

**THE FUTURE OF ARMS CONTROL  
AND DETERRENCE**

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**HEARING**

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS**

**UNITED STATES SENATE**

**ONE HUNDRED EIGHTEENTH CONGRESS**

SECOND SESSION

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## **THE FUTURE OF ARMS CONTROL AND DETERRENCE**

**WEDNESDAY, MAY 15, 2024**

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:06 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Benjamin L. Cardin, chairman of the committee, presiding.

Present: Senators Cardin [presiding], Shaheen, Murphy, Kaine, Van Hollen, Risch, Romney, Young, and Barrasso.

### **OPENING STATEMENT OF HON. BENJAMIN L. CARDIN, U.S. SENATOR FROM MARYLAND**

The CHAIRMAN. The Senate Foreign Relations Committee will come to order.

The Cuban Missile Crisis was, as one Kennedy aide said, the most dangerous moment in human history. At the height of the cold war arms race, one mistake or miscalculation could lead to nuclear annihilation. But in the decades that followed, carefully negotiated arms control agreements enable us to live in a much safer world.

In recent years, however, there has been a serious reason for concern. Russia has backed away from arms control agreements. There are no more inspections. Our only remaining nuclear weapon treaty, New START, expires in 2026, and Russia is reportedly developing a nuclear capable anti-satellite weapon which would violate the 1967 Outer Space Treaty. Meanwhile, China has been rapidly building up its nuclear arsenal, something we should be talking about with them at the highest level.

So, this hearing comes at a critical time.

Secretary Jenkins, I want to thank you for appearing before us today. I believe we must do everything in our power to avoid getting into another nuclear arms race. I am pleased with how the Biden administration has been balancing our needs. They have kept the door open to negotiations with our adversaries, while bolstering deterrence by working with our allies. They are building up an international consensus to maintain a peaceful outer space, and they are modernizing our forces.

On land, at sea, and through the air. We need to replace and update our nuclear systems given the limits on nuclear material. That means retrofitting our warheads. That is why the Department of Energy's project to restore the production of plutonium pits for the warheads is so important. While these modernization efforts are

the key to maintaining our deterrence, we must not give up on arms control.

It is true that Russia has backed away from our agreements, but they have not gone over the limits set by our treaties. I have seen the projections saying China could have as many as 1,000 nuclear warheads by 2030, but we should not be basing our decisions on assumptions about 2030 that may never happen. These projections are what might happen if the United States sits around and does not do anything about it.

But we should not be passive. That is why our diplomatic efforts are so important. We must communicate to the leadership of Beijing the dangers of the world where the United States and China are locked in an arms race. Because while we have the capability to counter their nuclear build up, we want to avoid an Indo-Pacific with nuclear weapons posture that looks like the cold war in Europe.

One of the most promising developments I have seen is the Biden administration's cooperation with our allies in the Europe and Indo-Pacific. More closely linked alliances like AUKUS and the Washington Declaration with South Korea are crucial in our efforts to counter our adversaries.

At the same time, I think we need to, to clearly communicate that we are ready to sit down and talk. We are ready to talk with Beijing. We are ready to talk with Moscow. We did it at the height of the cold war. We are able to compartmentalize. Despite the brutal invasion of Ukraine, we should be able to do it now, too.

We need to open up the idea that while we might not get legally binding agreements, we need to get political understandings. Agreements can be verified with satellites, agreements that will avoid another arms race, agreements that will continue to keep us safe.

So, Madam Ambassador, we have a lot to talk about.

And let me first yield to our distinguished Ranking Member, Senator Risch, for his opening comments.

**STATEMENT OF HON. JAMES E. RISCH,  
U.S. SENATOR FROM IDAHO**

Senator RISCH. Well, thank you very much, Mr. Chairman. And I agree of with some of the things that you have said. I have been asking for this hearing for over a year, and this is a really, really important hearing. Global events right now make this a troubling hearing at a troubling time.

And why is this so important? Well, our Foreign Relations Committee prides itself as being the soft power committee, and that we look after national security by using soft power. But soft power only works when it is backed up by hard power. Not only hard power, but the best in the world. And also, with the situation where our enemies and our friends believe that we will actually use it when it is appropriate to do so. For deterrence to be credible, it must be backed up by capability and political will to follow through on the threat.

While we retain the world's strongest military, its effectiveness has declined significantly. First under Obama, now under the Biden administration. Our enemies need to believe that when we

tell them do not, and they do, that indeed, they are going to get fire and brimstone raining down on their head. They do not believe that anymore.

First, nuclear weapons are the ultimate foundation of deterrence and have kept regional conflicts from becoming global wars. Despite this, the Biden administration has doubled down on the Obama era talking point of “reducing the role for nuclear weapons in our national security strategy.” You do not reduce the role of your ultimate foundation for deterrence. And that is what the thought processes here by these two Administrations.

In fact, the Administration demonstrated its commitment to disarmament by extending the New START Treaty with Russia within the first hours of taking office. There was no rigorous policy process to support this decision, just blind faith in arms control when everybody knew that Russia was cheating every day. It was a gift to Russia.

In truth, the nuclear landscape of the cold war no longer exists. Our adversaries have changed their strategies. Russia and China, have and every day, are developing new nuclear weapons and increasing their reliance on them. And they are willing to cheat on treaties and gain an upper hand as the Chairman noted.

The only way we know about this many times is through the use of overhead observance. They do not tell the truth. They lie to us. Despite this fact, the Administration continues Obama’s policy of begging China to engage in talks about strategic stability. Meanwhile, China ignores our solicitations and is racing to nuclear parity. These misguided policies communicate to our adversaries that we so desperately want arms control that we will surrender our own security.

Currently, the U.S. nuclear arsenal is required to maintain parity with Russia under the New START Treaty, which Russia violates, and a 2010 security environment when China had fewer than 200 nuclear weapons. U.S. allies are understandably anxious about the explosive growth of Chinese nuclear weapons, and their delivery systems, and the likelihood that Russia will rely more, not less, on these weapons.

Meanwhile, rogue nations like North Korea and Iran pursue nuclear weapons, and the instability spreading around the world only encourages more proliferation as other countries seek to replace the lost American deterrence, and their growing dissatisfaction with their reliance on America’s commitments.

In Asia, extended deterrence is particularly weak. Unlike in Europe, we withdrew all of our nuclear weapons from the region. East Asian allies not only worry about China and Russia, but a North Korea that is on track to field a diverse nuclear arsenal in the hundreds.

The U.S. should modify our nuclear forces to reassert deterrence and reassure our allies. Importantly, we should explore options for returning nuclear weapons to the theater for the purpose of assuring our allies. Discussing this should not be a taboo. Our enemies are watching.

On the conventional weapons side, we experienced the same problems. The Administration was right to pursue the idea of AUKUS, but it has proven long on rhetoric and short on results.

Three years after AUKUS was announced, we are still operating under the same defense trade rules that are important for AUKUS from the cold war.

The Administration needs to certify our allies, take advantage of the ITAR exemption in the 2024 NDAA, and provide a clear path for expedited cooperation on capabilities not covered by the exemption, like hypersonics and unmanned systems. This is necessary if AUKUS is going to help deter China.

In Israel and Gaza, the Biden administration is abandoning Israel as it battles to ensure the lasting defeat of Hamas. The lasting defeat of Hamas is the only way forward. Make no mistake, America's allies and adversaries are watching. They are drawing the conclusions that the U.S. is becoming an unreliable friend.

