. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery-vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles as defined by the Treaty.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles or launchers of such missiles, or support structures or equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of the Treaty shall be considered to be the maximum distance that can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLCM, all launchers of that type shall be considered to have been tested for launching GLCMs.

Paragraph 8 of Article VII provides that if a launcher has contained or launched a particular type of GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 11 of Article VII provides that a cruise missile that is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher that is used solely for test purposes and that is distinguishable from GLCM launchers.

EFFORTS TO RESOLVE COMPLIANCE CONCERNS

Since 2013, the United States has raised its concerns regarding Russian development of a GLCM with a range capability between 500 and 5,500 kilometers with Russia on repeated occasions and at various levels and departments within the Russian Government in an effort to resolve U.S. concerns. The priority of the United States is for Russia to return to compliance to ensure the continued viability of the INF Treaty, and we continue to engage the Russian Government to resolve our concerns.

In an effort to resolve U.S. concerns, the United States requested to convene a session of the INF Treaty's implementation body, the Special Verification Commission (SVC). Prior to 2016, the SVC had last met in October 2003 following the conclusion of the INF

Treaty's inspection regime in 2001. The most recent SVC session, which took place November 15-16, 2016, was attended by Russia, Belarus, Kazakhstan, and Ukraine, and provided the first multilateral technical venue for the United States to raise the issue of Russia's violation of its obligations under the INF Treaty not to possess, produce, or flight-test a GLCM with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

The United States has provided detailed information to the Russian Federation over the course of these bilateral and multilateral engagements, more than enough information for the Russian side to identify the missile in question and engage substantively on the issue of its obligations under the INF Treaty. This includes the following:

- *Information pertaining to the missile and the launcher, including Russia's internal designator for the mobile launcher chassis and the names of the companies involved in developing and producing the missile and launcher;*
- *Information on the violating GLCM's test history, including coordinates of the tests and Russia's attempts to obfuscate the nature of the program;*
- *The violating GLCM has a range capability between 500 and 5,500 kilometers;*
- ***The violating GLCM is distinct from the R-500/SSC-7 GLCM or the RS-26 ICBM.*** (Emphasis added).

The United States will continue to pursue resolution of U.S. concerns with Russia, and the United States is consulting with allies to review a range of appropriate options should Russia persist in its violation. The United States has made clear to Russia that the United States will protect U.S. security and the security of U.S. allies, and that Russian security will not be enhanced by continuing its violation. Additional information is provided in the higher classification versions of this Report.

April 2018 Compliance Report Section on the INF Treaty

TREATY ON THE ELIMINATION OF INTERMEDIATE-RANGE AND SHORTER-RANGE MISSILES (INTERMEDIATE-RANGE NUCLEAR FORCES or INF TREATY)

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988.

FINDING

The United States has determined that in 2017, the Russian Federation (Russia) continued to be in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

CONDUCT GIVING RISE TO COMPLIANCE CONCERNS

The INF Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers, their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The INF Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The inspection regime concluded on May 31, 2001 – that is, 13 years after the Treaty’s entry into force, in accordance with Article XI of the Treaty.

As stated in all editions of this Report since 2014, the United States has determined that Russia is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a GLCM with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

ANALYSIS OF COMPLIANCE CONCERNS

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 kilometers but not in excess of 5,500 kilometers. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 kilometers but not in excess of 1,000 kilometers. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery-vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles as defined by the Treaty.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles or launchers of such missiles, or support structures or equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of the Treaty shall be considered to be the maximum distance that can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLCM, all launchers of that type shall be considered to have been tested for launching GLCMs.

Paragraph 8 of Article VII provides that if a launcher has contained or launched a particular type of GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 11 of Article VII provides that a cruise missile that is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher that is used solely for test purposes and that is distinguishable from GLCM launchers. Additional information is provided in the higher classification report.

EFFORTS TO RESOLVE COMPLIANCE CONCERNS

The United States is committed to doing everything it can to preserve the integrity of the INF Treaty. The U.S. government is working toward this goal despite the Russian Federation's clandestine possession, production, and flight-testing of a ground-launched cruise missile in direct violation of the Russian Federation's core obligations under the Treaty. The United States remains open to discussing any and all ways to facilitate the Russian Federation's return to full and verifiable compliance.

The Administration conducted an extensive review of Russia's ongoing INF Treaty violation in order to assess the potential security implications of the violation for the United States and its allies and partners and to determine an appropriate response, and is implementing diplomatic, military, and economic measures in connection with this review.

Since 2013, the United States has raised its concerns regarding Russian development of a GLCM with a range capability between 500 and 5,500 kilometers with Russia on repeated occasions and at various levels and departments within the Russian government in an effort to resolve U.S. concerns. The priority of the United States is for Russia to return to compliance to ensure the continued viability of the INF Treaty, and the United States continues to engage the Russian Government to resolve our concerns.