And the Democrats' vendetta against Prime Minister Netanyahu, coupled with this Administration's disastrous arms sales policies and executions is politicizing weapon sales and threatening America's ability to recruit and retain partners and friends.

U.S. credibility has been severely eroded by the Biden administration's vacillating support for Israel. This follows similar behavior in supporting Ukraine. The Biden administration's fear of escalation from the beginning led to costly delays in providing critical weapons to Ukraine at crucial moments. This constant dithering showed Russia that the Biden administration was self-deterred, and exploiting this fear of escalation would ensure U.S. inaction.

Who knows what lesson Kim Jong Un has learned from our resolve? Even more consequentially, one has to ask what China has learned. It is time to understand the world is different and requires a dramatic shift in thinking about global security. If we do not re-establish deterrence through strength and resolve, instability will only increase.

Chairman McCaul and I have written a letter to the Administration raising a number of these issues and asking for some answers. I would like to include that in the record, please.

The CHAIRMAN. Without objection, it will be included in the record.

[EDITOR'S NOTE.—The information referred to above can be found in the "Additional Material Submitted for the Record" section at the end of this document.]

The CHAIRMAN. The distinguished ranking member, your points in regards to arms control and deterrence, there was much that I thought we were in agreement. Some of the other points, I think, we may differ a little bit on, but we will have an opportunity to talk about that at the appropriate time.

We welcome Ambassador Bonnie Jenkins, who has served as Under Secretary of State for Arms Control and International Security since July 22, 2021. As Under Secretary, Ambassador Jenkins leads the Bureau of Arms Control, Deterrence and Stability, the International Security and Nonproliferation Bureau, and the Political Military Affairs Bureau. And as of May 2023, Ambassador Jenkins has led the department's efforts in AUKUS implementation.

Ambassador Jenkins previously served in the Obama administration as special envoy and coordinator for the threat reduction programs in the Bureau of International Security and Nonproliferation from July 2009 until January 2017.



And during that time, she served as the State Department's lead for all four nuclear security summits, as well as the U.S. Representative to the G7 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction.

Well qualified, and we thank you for your public service.

Your statement will be made part of our record. You may proceed as you wish. We ask that you try to summarize in about 5 minutes so that we have time for the committee to engage in the conversation.

**STATEMENT OF HON. BONNIE D. JENKINS, UNDER SECRETARY, ARMS CONTROL AND INTERNATIONAL SECURITY, U.S. DEPARTMENT OF STATE, WASHINGTON, DC**

Ms. JENKINS. Thank you very much.

Chairman Cardin, Ranking Member Risch, distinguished members of the committee, thank you for the opportunity to testify about the future of arms control and deterrence.

We at the State Department, together with our interagency colleagues, work to mitigate international security risks. It advances U.S. and ally interests. As the Under Secretary of State for Arms Control International Security, I want to emphasize that the global security architecture is under strain. In response to these pressures, the three bureaus that I oversee are applying a mix of tools in clear sighted and innovative ways to uphold strategic stability.

One tool is deterrence. The 2022 Nuclear Policy Review reaffirms our continuing commitment to a safe, secure, and effective nuclear deterrence for the United States, as well as our allies and partners. But reliance on deterrence alone will not solve the security challenges. We as the NPR lays out, arms control compliments deterrence, and both are essential to strategic stability.

My opening testimony will address how the Department of State, particularly the bureaus under my responsibility, is using tools like arms control and risk reduction to preserve strategic stability and secure U.S. and allied interests. I want to begin by providing context. We are witnessing a Russia that continues its work in Ukraine, routinely employs irresponsible nuclear rhetoric, and has violated many of its treaty obligations.

At the same time, it is been noted the People's Republic of China has undertaken a rapid and opaque nuclear weapons build up, and is pursuing a larger and more diverse nuclear arsenal that calls into question its stated intentions and strategy. Meanwhile, the emergence of new technologies, such as artificial intelligence, simultaneously offers benefits while introducing potential threats.

While challenging, the security environment also brings opportunities to demonstrate U.S. leadership in promoting stability. For decades, through hard work with allies, partners, and adversaries alike, we have developed tools to limit these dangers.

First, as it relates to Russia, the United States is working to preserve strategic stability while holding Russia accountable for its irresponsible behavior. This includes its legally invalid purported suspension of the New STAR Treaty.

In an annual treaty implementation report that we provided to this committee in January, the United States found Russia in non-compliance with several of its treaty obligations. In 2023, we adopt-

ed proportionate and reversible countermeasures, which are fully consistent with international law. They aim to induce Russia's return to full compliance with the treaty.

In 2026, New START, our last remaining bilateral nuclear arms control agreement with Russia, will expire. We have expressed our readiness to work with Moscow on managing nuclear risk and developing a mutually acceptable future arms control framework that advances U.S. and Allied interests. After all, no one, including Russia benefits from an unconstrained security environment.

Russia, however, has shown no interest in good faith engagement on these issues. We are under no illusion that the road ahead will be straightforward. After all, managing nuclear competition with Russia has never been an easy task, and today may be the most challenging as it has ever been.

Let me turn to the issue with the PRC. In 2023, as noted, China military power reports estimate that the PRC possesses more than 500 operational nuclear warheads. It will probably have more than 1,000 by 2030. Beijing's development of a larger, more diverse nuclear arsenal is deeply concerning and raises questions about the trajectory of the PRC's nuclear weapons program.

The PRC's expansion also raises the specter that the United States may soon face two expansionary and significantly nuclear armed peers. As this dynamic evolves, the United States must continue to ensure a safe, secure, and effective nuclear deterrent, as well as a strong and credible extended deterrent while identifying opportunities to reduce risk and promote transparency and predictability.

Last November, a State Department led interagency delegation met with the PRC on issues related to arms control and proliferation. The meeting enabled a preliminary discussion on potential measures for managing and reducing risks. Unfortunately, as noted, the PRC has declined a follow on meeting, and has not provided a substantive response to risk reduction suggestions we put forward.

In the outer space domain, the United States is upholding existing obligations and ensuring responsible international behavior. For almost 60 years, the Outer Space Treaty and its prohibition on the placement of nuclear weapons in outer space have been an important element of the international legal framework.

Today, that regime is under threat. The Administration assesses that Russia is developing a new satellite carrying a nuclear device. Placement by a state party to the Outer Space Treaty of a nuclear weapon in orbit would not only violate the treaty, but also threaten the vital commercial and national security services that any and all satellites provide to society around the globe.

In response to this threat, President Biden has directed a series of actions to respond, including direct engagement with Russia and with countries around the world who have interests at stake. We are applying a similar approach to promoting norms of responsible behavior by working with countries around the world for the use of artificial intelligence and military applications.

In February, in close coordination with the Department of Defense, we successfully launched a political declaration, Responsible Military Use of Artificial Intelligence and Autonomy, a major step

forward furthering international norms around responsible, stabilizing, and beneficial use of these technologies.

In conclusion, diplomacy lies at the core of all these efforts. Detering our adversaries, curbing the risk of miscalculation and misunderstanding, assuring allies that U.S. extended deterrence is strong and credible, and deepening international norms around the responsible use of immersion technologies.

The State Department remains staunchly committed to upholding strategic stability and using the mutually reinforcing tools of arms control and deterrence to safeguard U.S. and Allied security. We recognize this is a challenging international security environment, which is precisely why we need these tools and your bipartisan support. I look forward to continuing to work closely with this committee, with your colleagues across Capitol Hill to advance these objectives.

Thank you very much.