The United States has provided detailed information to the Russian Federation over the course of these bilateral and multilateral engagements, more than enough information for the Russian side to engage substantively on the issue of its obligations under the INF Treaty. This includes the following:

- *Information pertaining to the missile and the launcher, including Russia's internal designator for the mobile launcher chassis and the names of the companies involved in developing and producing the missile and launcher;*
- *Information on the violating GLCM's test history, including coordinates of the tests and Russia's attempts to obfuscate the nature of the program;*
- *The violating GLCM has a range capability between 500 and 5,500 kilometers;*
- *The violating GLCM is distinct from the R-500/SSC-7 GLCM or the RS-26 ICBM; and,*
- *The United States assesses the Russian designator for the system in question is 9M729.*

In an effort to resolve U.S. concerns at the technical level, the United States has convened multiple sessions of the INF Treaty's implementation body, the Special Verification Commission (SVC). Prior to 2016, the SVC had last met in October 2003 following the conclusion of the INF Treaty's inspection regime in 2001. The November 15-16, 2016 SVC session was attended by Russia, Belarus, Kazakhstan, and Ukraine, and provided a multilateral technical venue for the United States to raise the issue of Russia's violation of its obligations under the INF Treaty not to possess, produce, or flight-test a GLCM with a range capability of 500 kilometers to 5,500 kilometers, or to possess or produce launchers of such missiles.

To assess Russian willingness to return to compliance with its obligations under the Treaty, the United States called for another session of the SVC from December 12-14, 2017.

The North Atlantic Council issued a December 15, 2017 public statement, affirming U.S. compliance with the Treaty and urging Russia to address the serious concerns raised by its missile system "in a substantial and transparent way, and actively engage in a technical dialogue with the United States."

The United States continues to pursue resolution of U.S. concerns with Russia and is consulting with allies to review a range of appropriate options should Russia persist in its violation. The United States has made clear to Russia that the United States will protect U.S. security and the security of U.S. allies, and that Russian security will not be enhanced by continuing its violation. Additional information is provided in the higher classification Annex.

INF Diplomatic Timeline⁷

Fact Sheet
Washington, DC

February 1, 2019

May 2013	Assistant to the President for National Security Affairs Donilon and Deputy Secretary of State Burns meeting with Russian Security Council Secretary Patrushev. The United States first raises INF concerns with Russian officials. Russia subsequently denies any noncompliant activities.
May 2013	Under Secretary of State for Arms Control and International Security Gottemoeller raises U.S. concerns with Russian Deputy Foreign Minister Ryabkov.
June 25, 2013	Russian Ambassador Kislyak provides initial Russian response denying noncompliant activities and reaffirms Russia's commitment to the INF Treaty.
November 16, 2013	DFM Ryabkov provides final Russian response denying noncompliant activities and reaffirms Russia's commitment to the INF Treaty.
January 2014	U/S Gottemoeller meeting with NATO Arms Control, Disarmament and Non-Proliferation Committee.
July 31, 2014	U.S. releases 2014 Compliance Report, finding Russia in violation of the INF Treaty. This marks the first public announcement of the U.S. determination regarding Russia's violation. Shortly after the report's release, Secretary of Defense Hagel and Chairman of the Joint Chiefs Dempsey discuss the Russian violation with their Russian counterparts.
September 5, 2014	Wales NATO Summit Communique states: "...Allies call on Russia to preserve the viability of the INF Treaty through ensuring full and verifiable compliance."
September 11, 2014	Per U.S. initiative, bilateral experts meeting takes place. Russia denies the existence of the missile.
February 2015	Secretary of Defense Hagel discusses Russian INF Treaty violations at the NATO Nuclear Planning Group.
April 20, 2015	Per U.S. initiative, second bilateral experts meeting takes place. Russia denies the existence of the missile.
May 12, 2015	Secretary Kerry raises the issue with President Putin.
June 5, 2015	2015 Arms Control Compliance Report affirms Russia's continuing violation of the INF Treaty.
December 28, 2015	Secretary Kerry raises the issue with Foreign Minister Lavrov.
February 16, 2016	U/S Gottemoeller meeting with DFM Ryabkov.
April 8, 2016	U/S Gottemoeller meeting with DFM Ryabkov.
April 11, 2016	2016 Arms Control Compliance Report affirms Russia's continuing violation of the INF Treaty.
June 2016	Secretary of Defense Carter discusses Russian INF Treaty violations at the NATO Nuclear Planning Group.

⁷ <https://www.state.gov/t/avc/inf/287411.htm>

May 2013	Assistant to the President for National Security Affairs Donilon and Deputy Secretary of State Burns meeting with Russian Security Council Secretary Patrushev. The United States first raises INF concerns with Russian officials. Russia subsequently denies any noncompliant activities.
July 9, 2016	Warsaw NATO Summit Communique states: “Allies therefore continue to call on Russia to preserve the viability of the INF Treaty through ensuring full and verifiable compliance.”
Nov. 15-16, 2016	The United States convenes the Special Verification Commission for the first time since 2003.
December 2016	The United States briefs allies and partners that U.S. concerns remain unresolved.
April 12, 2017	Secretary of State Tillerson meets with FM Lavrov.
April 14, 2017	2017 Arms Control Compliance Report affirms Russia’s continuing violation of the INF Treaty.
May 8, 2017	U/S Shannon raises the INF issue with DFM Ryabkov.
May 10, 2017	Secretary Tillerson raises the INF issue with FM Lavrov.
June 2017	Secretary of Defense Mattis discusses Russian INF Treaty violation at NATO Nuclear Planning Group.
September 12, 2017	Under Secretary of State for Political Affairs Shannon raises the INF Treaty issue as part of the discussion with DFM Ryabkov at Strategic Stability Talks in Helsinki, Finland.
November 2017	Secretary of Defense Mattis discusses Russian INF Treaty violations at the NATO Nuclear Planning Group.
November 3, 2017	Ambassador Huntsman meets with DFM Ryabkov to inform Russia on the U.S. Integrated Strategy of diplomatic, military, and economic steps the United States will take to encourage Russia to return to full and verifiable compliance with the INF Treaty.
November 6, 2017	NSC Senior Directors Christopher Ford and Fiona Hill meet with Russian Ambassador Antonov to inform Russia on the U.S. Integrated Strategy.
November 29, 2017	NSC Senior Director Christopher Ford publicly announces U.S. assessment that the Russian designator for the SSC-8 missile is “9M729” during remarks at the Wilson Center.
December 8, 2017	The United States announces its INF Treaty Integrated Strategy with press releases, fact sheets, and an interview by U/S Shannon with <i>Kommersant</i> .
December 9, 2017	Russian DFM Ryabkov publicly acknowledges the existence of the 9M729 but claims it is not capable of INF range.
Dec. 12-14, 2017	The United States again convenes the Special Verification Commission.
December 15, 2017	The North Atlantic Council issues a statement highlighting concerns about Russia’s missile development, affirming U.S. compliance, and calling on Russia to engage constructively.
December 20, 2017	U.S. Federal Register publishes final rule for adding Novator and Titan, two companies involved in the development of the SSC-8/9M729, to the Department of Commerce Entity List.
February 2, 2018	NATO High Level Group meeting; the United States requests Allies to engage Russia on INF Treaty violation.
February 14, 2018	Secretary of Defense Mattis discusses Russia’s INF Treaty violation at NATO Nuclear Planning Group.
March 5, 2018	Ambassador Huntsman discusses INF issue with Russian DFM Ryabkov.
April 12, 2018	2018 Arms Control Compliance Report affirms Russia’s continuing violation of the INF Treaty.

May 2013	Assistant to the President for National Security Affairs Donilon and Deputy Secretary of State Burns meeting with Russian Security Council Secretary Patrushev. The United States first raises INF concerns with Russian officials. Russia subsequently denies any noncompliant activities.
May 8, 2018	NATO High Level Group meeting; the United States requests Allies to engage Russia on INF Treaty violation.
June 8, 2018	Chairman of the Joint Chiefs of Staff General Dunford raises INF concerns with Russian Chief of the General Staff Gerasimov.
June 15, 2018	Under Secretary of State for Arms Control and International Security Thompson raises the issue with Russian Ambassador Antonov.
June 21, 2018	Per U.S. initiative, third bilateral experts meeting takes place. Russia refuses further discussion of the violating missile.
July 11, 2018	Brussels NATO Summit Declaration states: “Allies believe that, in the absence of any credible answer from Russia on this new missile, the most plausible assessment would be that Russia is in violation of the Treaty.”
August 23, 2018	APNSA Bolton meets Russian Security Council Secretary Patrushev in Geneva.
October 4, 2018	Secretary Mattis engages NATO Allies on Russia’s INF Treaty violation.
October 20, 2018	President Trump publicly states Russia has not adhered to the INF Treaty and that he intends to exit it.
October 23, 2018	Assistant to the President and National Security Advisor Bolton meetings with President Putin, FM Lavrov, and Russian Security Council Secretary Patrushev.
October 25, 2018	NATO North Atlantic Council meeting; the United States engages with Allies on Russia’s INF Treaty violations.
October 31, 2018	NATO Secretary General Stoltenberg comments on the INF Treaty and posts on NATO website: “No arms control arrangement can be effective if it is only respected by one side.”
November 8, 2018	Assistant Secretary of State Poblete, Assistant Secretary of Defense Anderson, and NSC Senior Director Morrison brief Allies at NATO Nuclear Consultation Meeting.
December 4, 2018	Secretary of State Pompeo declares that the United States has found Russia in material breach of the INF Treaty and will suspend U.S. obligations under the Treaty as a remedy for Russia’s breach in 60 days unless Russia returns to full and verifiable compliance. NATO Foreign Ministers issue a statement in strong support of the finding that Russia is in material breach of the Treaty.
January 15, 2019	Under Secretary of State Thompson discusses the INF Treaty with DFM Ryabkov in Geneva. The United States provides Russia in writing an illustrative framework of steps it would need to take to return to compliance.
January 16, 2019	Under Secretary Thompson briefs NATO and other allies and partners on her January 15 meeting with DFM Ryabkov.
January 25, 2019	During a NATO-Russia Council meeting, Allies urge Russia again to return to full and verifiable compliance with the INF Treaty.
February 1, 2019	Secretary Pompeo announces that in light of Russia’s failure to return to compliance following the U.S. announcement on December 4, the United States will suspend its obligations under the INF Treaty on February 2. He also announces that on February 2 the United States will provide to Treaty Parties a six-month written notice of U.S. withdrawal from the Treaty, pursuant to Article XV of the Treaty.