[The prepared statement of Ms. Jenkins follows:]

**Prepared Statement of Ms. Bonnie D. Jenkins**

Chairman Cardin, Ranking Member Risch, distinguished Members of the Committee: thank you for the opportunity to testify about the future of arms control and deterrence.

We at the State Department, together with our interagency colleagues, work to mitigate international security risks and advance U.S. and allied interests. As the Under Secretary of State for Arms Control and International Security, I want to emphasize that the global security architecture is under strain. In response to these pressures, the three bureaus that I oversee are applying a mix of tools in clear-sighted and innovative ways to uphold strategic stability.

One tool is deterrence, including building U.S. capabilities and that of our allies and partners. In Europe, we are working to get Ukraine the support it needs today with an eye toward its future in the Euro-Atlantic Region, as well as working to reinforce NATO's Eastern Flank and welcoming our new Allies in Finland and Sweden. In the Indo-Pacific, we are building on long-standing alliances, redoubling our support for Taiwan's defense in the face of an increasingly aggressive People's Republic of China (PRC), and developing new partnerships, like Australia-United Kingdom-United States (AUKUS), to strengthen regional security. In the Middle East, we are working aggressively to achieve a ceasefire in Gaza that secures the release of Israeli hostages and allows for a surge in humanitarian aid to the Palestinians. We are also deepening robust partnerships in the Gulf region to counter threats from Iran. In Africa as well as in the Americas, we face new security challenges from Russia and the PRC but benefit from decades-long security cooperation partnerships that for many countries still makes the United States their partner of choice. The tools of the bureaus that I lead help to support this Administration's deterrence policies in this changing security environment, and I am proud of the innovative approaches my bureaus have taken to meeting this moment.

A key component of deterrence is our nuclear posture. The 2022 Nuclear Posture Review (NPR) reaffirms our continuing commitment to a safe, secure, and effective nuclear deterrent for the United States, as well as our NATO Allies and Indo-Pacific allies and partners.

But reliance on deterrence alone will not solve the various security challenges we face. As the NPR lays out, arms control complements deterrence, and both are essential to strategic stability. Arms control and risk reduction can avoid wasteful arms races, establish guardrails for strategic competition, mitigate crisis instability, and—should deterrence fail—help control escalation and mutually limit the destructive potential of conflict.

Thank you for the invitation to address these topics here today. My opening testimony will address how the State Department, particularly the bureaus under my responsibility, is using tools like arms control and risk reduction to preserve strategic stability and secure U.S. and allied interests. These bureaus do far more than this, with responsibilities ranging from promoting the peaceful uses of nuclear energy to peace operations capacity building. I will focus on arms control and deterrence in my opening remarks, and am happy to discuss other issues in response to your questions.

I want to begin by providing some context. We are witnessing a Russia that continues its war against Ukraine, routinely employs irresponsible nuclear rhetoric, and has violated many of its treaty obligations. At the same time, the PRC is undertaking a rapid and opaque nuclear weapons build up and is pursuing a larger and more diverse nuclear arsenal that calls into question its stated intentions and strategy. Meanwhile, the emergence of new technologies such as artificial intelligence simultaneously offers benefits while introducing potential threats. All these developments increase risks of arms racing and conflict stemming from miscalculation or misperception.

While challenging, this dynamic security environment also presents opportunities to demonstrate U.S. leadership in promoting stability. For decades, through hard work with allies, partners, and adversaries alike, we have developed tools to limit these dangers. We have used arms control measures and agreements to impose constraints on states, prevent dangerous arms races, and reduce the risk of nuclear conflict. We have developed a range of multilateral agreements enshrining legally binding restrictions pertaining to many types of weapons of mass destruction—not just nuclear arms, but also chemical, biological, and soon, we hope, radiological weapons. Arms control instruments and institutions have provided transparency, accountability, and predictability within the international security environment and the vast majority of countries abide by their obligations.

The State Department also recognizes that arms control is more than just legally binding agreements. It also includes risk reduction tools, such as facilitating crisis communications, providing missile launch notifications, and building norms of responsible behavior. All these tools make the international community more stable and more secure. They give us a foundation for our criticism of the PRC's refusal to engage on substantive nuclear risk reduction measures amid its rapid and opaque nuclear weapons build up and strengthen our case to the international community that Beijing is not acting as a responsible nuclear power. Their existence and widespread support also strengthen our ability to rally the international community when countries like Russia violate obligations or disregard commitments.

In the face of this increasingly complex security environment, we are pragmatic about what we can achieve—and remain confident that arms control is a critical means to reduce risk and enhance stability.

#### RUSSIA

First, as it relates to Russia, the United States is working to preserve strategic stability while holding Russia accountable for its irresponsible behavior and malign influence. This includes Russia's violation of the Chemical Weapons Convention, where we assess Russia has used the choking agent chloropicrin and riot control agents as a method of warfare against Ukrainian forces. The United States is working to strengthen the Organization for the Prohibition of Chemical Weapons, build national response capacity, and pursue accountability for such violations. On the conventional weapons side, the United States and our NATO Allies condemned Russia's withdrawal from the Treaty on Conventional Armed Forces in Europe (CFE) and the United States and NATO Allied CFE States Parties (22 in total) suspended all of our CFE Treaty obligations, consistent with our rights under international law.

We are also holding Moscow responsible for its legally invalid purported suspension of the New START Treaty. In the annual treaty implementation report that we provided to this committee in January, the United States found Russia in non-compliance with several of its Treaty obligations, some for a second year in a row. In 2023, in response to Russian violations, we adopted proportionate and reversible countermeasures which are fully consistent with international law, aimed to induce Russia's return to full compliance with the treaty, and ensured that Russia derives no advantages from its violations.

In less than 2 years, New START, our last remaining bilateral nuclear arms control agreement with Russia, will expire under its terms. We have expressed our readiness to work with Moscow on managing nuclear risk and developing a mutually acceptable future arms control framework that advances U.S. and allied interests. After all, no one—including Russia—benefits from an unconstrained security environment. Russia, however, has shown no interest in good faith engagement on these issues. This irresponsible approach risks jeopardizing a key pillar of global nuclear stability. We are calling on all states to join us in urging Russia to return to full implementation of its existing obligations and engage in discussions on managing nuclear risk and a treaty to follow New START.

Russia continues to condition engagement on arms control on the United States ending its support for Ukraine against Russia's invasion. Let me be clear: Russia's

reckless attempts to hold bilateral nuclear arms control hostage will not diminish our steadfast support for Ukraine and European security. We will continue to work with our Allies and partners to support Ukraine's self-defense against Russian aggression. In close partnership with DoD, we have provided more than \$50 billion in support for Ukraine's defense since February 2022, and thanks to strong bipartisan support in the passage of the National Security Supplemental, we will continue to stand with more than 50 countries, united with Ukraine.

We are under no illusion that the road ahead will be straightforward. After all, managing our nuclear competition with Russia has never been an easy task, and today may be the most challenging it has ever been. But rest assured, we will continue our close coordination with allies and partners to ensure Russia gains no advantage from its irresponsible actions. While we remain committed to pursuing responsible nuclear arms control measures, we must prepare for all eventualities, including ways to address a potential world without strategic nuclear arms control.

#### THE PRC

Let me now turn to the issue of the PRC. The 2023 China Military Power report estimates that the PRC possesses more than 500 operational nuclear warheads and will probably have more than 1,000 operational nuclear warheads by 2030. Beijing's development of a larger, more diverse nuclear arsenal is deeply concerning, and raises questions about the trajectory of the PRC's nuclear weapons program, its evolving nuclear posture, and its strategic goals. This opacity reduces predictability, increasing the risk of unintended escalation as well as undesirable, costly arms races.