VIII. Minority Views of Senators Risch, DeMint, Barrasso, Wicker, and Inhofe

In the 18 years since the original START Treaty was ratified, a lot has changed for U.S. national security, our global interests, and those of our allies. During the Cold War, the United States and NATO had to rely on nuclear weapons as a deterrent to a numerically superior Soviet conventional force.

Today the world is much different. Russia relies on nuclear weapons--mostly tactical nuclear weapons--to counter superior conventional U.S. and NATO forces while threatening new NATO members near its borders. Meanwhile, the United States must balance a rising China--and its growing conventional and nuclear arsenals--with security commitments to protect more than 30 nations that make up the pledge of U.S. extended deterrence. Further, countries like Iran and North Korea pose potentially severe risks to U.S. forces abroad, U.S. allies, and global stability with their chemical, biological, and nuclear weapons programs as well as their growing ballistic missile capabilities. This is in addition to a number of other countries with ballistic missile and nuclear, chemical, and biological weapons programs.

These new actors increase the spectrum of threats we and our allies must face, and this uncertainty places a larger burden on the U.S. nuclear umbrella to assure our allies. Our nuclear and conventional forces must be strong enough to deter any aggressor or combination of aggressors for the foreseeable future.

However, we believe the Obama administration was narrowly centered on the issue of ``resetting'' U.S. relations with Russia which focused almost exclusively on bilateral nuclear stability between the United States and Russia in these negotiations and paid little attention to the question of maintaining multilateral nuclear stability in an uncertain and proliferated world.

New START supposedly establishes a ceiling of 1,550 warheads on strategic nuclear delivery vehicles. Yet, due to the porous limitations and permissive bomber and other counting rules, that would allow unlimited air-launched cruise missiles and could include other uncounted options like sea-launched cruise missiles, there is a distinct possibility that by the end of the ten-year life of this treaty Russia will easily have well over 2,000 real--as opposed to accountable--deployed strategic nuclear warheads and thousands of tactical nuclear warheads. At the same time, China could have on the order of 500 to 1,000 warheads, Pakistan and India could have roughly 150 each, and Iran and North Korea could have roughly 50 each. This, of course, excludes the weapons that may be retained by our allies including France and Great Britain.

Thus, the United States may need to address the requirements for deterrence with a force of 1,550 deployed strategic warheads in a world where cumulatively the rest of the world could retain more than double this number, and in the context of an unpredictable coalition dynamic.

Yet, as Secretary of Defense Gates answered, the Department of Defense's ``Office of Net Assessment was not tasked to provide a net assessment of the New START Treaty's numerical limitations.'' Before New START was signed, the Office of the Net Assessment should have been directed to study the appropriateness of the numerical limitations imposed by New START, the qualitative structure of the U.S. strategic nuclear forces under the treaty, and how the United States would attempt to maintain deterrence and assurance in this

proliferated environment. And Senators should have been given access to the analysis U.S. Strategic Command provided to the Department of Defense before they were asked to vote on the Resolution of Ratification.

U.S. military leaders have testified that New START allows the U.S. forces necessary for deterrence. However, there are also three fundamental assumptions underlying this conclusion; each of which is optimistic in the extreme--(1) U.S. planning guidance for strategic forces would remain the same; (2) there would be no requests for an increase in forces; and (3) Russia would be compliant with New START. Assuming Russian treaty compliance violates the historical record, and it ignores the very real evidence of renewed Russian nuclear threats to U.S. allies and friends.

In addition, there are many plausible threat scenarios, including many not involving Russia, that could emerge during the tenure of New START that would demand significant changes in current planning and new deterrence requirements. Would New START provide the necessary forces and flexibility if the administration's three optimistic assumptions do not hold? We do not believe it does.

Instead of looking at the new and shifting 21st century challenges, New START embraces the paradigm of the Cold War by focusing only on Russia with its porous limits on nuclear warheads, delivery vehicles, and inspection regimes. As Secretary of State Clinton stated, ``the New START Treaty is needed in order to provide a critical framework for the strategic nuclear relationship between the United States and Russia.'' Secretary Clinton's comment by definition ignores the nuclear forces that exist or will exist shortly in other countries. And the lack of precise definitions and inclusion of other provisions in New START means that U.S. offensive and defensive conventional forces could be substantially constrained.

Already, Russia is below New START's limits on strategic delivery vehicles and launchers due to atrophy of its strategic nuclear force. The only party that will actually have to eliminate strategic delivery vehicles and launchers under the provisions of the treaty is the United States.

New START is a bad deal coming and going: it neither places effective limits on a future Russian renewal of its strategic nuclear forces (the beginnings of which already can be seen), nor does it demand real Russian reductions now. This the administration touts as a great negotiating accomplishment.

From these issues come a list of our specific concerns for U.S. security and that of our friends.

MISSILE DEFENSE

First, missile defense is a key component of our defense posture--and that of our allies. It is clear there is a fundamental disagreement between the United States and the Russian Federation on missile defense and what constitutes any qualitative or quantitative improvements. If a treaty is supposed to show points of agreement, this treaty falls far short.

Lacking consensus, the Obama administration says that the preamble of the treaty, which mentions an ``interrelationship between strategic offensive and defensive arms that will become more important as strategic arms are reduced,'' was a non-binding concession given to appease the Russians. Russian officials, in turn, say that it is legally binding and that they would like to recreate the 1972 Anti Ballistic Missile

treaty that severely limited missile defense. Despite the preamble, this treaty also limits missile defense in Article V. While this administration has stated it has no plans to act in a way inconsistent with Article V, a future administration may find these limits unacceptable. Under New START, the administration has created new missile defense limitations in the body of treaty, and opened the door to more restrictions.

This treaty, and the debate during the Foreign Relations Committee's business meeting, also highlights a fundamental contrast between treaty supporters and ourselves on the effect missile defense systems have on strategic stability. Senator Lugar's efforts to limit further damage to missile defense in his Resolution of Ratification go a long way, but do not fully alleviate our concerns. We were particularly troubled by the lengthy debate over whether it was in the national security interest of the United States to move away from the policy of mutual assured destruction toward a fundamentally defensive posture. Senator DeMint's amendment sought to address this 20th century thinking, but the concern, voiced by administration officials during the business meeting, over words like "remain committed" to a layered ballistic missile defense capability in his amendment, is quite disturbing.

For more than 50 years, the Russians have argued against U.S. missile defense plans and we have no doubt that, despite Senator Lugar's language, the Russians will attempt to use the Bilateral Consultative Commission as a forum to discuss missile defense plans and seek further concessions. For all of this capitulation to the Russians on this issue, it is still unclear what the United States received for making this concession.

Given all of the concerns expressed by Senators and the adamant insistence that nothing was "given away," it is still perplexing that the administration is unwilling to share the negotiating record with the Senate on this important topic. If the negotiating record is as the administration has described, and the President had approached the Senate as a partner in the ratification process, many of these concerns could have been addressed quickly.

However, answers to Senator Wicker's questions for the record on missile defense called into question the commitment of the Obama administration to fully implement the Ballistic Missile Defense Review Report from February 2010, and the objection to further efforts by Senator Barrasso, Senator Risch, and Senator Inhofe to amend the treaty and Resolution of Ratification further eroded our confidence in the administration's commitments on this important issue.

TACTICAL NUCLEAR WEAPONS

Second, what is even more perplexing is that if the preamble language is non-binding, then why did the administration forgo seeking an equal statement on tactical nuclear weapons? If missile defenses and conventionally-armed ballistic missiles are relevant to strategic nuclear reductions, why is there no linkage with nonstrategic nuclear weapons, such as Russia's plan to develop long-range, nuclear-armed, sea-launched cruise missiles?

The United States has made enormous security commitments to allies around the world, and especially to our NATO partners. The United States is a protector of many, while Russia is a protector of none, and U.S. extended deterrence is intended to protect and assure these countries against attack as much as it is to protect the United States.

As a result, Russian tactical nuclear weapons deployed on

the borders of our NATO allies--but based inside of Russian territory--represent a very real threat. However, with a small number of U.S. tactical nuclear weapons in Europe, U.S. extended deterrence is provided in large part by U.S. strategic nuclear forces. This is the course the United States has chosen for decades. Hence, there is a long-standing interrelationship between strategic and tactical nuclear weapons, that can undermine deterrence and the assurances of allies when the United States accepts limits that reduce the flexibility of our strategic forces and cuts strategic warheads so low that Russia's tactical arsenal alone dwarfs the entire U.S. nuclear arsenal.

Sadly, the Obama administration does not seem to understand this relationship. As Secretary Clinton stated, ``tactical nuclear weapons do not directly influence the strategic balance between the United States and Russia.'' Unfortunately, because of this narrow thinking, President Obama removed the issue of tactical nuclear forces from the negotiations so early that he denied negotiators one of the few points of leverage that could have guaranteed missile defense would not have been in the treaty.

The Committee's Resolution of Ratification only offers a simple declaration regarding how to address the disparity between the United States and Russian tactical nuclear weapons. We do not share the administration's optimism that this treaty will lead to an agreement on tactical nuclear weapons. Russia is currently not honoring its commitments under the Presidential Nuclear Initiative of the early 1990s regarding these weapons and the rejection by the committee of Senator Risch's amendment regarding this issue highlights the unwillingness to deal with it.

CONVENTIONAL PROMPT GLOBAL STRIKE

Third, New START places limits on conventional strategic offensive capabilities and further limits U.S. deterrence flexibility and options. As the State Department Bureau of Verification, Compliance, and Implementation website states; ``long-range conventional ballistic missiles would count under the treaty's limit of 700 delivery vehicles, and their conventional warheads would count against the limit of 1,550 warheads.''

The administration attempts to justify this situation by saying START I did not make a distinction between nuclear and conventional warheads on ballistic missiles. However, START I was also written 20 years ago, before advancements in military technology and U.S. capabilities were able to envision new types of systems. While conventional prompt global strike (CPGS) is still an infant technology, the limitations in New START substantially restrict further development and deployment of the most mature technology, instead betting on as of yet unproven advanced technologies, and in the process limiting U.S. options to respond to future threats, which was another key goal of the Russian Federation.