In addition to these risks, the PRC's nuclear weapons expansion raises the specter that the United States may soon face two expansionary and significantly nuclear-armed peers. As this dynamic evolves, the United States must continue to ensure a safe, secure, and effective nuclear deterrent, as well as a strong and credible extended deterrence, to safeguard U.S. and allied interests. At the same time, we must manage those deterrence relationships responsibly by pursuing risk reduction and arms control measures. This helps our security, our allies' security, and can help make the world a safer place.

Last November, a Department of State-led interagency delegation met with the PRC on issues related to arms control and nonproliferation, including risk reduction. The meeting enabled a preliminary discussion on potential measures for managing and reducing risks with the PRC across multiple domains, including nuclear and outer space. Unfortunately, the PRC has declined a follow-on meeting and has not provided a substantive response to the risk reduction suggestions we put forward. We will continue to increase diplomatic pressure on the PRC to increase transparency of its nuclear arsenal and to constructively work with the United States to advance concrete measures that reduce the risk of unintended escalation or conflict and help manage competition responsibly, as the world expects us to do. We are focused on achieving results, but we should all understand, that progress will not come easily or immediately.

In the face of the PRC's nuclear weapons build up, as well as the Democratic People's Republic of Korea's (DPRK) expanding nuclear and missile forces, the State Department is working to strengthen the United States' extended deterrence relationships with key allies in the Indo-Pacific. The U.S. commitment to strengthening extended deterrence with the Republic of Korea, Japan, and Australia is steadfast and enduring. Together with the DoD, the State Department leads frequent consultations with these allies, through which we sharpen and coordinate our full suite of tools—diplomatic, informational, military, and economic—to promote stability in the Indo-Pacific. In addition to these extended deterrence dialogues, we support our allies and partners in the Indo-Pacific region and beyond by bolstering their conventional capabilities via our long-standing security assistance programs. Be it the Republic of Korea, Japan, Taiwan, or the Philippines, we continue to ensure stability in the region by investing in our allies and partners' capabilities to defend themselves.

#### MULTILATERAL NUCLEAR ISSUES

The United States is promoting strategic stability in multilateral fora, as well. The United States continues to advocate for concrete risk reduction measures to enhance transparency and stability among the P5 countries, the five recognized nuclear-weapon states under the Nuclear Non-Proliferation Treaty (NPT). These measures include establishing crisis communications channels; sharing ballistic missile launch notifications; and committing to maintain a "human in the loop" for command, control, and employment of nuclear weapons. The P3 already support main-

taining human control and involvement for all actions critical to informing and executing sovereign decisions concerning nuclear weapons employment and we strongly believe that Russia and the PRC should join us in this commitment. We are also working with partners in the NPT review process to reinforce the NPT as the foundation of efforts to prevent nuclear proliferation and nuclear war, as well as to explain our responsible nuclear posture and increase pressure on Russia and the PRC to be more transparent and to engage in strategic dialogue, risk reduction, and arms control. The United States has also long supported nuclear-weapon-free zone (NWFZ) treaties as a complement to the global Nuclear Non-Proliferation Treaty (NPT) and a means for extending certain legally binding assurances against the use or threat of use of nuclear weapons. We would urge the Senate to ratify those protocols previously signed and submitted for advice and consent.

Meanwhile, the United States continues to demonstrate leadership in the multilateral international security arena. We urge states to join us in building off the momentum generated last year in the U.N. General Assembly, which overwhelmingly adopted a U.S.-sponsored resolution calling for negotiation of a ban on state use of radiological weapons. We will pursue those negotiations in the Conference on Disarmament. We will continue to pursue the negotiation of a Fissile Material Cut-off Treaty (FMCT) on the basis of the Shannon Mandate (CD/1299), which is more important than ever with the PRC's build up of nuclear weapon and fissile material production capabilities. Until an FMCT enters into force, we will coordinate with international partners to continue to press for the PRC, as the only Nuclear Weapon State that has not yet done so, to declare a moratorium on the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

#### OUTER SPACE

In the outer space domain, the United States is upholding existing obligations and developing and advancing proposals for responsible international behavior, in contrast to hypocritical proposals and dangerous behavior from Russia and the PRC. For almost 60 years, the Outer Space Treaty and its prohibition on the placement of nuclear weapons in outer space have been the foundational element of the international legal framework. Today, that regime is under threat. As we have noted previously, the Administration assesses that Russia is developing a new satellite carrying a nuclear device. Placement by a State Party to the Outer Space Treaty of a nuclear weapon in orbit would not only violate the treaty, but also threaten the satellites operated by countries and companies around the globe, as well as to the vital communications, scientific, meteorological, agricultural, commercial, and national security services we all depend upon.

In response to this threat, President Biden has directed a series of actions, including direct engagement with Russia and with several other key countries around the world. Additionally, the United States and Japan, with more than 60 co-sponsors, proposed a U.N. Security Council resolution that would have reaffirmed the fundamental obligation of states Parties to the Outer Space Treaty not to place nuclear weapons or other kinds of weapons of mass destruction in orbit around the Earth. Unfortunately, Russia vetoed this resolution, which should have been uncontroversial. We have heard President Putin say publicly that Russia has no intention of deploying nuclear weapons in space. If that were the case, Russia would not have vetoed this resolution. Doing so raises serious questions as to its commitment to complying with its legally binding obligations under the Outer Space Treaty.

Because this issue is critical to U.S. national security, and the security of all states, we will continue using our diplomatic tools to raise this issue bilaterally, in the United Nations, and in other appropriate multilateral fora until Russia provides credible assurances that they have ceased these efforts. The United States has already begun considering approaches to help ensure that countries cannot deploy nuclear weapons in orbit undetected, and we intend to engage with other states parties as our ideas evolve.

We also intend to continue our important work on norms of responsible behavior in outer space, which the United States has been a leader in developing. We have proposed concrete measures in this arena, including our commitment not to conduct destructive, direct-ascent anti-satellite missile tests, as first stated by Vice President Harris in 2022, and to which 37 other countries have now made national commitments. We have also worked within the U.N. to successfully adopt a resolution calling on states to make the same pledge, with the overwhelming support of 155 countries for this resolution, and will continue to support such efforts that enhance space stability and security.

## EMERGING TECHNOLOGY

We are applying a similar approach to promoting norms of responsible behavior for the use of artificial intelligence in military applications. In February, in close coordination with the Defense Department, we successfully launched the Political Declaration on Responsible Military Use of Artificial Intelligence and Autonomy—a major step toward furthering international norms around the responsible, stabilizing, and beneficial use of these technologies. Fifty-five states have already endorsed the Declaration, which articulates ten foundational responsible practices for military development and deployment of AI and autonomy. Building a consensus around these norms and practices to manage the potential risks of AI while harnessing the technology's benefits will improve predictability and stability in the international security environment.

Meanwhile, the United States continues to advance efforts to enhance collaboration with partners and allies around the world while upholding high security standards, including through efforts to increase efficiencies in our systems. Thanks to action by the U.S. Congress, we are implementing authorities related to export control exemptions with Australia and the UK as part of AUKUS.

## CONCLUSION

In conclusion, diplomacy lies at the core of all these efforts—deterring our adversaries, ensuring they understand our resolve to defend our country and our allies, curbing the risk of miscalculation and misunderstanding, contributing to shared goals of nonproliferation, assuring allies that U.S. extended deterrence is strong and credible, and deepening international norms around the responsible use of emerging technologies.

The State Department remains staunchly committed to upholding strategic stability and using the mutually reinforcing tools of arms control and deterrence to safeguard U.S. and allied security. We recognize this is a challenging international security environment—which is precisely why we need these tools. Few objectives are as critical as reducing the risk of nuclear war and preventing costly arms races, and few objectives demand more bipartisan action. I look forward to continuing to work closely with this Committee and with your colleagues across Capitol Hill to advance these objectives.

Thank you.

The CHAIRMAN. Well, Madam Ambassador, thank you for your comments. Thank you for being here.

I want to start with the comment you made about Russia's language on the potential use of nuclear weapons in regards to its invasion of Ukraine. I want to know how the Administration is balancing our concern about that type of language and potential of having a nuclear confrontation versus making it clear that it will not deter our support for Ukraine's right to defend itself and our partnership with Ukraine.

So how do you balance those two concerns, their challenge in regards to the use of nuclear weapons versus our commitment to help the people of Ukraine?

Ms. JENKINS. Thank you very much for your question, Senator.

First, I want to make it very clear that our commitment to Ukraine is—we are very committed to it. It is ironclad, as you have seen from all of the efforts that we have gone through in terms of providing them with the equipment that they need, and our continuing efforts to do that until they have achieved other goals and success.

So that is, actually, an important question that you asked because very often, and what we have seen in forums, is that Russia has used our commitment to Ukraine to be at a way in which they have not been as cooperative as they need to be.

We continue to inform them about the importance of the New START Treaty, the irresponsible rhetoric that they use, how that does not promote international security. In fact, it is quite the op-

posite, and why they need to come back to the table to continue to implement the New START Treaty completely, and to also come back to the table so we can start discussing what happens after the treaty ends in 2026.

So that is how we balance it. Our commitment to Ukraine will continue, but we also want to engage and make sure that Russia stops this nuclear rhetoric, but also comes back to the table.

The CHAIRMAN. There are other nuclear powers that are out there that are just as concerned as the United States should be as to the language used by Mr. Putin. Have we engaged PRC, or India, or other countries that would have a strong interest to make sure that nuclear weapons are not used in Ukraine?

Ms. JENKINS. Yes, we have. This is a topic that I often bring up in my bilateral discussions, which are many, whether it is at NATO, whether it is in my conversations that I have with the PRC.

I would also want to highlight that in fact, quite a few countries are very supportive of our engagement with Russia to get back to the table to discuss what will happen after 2026, and to make sure that we fully implement the New START Treaty because they are very concerned about Russian nuclear rhetoric. They are very concerned about the possibility of us not having an arms control treaty because they see it very much in the global security interest despite what is happening in Ukraine.

So, we have quite a bit of support for what we are doing from the international community, despite our anger at Russia, which is valid, but we continue to have these conversations because all countries are concerned about it.

The CHAIRMAN. So, Russia has suspended its participation in New START, but as we understand it, they are living up to the limits that were established by the treaty. Is there room here for a political agreement between the United States and Russia in regards to moving forward with some understanding on nuclear proliferation?

Ms. JENKINS. Yes, thank you for the question.

Yes, Russia is committed to—at least, they have said that they are going to be committed to the treaty limits, which they are, which we assess that they continue to be. And we do also, going to staying within the limits as well. So that is something that we are committed to as long as this treaty—as long as they are.

But we are also having interagency discussions. One of my bureaus is actually leading an interagency discussion to think about what is going to happen if in fact we are not able to get back to the table by 2026 and what that will look like. So, we are considering that. We are thinking about that, but at the same time, between now and then, February 2026, we want to continue our efforts to try to bring them back to the table.

The CHAIRMAN. So, I know there has been some conversations between the United States and PRC in regards to nuclear non-proliferation. Can you just give us the status, quickly, as to how those discussions are taking place, and whether you expect other continued high level conversations with PRC in regards to nuclear proliferation?

Ms. JENKINS. Thank you for the question.



Yes. As I mentioned, we did have our dialogue with them in November of last year, and it was an opportunity to highlight some of our concerns, some of the things that we feel a responsible nuclear weapons state should do, which is to have these kind of conversations, bilateral discussions, to try to get rid of any misperceptions and reduce the chance of misperceptions about why they are building up their nuclear weapons.

We provided them a paper that we think highlights some of the areas that we can do in terms of crisis management and risk reduction, the ways we can continue to work together. To date, we have not received a response from the PRC on that, but our goal is to continue to try to see if we can bring them to the table.

The CHAIRMAN. Are there any future meetings set at this stage?

Ms. JENKINS. There is no meeting set right now for the PRC.

The CHAIRMAN. Are you anticipating that there will be that opportunity for more meetings?

Ms. JENKINS. As I said, we are always hoping that we will have those meetings. We make it very clear. When I have bilateral opportunities to discuss issues with them, or we let them know our goal is to have a sustained discussion on the issues of their developing of nuclear weapons, the things we are concerned about that are in our national security interests, and why it is in their interest to also have these discussions to bring some more transparency and openness to what they are doing in terms of building up their nuclear weapons.

The CHAIRMAN. But if I understand you, we are waiting for China to respond?

Ms. JENKINS. At this point, yes. We have made it very clear. National Security Advisor Jake Sullivan, also in his speech last year, made it very clear we are ready to talk.

The CHAIRMAN. Senator Risch.

Senator RISCH. I am sitting here in shock, actually.

Ma'am, let me give you a message from our allies that you apparently are not listening to. You actually sit here and are willing to tell this committee you think the Russians are going to return to the table to negotiate on the New START Treaty? Is that what you are telling this committee?

Ms. JENKINS. Thank you for your question.

Senator RISCH. And you do not have to thank me for the question, just to answer it.

Ms. JENKINS. Put it this way, we want them to come back to the table, and we make—

Senator RISCH. I hear that. Do you think they are going to come back to the table? Ma'am, you are living in la-la land. They are not coming back to the table. They invaded Ukraine. They hate us. They fed us at every turn. They are not coming back to the table.

The only way they would come back to the table is if they think they can snooker us again, enter into such a treaty, and then violate it and cheat on it like they did throughout the history of START and New START. You actually think you are going to get them back to the table to get a bonafide agreement with Russia? Is that what you are telling this committee?

Ms. JENKINS. Once again, I am saying that that is our goal. Is to try to get them back to the table.

Senator RISCH. That was not the question. Not what your goal is. The question is, do you sitting here as the expert and as the person in charge of this for the United States of America, Moscow is listening to you right now, do you think they are going to come back to the table?

Ms. JENKINS. Well, all I can go by is what we have done in the past. And in the past, they have come to the table, and some of the times it was very challenging. Even during the cold war, we had conversations. We were able to talk.

Senator RISCH. So, as the expert, how long do you think it is going to take for them to sit around and say, "I guess we will go back to the table and talk to our friends in the United States"? How long till that happens, do you think?

Ms. JENKINS. I honestly cannot give you an estimate exactly how long it is going to take them, because I do not know. All I can say is we really want to—

Senator RISCH. I can. It is going to be never. You guys are dreaming over there if this is what you are waiting for. The next thing you answered the question to the Chairman on is you are waiting for a response from the Chinese to talk some more about nuclear weapons control. Is that your response?