U.S. engagements in Iraq and Afghanistan have shown that advancements in military technology can be instrumental, but they have also shown the limitations of integrating existing technology with time-sensitive information. CPGS could offer an incredible capability to swiftly respond to a threat anywhere in the world, and eliminate the threat before it matures.

Whether emerging threats come from non-state actors, terrorist organizations, or rogue nations, this capability could also provide the President with a valuable and scalable

option to respond to emerging threats without the need to rely on nuclear force, such as a rogue nation with only a few nuclear weapons. If required to conduct a large-scale conventional military operation in an anti-access environment, the U.S. military could also find a weapons system like this necessary.

The unwillingness of the Obama administration to understand this changing dynamic or to protect American interests and flexibility is dangerous. These constraints are more troubling when President Obama argues that New START's reductions are acceptable because the United States has such a strong conventional force-endorsed by Secretary Gates in his written answers. Yet, Secretary Gates is also pushing to cut spending on U.S. conventional capabilities, and simultaneously seeks to transfer \$5 billion from our military to the Department of Energy.

It is disconcerting that the only place where President Obama could find money for modernization was the Department of Defense. The founding mission of DOE was to ensure that the building and maintenance of U.S. nuclear weapons remained in civilian hands. Sadly, it appears the core mission of DOE is now a low priority, but our conventional military forces and their readiness should not have to suffer because of misplaced priorities at the DOE.

Since this treaty was intended to focus on strategic nuclear reductions, the inclusion of CPGS remains dubious. Although the State Department's analysis determined that CPGS options would count under the treaty's central limits, it remains unclear if it is really compelled by the terms of the treaty or is simply the intent of the negotiating parties. Because the Obama administration again refuses to share the negotiating record, the Resolution of Ratification should have included an understanding or reservation that an intercontinental ballistic missile (ICBM) or submarine-launched ballistic missile loaded with only a conventional warhead should not count towards the treaty's central limits pertaining to either delivery vehicles or warheads.

At a minimum the existing resolution should be expanded to ensure that it is not in the jurisdiction of the Bilateral Consultative Commission to limit the deployment of CPGS systems of the United States.

INSPECTIONS AND VERIFICATION

If the United States is to accept increased uncertainty and risk, then we should have absolute confidence in our ability to monitor the Russians and verify compliance. However, the effectiveness and adequacy of any arms control treaty's verification measures ultimately depends on what and how the treaty limits operate. By reverting back to the Cold War standard of U.S.-Russian strategic nuclear parity and basing deterrence on mutual nuclear threats, New START establishes the need for the kind of vigorous verification measures found in the START I treaty.

Despite Secretary Clinton's comment that this treaty ``provides detailed rules and significant transparency regarding each side's strategic forces through its extensive verification regime,`` we do not share the administration's confidence. To the contrary, verification in this treaty is very weak in comparison to START I, especially for the warhead limit.

First, quality is just as important as quantity because the details matter and the treaty falls short on both counts. Over

the life of START I the United States conducted roughly 600 inspections; under New START we are limited to 18 annually (180 total). With 35 Russian facilities and only 17 U.S. facilities to inspect, Russia begins at a significant advantage.

Second, the Obama administration has touted New START's inspection regime as being a monumental shift toward counting actual warheads, instead of using attribution accounting rules. However, the treaty relies on an annual limit of ten Type I inspections, which would provide the United States with visibility on only about two to three percent of the entire missile force each year. Conveniently, these are the same kind of inspections that the Russians illegally obstructed, for certain types of missiles, throughout the START I Treaty. Now, that obstruction seems to be acceptable practice.

Fortunately, START I did not rely on these inspections alone for verification; it wisely relied primarily on our National Technical Means (NTM) to verify an ``attribution'' rule that in general, counted warheads based on their demonstrated capability. (Under this rule, a missile type was considered to have a certain attributed number of warheads, such that warhead verification became an exercise of simply multiplying numbers of missiles observed with satellites multiplied by the attributed warhead number.)

New START abandoned many limitations on strategic nuclear weapons as well as this tried and true verification structure, and relies instead on good Russian inspection behavior for verification. This is unwise. If the Russians continue their obstruction, our ability to verify the warhead limit will be substantially degraded. Hypothetically, even if the Russians departed from past practice and did not obstruct the inspections, their utility is still inherently limited.

The Russians are not required to tell us how many warheads are located on each missile at the initial data exchange. Instead, it's only after a U.S. inspection team declares its intention to visit a missile site that the Russians will declare how many re-entry vehicles are deployed on missiles located at that inspection site. The U.S. team then gets to look at only one of those missiles. There is no way to determine from this single inspection whether the rest of the Russian missile force also contains that number of warheads. The United States cannot deduce from so few inspections whether Russia is complying with the overall 1,550 limit. No one should be under the illusion that we are ``counting'' Russian warheads. The lack of confidence in verifying this central limit undermines confidence in the entire agreement.