Ms. JENKINS. We provided them with some papers, and we have had some conversations. And yes, the ball is in their court right now.

Senator RISCH. Yes. How long you been waiting?

Ms. JENKINS. We provided them the paper in November.

Senator RISCH. You have heard anything since November?

Ms. JENKINS. No, we have not heard anything.

Senator RISCH. OK. Not surprising. When do you think you are going to hear from them?

Ms. JENKINS. Once again, sir, I cannot predict when we will hear from them. I can only say that as a responsible nuclear weapon state, we need to keep making this effort. And in fact, the international community wants to see us have these conversations because they are very concerned about the situation, and I can tell you that in conversations that I have had with our partners and allies.

Senator RISCH. We are all full of hope. But unfortunately, the history that we have had with these two countries is very, very discouraging.

Let me ask you. As far as the Chinese are concerned, I assume—let us not get into classified stuff. You see the same classified stuff I do, but just open source reporting. Are you encouraged by what China is doing and the developments of not only its nuclear weapons, but just as importantly, if not more importantly, the nuclear delivery systems for those weapons such as underwater, such as supersonic?

You have seen these things in the media, have you not?

Ms. JENKINS. Yes, I have.

Senator RISCH. Is this encouraging to you?

Ms. JENKINS. I would not say we are—encouraging. I would say concerned.

Senator RISCH. I think we are concerned.

Ms. JENKINS. Yes.

Senator RISCH. Is that an indication to you that they are planning on coming to the table and talking to you about these kinds of things?

Ms. JENKINS. As I said, when we go to the table with the Chinese and the PRC, one of our efforts is to try to get us to the table so we can talk about some of these issues.

Senator RISCH. Well, thank you very much.

Mr. Chairman, let me just conclude by saying I am really disappointed in what I have heard today. These people are sitting around waiting for these things to happen, and it is a dream world to live in. It is la-la land. It is ludicrous.

Thank you, Mr. Chairman.

The CHAIRMAN. Before I call on Senator Murphy, let me say I share your frustration about Russia and PRC. But we are all citizens of the world, and we all have to do everything we can to encourage communication among nuclear power states so that we have reasonable guardrails in place, including treaties, I hope, and we should never stop an opportunity for conversations to make the world a little bit safer.

Senator Murphy.

Senator MURPHY. Yes. Thank you very much Mr. Chairman.

I appreciate those comments. Listen, we do not have any choice, but to have a policy in which we hope to be able to create the foundation for positive engagement with countries with nuclear programs. That may not be realistic in the short term, but it would be foolhardy in a nuclear age to abandon that prospect.

So, I understand it is a difficult dialogue because this is a very dire moment, but it is incredibly important for us to understand that whether it be in the medium term or long term, that dialogue is still very, very important even with our adversaries.

Now, Madam Secretary, I wanted to talk to you about the future of nuclear proliferation in the Middle East. In particular, I want to talk to you about the demands reported in the press that Saudi Arabia has made of the United States. What they have told us is that if there is to be a normalization deal with Israel, that we all root for, they would want, as a key tenant of that deal, the ability to develop a civilian nuclear program inside Saudi Arabia.

A number of us have written to the Administration to make clear that we believe any agreement would impose and involve what we call the gold standard 123 agreement and the additional protocol. Nonetheless, Saudi officials have insisted that a deal must include the U.S. construction of a uranium enrichment facility inside its territory.

So let me ask you this. Would the construction of an enrichment facility inside Saudi Arabia as currently stipulated and requested by Saudi officials as an element of a potential normalization deal with Israel, be detrimental to our nonproliferation objectives in the region?

Ms. JENKINS. Yes, thank you for the question.

And just very briefly on the previous one, just want to—one thing, I also want to make clear that while we are also doing our job to make sure that there is diplomatic engagement, we also have a whole of government approach, which is also the deterrent side, which I am not going to necessarily go into. But we keep track of

all these things of both diplomacy and deterrence. Two sides of the same coin.

Thank you very much for your question, Senator Murphy. We have had discussions with Saudi Arabia for many years, actually for several years, in terms of a 123 agreement, something that, you know, we have been engaged with them off and on.

And of course, you know, finding ways that we can promote stability in the Middle East relationship with Israel and other countries in the Middle East is very paramount to us. So, we continue to have conversations with Saudi Arabia on this issue. Unfortunately, I cannot get into all the details about the discussions of what is happening on that issue, but I can say that we continue to have these conversations with them on a potential 123 agreement.

Senator MURPHY. Well, let me ask you the question this way, then. If Saudi Arabia were to have the ability to do domestic enrichment, what would be the impact of that decision in the context of a normalization agreement on other allies in the region?

I mean, it stands to reason that if Saudi Arabia does not have the gold standard applied, and they are able to do domestic enrichment, then the UAE will want that ability. Qatar will want that ability, and it will impact Iran's decisionmaking as well.

Is there not clearly a ripple effect in the region if we do not require the application of the gold standard in an agreement with Saudi Arabia?

Ms. JENKINS. Yes. What I can say, and there is not much I can go into in detail, but what I can say is when we are in these conversations that we have, we do look at the regional context, and we do look at, as we do in all these situations, look at decisions that we make and how it can be affected within the regions, and how other countries will interpret it. I cannot really go into any more detail than that, unfortunately.

Senator MURPHY. Well, but I mean, is it not just common sense? I mean, you cannot say on the record that if Saudi Arabia has the ability to domestically enrich that would impact the desire of other countries in the region to be able to domestically enrich? They are not just going to stand down and allow for Saudi Arabia to have a deal with the United States that they do not have.

Ms. JENKINS. Yes, I mean, what I can say is, as you are saying, is that is certainly something that we are considering and we are thinking about in terms of what we are working on with Saudi Arabia, and how any decisions that we make with them will impact other countries in the region, and how they are looking at the situation.

Senator MURPHY. Have you seen any evidence that Saudi Arabia is taking steps toward developing enrichment capabilities outside of an agreement with the United States?

Ms. JENKINS. I will have to get back to you on that because I am not aware of any, but I cannot say that that is not the case.

Senator MURPHY. OK. I think it would be more constructive for us to have a bit more of an open conversation about this incredibly vital issue. I mean, I think you are punting the discussion around the details, but everybody knows this discussion is happening be-

tween the United States and Saudi Arabia about a potential major new enrichment capability for the Saudis.

I do not think it is helpful to not be able to have an open non-classified debate about that inside of this committee, and I hope this committee will continue to pursue that dialogue with the Administration. I do not think it is helpful to withhold any level of detail about those conversations, which are very real and active.

Thank you, Mr. Chairman.

Ms. JENKINS. Yes, I understand, and I will certainly take that back.

The CHAIRMAN. And if we need to be in a SCIF——

Ms. JENKINS. Yes.

The CHAIRMAN [continuing]. We will have those conversations in a SCIF.

Senator Barrasso.

Senator BARRASSO. Well, thanks, Mr. Chairman.

Let me just say, I agree with Senator Murphy and the comments that he just made. I think we ought to get answers to these questions. These are legitimate questions to be answered, and the Administration ought to answer the question. So, thank you, Mr. Chairman. Thanks to Senator Murphy as well.

I wanted to talk about cutting off arms to Israel. Israel is one of our nation's closest allies. On October 7, Hamas brutally murdered men, women, and children in Israel. I have seen the videos. American citizens were among the individuals killed, injured, kidnapped, and held hostage. The death and destruction of these terrorists is shocking. Hamas continues to hide in populated areas. Hamas continues to use civilians as human shields. With the serious threats in the region, I think it is more important than ever for Israel to quickly receive everything it needs to defend itself, to eliminate Hamas. Yet the Biden administration is doing the complete opposite at this point.

Last week, President Biden announced he was cutting off shipments of ammunition and weapons to Israel. I want to be clear: This is happening while one of our strongest allies in the Middle East is at war with terrorists, murderers. The people of Israel deserve a partner and a friend that it can trust, not one that leaves in the face of terrorism and terrorists alone. The Administration should be ashamed, I believe, of its actions. These are the weapons Israel needs to defeat Hamas, to defend its people against additional attacks from Iran, and from its proxies.

Last week, 48 U.S. Senators introduced a resolution condemning the decision by the Biden administration. We must be taking every step possible to expedite the delivery of these important weapons.

[Interruption from gallery.]

The CHAIRMAN. The Senator will suspend.

Senator Barrasso.

Senator BARRASSO. Thank you, Mr. Chairman.

As I was saying, the people of Israel deserve a partner and a friend that it can trust, not one that leaves it to face terrorists alone. I think that the Administration should be ashamed of its actions, and they are weapons Israel needs to defeat Hamas, and defend its people against additional attacks from Iran and its proxies.

So last week, 48 U.S. Senators introduced a resolution condemning the decision by the Biden administration. I think we must be taking every step possible to expedite the delivery of these important weapons, not putting up new barriers and obstacles in the way.

So, do you support the U.S. blocking weapons from going to Israel?

Ms. JENKINS. Thank you, Senator, for your question.

Just want to say from the very beginning that our support to Israel is ironclad. And this Administration has shown its strong support in very many ways, including President Biden being the first President to be in Israel during a wartime situation. All the support that we have provided to Israel at the U.N.

Thanks for the bipartisan support for the appropriations that you were able to provide for us to continue to give weapons to Israel. And of course, we are very concerned about the loss of life by Hamas and what they have done in Israel, but also by the loss of life by the Palestinians who are also caught up in this war. And as you may know, there have been conversations that President Biden has had with Israel about the situation in Rafah.

And the concern that we have with just about the particular bombs that were going to go there, the 2,000 pound bombs that we had already notified and we had informed Israel that, you know, going into Rafah could result in us not providing some weapons to them.

Today, as you probably know, we have put in review \$1 billion worth of equipment to go to Israel. That was a pause. We are still considering the situation there, and we continue to work with Israel and have conversations with them on these issues on a regular basis.

But I just want to highlight that we will continue to provide Israel with all of the funding that you have provided us in the supplemental. And as I noted, we have provided them today with the \$1 billion.

Senator BARRASSO. And my concerns are that there are other countries looking in on this as well. And if they say, well, how can we expect us to be good partners with them if at this time we are withholding weapons?

So, the question is, given recent reports of the Administration asking for approval from Congress for a new arms shipment, you know, why is the Administration holding up weapons now? This is something that was just approved.

Ms. JENKINS. Thank you, again.

As I said that these are, these are specific weapons that we have concerns about, the loss of civilians that could be if these bombs are used. But as I said, we are continuing to provide Israel with arms. We will make sure they get all the arms that you have been appropriating to us, and we will continue to.

Senator BARRASSO. One more question. But my follow up to that would be that, I mean, some of these bombs are to get to the fact that these tunnels are so far underground, and that is used as a hiding place by the Hamas. And we have seen that, and I think there is been a surprise to many the extent of the tunnels and the

depth of the tunnels, and that the attention of some of these armaments are to get specifically to that.

But I just want to ask a quick question on China. So, during your confirmation process, you committed to me in writing that you would work with U.S. allies and partners to urge Beijing to engage meaningfully with the United States on arms control.

The 2022 Nuclear Posture Review said China has embarked on an ambitious expansion, modernization, diversification of its nuclear forces, of which you are well aware. It went on to say that by China expanding its nuclear options, it could allow for them to include nuclear coercion, limited nuclear first use in their employment strategy.

Can you share with the committee how many engagements you actually have had with the Chinese officials, specifically, on their nuclear weapons ambitions and expansion?

Ms. JENKINS. Thanks for your question.

I can go back and think about the exact times. I mean, we had the official engagement in November. I have met with individuals several times on the margins of other meetings that I have been to. Same with other colleagues in my bureaus. So, we have had conversations. What we are looking for is a sustained dialogue that we can count on, on a regular basis. That is what we are really looking for.

Senator BARRASSO. It sounds like we are not having that at this point.

Ms. JENKINS. Excuse me?

Senator BARRASSO. It sounds like that is not going well at this point, based on their decisions. Probably not your decision.

Ms. JENKINS. Right. It is not happening at this point, but we need to keep trying to make it happen.

Senator BARRASSO. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Van Hollen.

Senator VAN HOLLEN. Thank you, Mr. Chairman.

Welcome, Madam Under Secretary Jenkins.

And I had not planned to ask you about the situation in Israel and Gaza, but just a few points since it was just raised. As you indicated, President Biden has from the very beginning made clear that the United States stands with Israel in its own defense, and has been there throughout this period of time.

The President has also raised concerns about the humanitarian crisis in Gaza. Over 2 million people there who have nothing to do with Hamas, under enormous stress and humanitarian challenges, including starvation. And the President has also made clear that he believes an invasion of Rafah would be counterproductive. That it would not advance the priority of returning hostages safely. That it would worsen an already terrible humanitarian crisis, and that it would cause very high levels of civilian casualties.

So, I was pleased to see the President's decision to say that we are not going to provide 2,000 pound bombs and other munitions that could lead to those bad outcomes. And you would hope that the Netanyahu government recognizing the strong support the President has showed for Israel would be more willing to listen to a partner.

And the reality is this committee establishes requirements for U.S. military assistance in many cases with our partners. And that makes sense, because American support should not take the form of a blank check.

Let me now turn to the issues that I plan to focus on with respect to nuclear arms control. As you know, the 2022 Nuclear Posture Review opposes a No First Use policy. In fact, it says that no first use, “would result in unacceptable risk.”

I disagree with that statement. The President, when he was a candidate for office, supported a No First Use policy. And as you know we have been trying to engage China in discussions with respect to nuclear weapons. And in November 2023—excuse me, in February of this year, China indicated that it may be open to negotiating a No First Use treaty with nuclear weapon states.

Could you just speak to the pros and cons of pursuing that kind of opening from China?

Ms. JENKINS. Yes, thank you for the question.

Yes, we were made aware of this proposal by the PRC, and this was really the first time we had heard that from them. And I can say, again, this is why it is important to have these kinds of discussions with them because then we can talk about what they mean by this no first use.

Our questions are, quite frankly, how does an idea for no first use really fit within their ongoing process of building up nuclear weapons? And how sincere are they to this policy that they are saying, as you noted, we do not have a No First Use policy at this point. And of course, you know, we have our policy of not using weapons first on countries who abide by the nuclear nonproliferation treaty.

But the proposal was one that, you know, we had not had a conversation with them about, we did not know about. And so, we just have questions. We have questions about it when we are looking at what they are actually doing in terms of building up their nuclear arsenal and building up their military capabilities.

Senator VAN HOLLEN. So, Madam Under Secretary, just to be clear, so you have not ruled out the idea of discussing with China the possibility of a mutual No First Use policy as part of an overall negotiation with respect to nuclear weapons?