Third, the warhead limit is not our only verification concern. START I's reliance on NTM to verify its warhead limits was buttressed by two other key measures, both of which were dropped from New START--(1) continuous portal/perimeter monitoring at the Russian assembly plant for mobile ICBMs (the type most difficult to monitor with NTM); and (2) full access to telemetry, which is extremely useful for understanding missile systems, including whether the Russians were complying with START I's prohibition on flight-testing missiles that exceeded the warhead limit for each type of missile. As a result of New START's omission or limitation of these important verification measures, the uncertainty with respect to Russian mobile ICBM production and overall missile capabilities will increase substantially. Secretary Gates admitted in his testimony before the committee that U.S. ability to monitor this treaty would decline over time.

As the number of nuclear weapons decreases, verification becomes even more important and must become more robust because

the benefits of cheating increase. On this point New START moves completely in the wrong direction.

COMPLIANCE

As we referenced earlier, Russia has a long track record of ignoring international agreements that it has signed. Russia repeatedly violated START I all the way to its expiration in December 2009, as clearly stated in the 2005 and 2010 State Department Compliance Reports.

Specifically, Russian failures to comply with telemetry sharing under START I raises concerns about U.S. access to data, and New START does nothing to ensure telemetry is shared regarding ballistic missile delivery vehicles for warheads. It simply leaves this issue to the BCC to resolve at some later point.

Russia has also directly impeded U.S. inspectors' ability to accurately account for the number of reentry vehicles (RVs) on ballistic missiles, which again speaks to the efficacy of the Type I inspections under New START. As the 2005 State Department report noted, ``Russian RV covers, and their method of emplacement, have in some cases hampered U.S. inspectors from ascertaining that the front section of the missiles contains no more RVs than the number of warheads attributed to a missile of that type under the treaty.''

In addition, the U.S. government has serious concerns with Russian compliance on the Chemical Weapons Convention, the Biological Weapons Convention, and the Conventional Forces in Europe Treaty.

Russia has a long history of acting in bad faith and violating arms control agreements and commitments. The disregard for international arms control treaties when it does not suit Russian interests provides little support to the assumption that Russia will in good faith comply with the New START Treaty.

MODERNIZATION

According to Secretary Gates, the United States is the only nuclear nation that is not currently pursuing nuclear modernization. The French, Russians, British, and others are constantly designing and building new weapons so that their scientists and engineers do not lose critical skills. Secretary Gates has also made clear that nuclear modernization is a prerequisite to nuclear reductions. As he stated in a speech to the Carnegie Endowment, ``To be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program.''

Sadly, the United States has starved its own capabilities for so long that we have lost core competencies in our ability to maintain current weapons as well as have the capability to design and build new weapons. As some, including professors Keir Lieber and Daryl Press, have pointed out the United States must preserve options.

In our opinion this does not mean we currently need to build new weapons immediately, but it does mean that if the United States wants to remain a leader in the international system, we cannot cede this ability to other nations. It is imperative that we unshackle our scientists and allow them the freedom to pursue scientific discovery as they see fit. Simply turning them into systems analysts for weapons that were designed 30 years ago does not keep the United States on the

cutting edge. Unfortunately, President Obama's Nuclear Posture Review (NPR) does precisely that.

In a letter signed by ten former DOE National Lab Directors to Secretary Gates and Secretary of Energy Chu they stated:

Unfortunately, we are concerned that language in the NPR imposes unnecessary constraints on our engineers and scientists when it states that ``the United States will give strong preference to options for refurbishment or reuse,'' and that the replacement of nuclear components ``would be undertaken only if critical Stockpile Management Program (SMP) goals could not otherwise be met, and if specifically authorized by the President and approved by Congress.''

Based on our experience as former laboratory directors, we believe this ``higher bar'' for certain life extension options will stifle the creative and imaginative thinking that typifies the excellent history of progress and development at the national laboratories, and indeed will inhibit the NPR's goal of honing the specialized skills needed to sustain the nuclear deterrent. If these skills are not exercised, they will be lost. Moreover, the United States is already taking on a certain amount of risk by not testing its nuclear weapons. Failure to preserve nuclear weapons skill sets will add further risk, and unnecessarily so.

Further, President Obama and his administration must commit the levels of funding necessary to modernize our nuclear complex, the warheads themselves, and the delivery vehicles and platforms necessary for our nuclear deterrence. While President Obama's fiscal year 2011 budget and Section 1251 plan are a good start, it is clear that it does not completely meet the needs for the nuclear complex. And the Resolution of Ratification could do more to ensure the President honors his commitments to modernization.

While many focus on the warheads themselves, the modernization of U.S. strategic delivery vehicles and platforms that make up the nuclear triad is also vitally important. Unfortunately, the funding as outlined by the Secretary of Defense is barely adequate to replace the Ohio class submarines, but leaves virtually no funding for intercontinental ballistic missile (ICBM) life extensions, a follow on ICBM to replace the Minuteman III, a new long-range bomber, and a follow on to our aged air-launched cruise missile. In the absence of such modernization programs, the U.S. strategic forces will not retain the survivability and flexibility that is necessary to deter enemies and assure allies. This raises questions about the intentions of this administration. Senators have been told that maintaining the nuclear triad is vital to ``stability'' at the reduced force levels in the treaty, but after years of delay the administration has yet to make any decisions about strategic delivery vehicles beyond a replacement submarine.

We believe the committee's proposal for advancing nuclear weapons modernization is of uncertain reliability. The administration itself has stated explicitly that its highest nuclear policy priority is non-proliferation and movement toward nuclear disarmament. The Resolution of Ratification includes a provision designed to ensure sustained funding for the President's ten-year plan for preserving the safety, reliability and performance of U.S. nuclear forces, which he

submitted pursuant to section 1251 of the National Defense Authorization Act for Fiscal Year 2010. This provision purports to embody a deal between the President and the Senate to sustain nuclear weapons modernization for ten years in exchange for Senate consent to the ratification of New START.

Such a deal is made necessary by what we believe is the accurate assumption that the President does not favor the provisions in the section 1251 plan on their merits, but only as a means for securing the ratification of New START. Nevertheless, the relevant provision in the Resolution of Ratification leaves it to the President alone to determine if resources become inadequate to support the plan and trigger the reporting requirement to identify the additional resources to preserve nuclear modernization.

Senators Inhofe and Risch's efforts on this were additional steps to ensure the specific modernization of our strategic delivery vehicles, and while the committee accepted a modified version of Senator Risch's amendment, it does not satisfy all of the concerns we have.

PROCESS

We are also very disappointed in the lack of respect for the constitutional role that the Senate plays in any treaty process. Some treaties require more scrutiny than others, and sadly, the process by which this treaty has been considered by the Senate Foreign Relations Committee has been negligent. In May when hearings were first starting, seven Senators on this committee requested nine witnesses (letter attached). Some of these individuals support the treaty and some do not, but Senators felt these voices were important and necessary to cover the breadth of concerns.

In twelve hearings there were only two voices of opposition out of twenty-two. This is a far cry from the normal precedent of the minority being allowed to have one witness on each panel. Also, the fact that no former national lab directors were invited to testify demonstrated a lack of balance and serious scrutiny on key issues. When all the witnesses have been hand-picked by the chairman to avoid critical voices, the argument that this treaty has been fully vetted and endorsed by witnesses lacks credibility.

Given a stacked deck of witnesses, it is even more troubling that questions for the record were not answered in a timely manner. In fact, the administration did not provide substantive answers to any questions for the record until after the last administration witness testified. The desire of the Obama administration to avoid serious and thoughtful consideration of the merits of this treaty only leaves us to speculate why the administration was filibustering Senators' requests for more information.

Further the administration delayed releasing reports, which would have provided the larger context necessary for Senators to understand. These reports included a National Intelligence Estimate, Force Structure report, State Department Compliance Reports, and other documents (letter attached). With some provisions of this treaty so contentious, providing the negotiating record on these points would have been a wise and prudent gesture. The insistence on trusting administration officials without any supporting documentation simply undermines their credibility.

The rush to ratify this treaty and avoid scrutiny has been of serious concern, and the argument made by some administration officials that any Senator standing in the way

was doing so for political reasons is inappropriate and disrespectful.

While the administration wants to see New START in place to restart the inspections that have been absent since START I expired in December 2009, we do not believe their mistakes should force the Senate to surrender its obligations or due diligence. START I provided a five year extension to keep inspections in place, which the administration did not exercise. And Senator Lugar introduced the START I Treaty Inspections and Monitoring Protocol Continuation Act to do likewise. We voted for this legislation when it came before the Foreign Relations Committee, but the administration was uninterested in this approach.

However, it should be clear that the Obama administration took five months after START I's expiration to complete the treaty's negotiations, sign it, and send it to the Senate. Why was the anniversary of President Obama's speech in Prague a more important deadline than the expiration of START I? More importantly, it took the administration more than 12 months to negotiate this treaty, but it has sought the ratification of this treaty through the Senate in less than five months.

To put this in context, the Senate considered START I for almost an entire year, and the Moscow Treaty, which was much shorter and far less complex than New START laid before the Senate for almost nine months. The rush to ratification undermines the important role of advice and consent that the Senate must exercise on any treaty of this magnitude.

Combined with a lack of transparency, the rush creates an impression that the administration is hiding something. Given the changing nature of global security, a more thoughtful and measured approach should have been taken, and the administration should not have filibustered Senators' requests for information and clarity.

CONCLUSION

In conclusion, we believe the treaty will substantially limit U.S. flexibility and constrain the overall strategic posture of the United States in a way that emerging threats and nations could weaken U.S. national security, undermine security for important friends and allies, and possibly encourage proliferation. The United States appears to have received nothing in return for its concessions on strategic nuclear force levels, conventional strategic forces, or missile defense. The treaty effectively requires unilateral U.S. reductions and its limitations are so porous and permissive that it does not place effective ceilings on the slowly emerging comprehensive Russian strategic modernization program. Moreover, these concessions in New START deprive the United States the leverage that would be necessary for negotiating any future meaningful nuclear reduction agreements.

While we believe the Committee's Resolution of Ratification serves to identify the most important flaws and weaknesses either derived from, or found within, New START, we cast our votes in opposition to reporting New START to the Senate for consideration based on our view that the proposed remedies in the Resolution of Ratification adopted by the Committee are insufficient. We sincerely hope these issues can be resolved before a final vote on the floor of the U.S. Senate.