Ms. JENKINS. What I will say is we stand by what we put into the NPR. So, we are not changing that right now. So just want to make that very clear. And what I am saying is that we had not heard anything about this, so we would have to take it back, and think about it within the interagency. But we are not, at this point, entertaining the idea, and we are not changing our policy right now.

Senator VAN HOLLEN. Well, I hope you will at least enter into more of a dialogue with China. I mean, as you have said, as others have said, it is been disappointing that they have refused to engage when it comes to nuclear arms control discussions. This seems to be at least an opening for greater discussion if the United States were willing to pursue it.

Thank you, Mr. Chairman.

Ms. JENKINS. Thank you.

The CHAIRMAN. Thank you.



Senator Risch.

Senator RISCH. Thank you, Mr. Chairman.

A couple times here, you used the term that, "our commitment to Israel was ironclad." And is that the words you are told to use by the Administration? Because everybody uses it. Our commitment is ironclad. That is what they are telling you.

Ms. JENKINS. I think it is a term. Yes, it is a term, I believe—

Senator RISCH. It is very good. I want to ask you about that.

Ms. JENKINS. It is easily understood.

Senator RISCH. Well, not so much as I understand it. It is ironclad as long as they do what we tell them to do. Is that a fair statement?

Ms. JENKINS. It is ironclad in the fact that we are committed to providing them with what they need to achieve their goals and achieve our goals.

Senator RISCH. And as long as they do what we tell them to do, right? Because we have told them not to do this and not to do that. They disagreed with us. And so we have said, you cannot have this, and you cannot have that. That sounds more like it is wrapped in tinfoil than iron, to me.

Ms. JENKINS. It is part of the conversations. I mean, we are talking with them on a regular basis. They were well aware of our concern.

Senator RISCH. I am not talking about the talking. I am talking about our commitment. What is our commitment to them?

Ms. JENKINS. Our commitment is billions of dollars that we have been giving to them for their defense. Our commitment is supporting them at the U.N. Our commitment is working with you in a bipartisan basis to get the funding.

Senator RISCH. Do we support in their ambition to eliminate Hamas?

Ms. JENKINS. Yes.

Senator RISCH. We do?

Ms. JENKINS. Yes.

Senator RISCH. And they can use the weapons that we give them to do that.

Ms. JENKINS. Yes, they can.

Senator RISCH. But we have cut off weapons.

Ms. JENKINS. We have delayed very big bombs, 2,000 pound bombs that—

Senator RISCH. Is that all we have delayed?

Ms. JENKINS. That is what we have delayed.

Senator RISCH. OK. Now, you understand on that sale that you are talking about, I signed off on that, Senator Cardin signed off on that. Our allies across the way, both the chairman and ranking member of the Foreign Affairs Committee, signed off on that.

Is it your position that the Administration can overrule what we did and not give them the weapons that we have signed off to give them?

Ms. JENKINS. We are very appreciative of your signing off on the weapons, but I think where there is conflict—

Senator RISCH. Well, if you are so appreciative, why did not you just give it to them then?

Ms. JENKINS. Because there is other considerations that we talked about with them that we have to also think about, which is 1.4 million people—

Senator RISCH. And so, your considerations overrule our considerations?

Ms. JENKINS. That is not what I am saying. That is not what I am saying.

Senator RISCH. Well, then what is going on here? How come you do not do what we signed off that—

Ms. JENKINS. We appreciate that you provided us and signed off on the weapons, but—

Senator RISCH. You do not have to appreciate.

Ms. JENKINS [continuing]. But we also have—

Senator RISCH. We want you to do what we told you to do.

Ms. JENKINS. But we also have conversations with Israel on a regular basis about what is happening and how we can all make sure that they are achieving what they need to achieve, but not in a way that in this case—

Senator RISCH. Do you think you are in a better position to determine what they need to achieve than they are in a position to determine what to achieve?

Ms. JENKINS. That is not what I am saying, Senator.

Senator RISCH. Yes, I am not getting anywhere with you. Maybe Senator Shaheen would be able to.

The CHAIRMAN. Before recognizing Senator Shaheen. Let me try just to explain the relationship we have between the executive and legislative branch in regards to arm sales, but we do not have enough time for me to go through the whole explanation here.

It is a consultation process. There is also, of course, an appropriation process of funds that Senator Shaheen is very familiar with as a member of the Appropriations Committee. It is an informal process, and then there is a formal process. So, I appreciate the frustration of the ranking member, but I can assure you that it is more conversational than just yes or no.

And there are nuances always in these arms sales. I have worked with many Administrations. I have never agreed with every decision made by any Administration since I have been in the U.S. Senate on every issue. But I must tell you, the Biden administration has been very open in its communications with us, and I think respects greatly the legislative branch of government.

And I just really want that on the record because it is been a cooperative effort in regards to these issues, and they have certainly shared a lot of information with us.

Senator RISCH. Mr. Chairman.

The CHAIRMAN. Certainly.

Senator RISCH. So, I can put on the record, also. Apparently, you were consulted on this. I was not consulted that they were going to withhold arms. I thought you said this was a consultant process, and you were consulted.

The CHAIRMAN. I am saying the informal process and the formal process as a consultation. The Administration makes decisions. They reserve the right as to how they make their decisions and how to notify us. But it has certainly been a very open process, I would say more open process with this Administration than I have

had with previous Administrations, whether it be Democrat or Republican administrations. It is been a more open process.

Senator RISCH. Well, back to this particular sale. We all consulted, as you said, and we all agreed we would give them X amount. And now, apparently, they are going a different direction. But nobody, nobody came back to me and said, “Well, you know, we had those consultations, we have changed our mind.”

Nobody has said anything to me. I turned on TV set. And there it is that somebody has made a decision that countermands the agreement that we made. That is the thing that really troubles me on this aside from the fact that they are actually doing it.

The CHAIRMAN. I am not so sure we have made that definitive a decision on the delivery dates of military equipment that is clear as you are stating it. There is, I said, actions taken by the Biden administration that I have disagreed with. But I think as far as working with the Congress, they have been very open.

Senator Shaheen.

Senator SHAHEEN. Good morning, Ambassador Jenkins. Thank you for being here.

I am concerned about how China views Russia’s nuclear posturing, and whether they are looking with favor on Russia suggesting that they are going to use nuclear weapons in Ukraine and their movement of nuclear weapons to Belarus.

Can you speak to your understanding of how they view what Russia is doing, and then whether there are ways that we can capitalize on any disagreements that might exist between China and Russia on this issue?

Ms. JENKINS. Thank you, Senator, for the question.

It is hard to know exactly what China, specifically what they view about the nuclear rhetoric that Russia has been throwing around. Mainly, because a lack of constant conversations that we have with them, maybe I can share. Maybe the intel community may have more specifics on that.

But one of the things that we do make clear whenever we have conversations with the PRC is that, you know, we make it very clear that we all want to be responsible nuclear weapon states. And what Russia is doing is not being a responsible nuclear weapon state. It is not adhering to the tenets of the Nuclear Nonproliferation Treaty.

It is problematic. It is going against the norm. We make this very clear to the Chinese as well in all the conversations we have with them so that they—we have to make it very clear that there are certain things that states with nuclear weapons need to do. And what Russia is doing is not one of them.

And we want to be, at least the U.S., wants to continue to be a responsible nuclear weapon state, which is why we make all the efforts that we do to have these conversations with them, to show the international community that we are doing the right thing for ourselves, for our partners and allies, and quite frankly, for the whole global community of nuclear weapons concerns.

Senator SHAHEEN. So last month, I traveled to Seoul, and we had a chance to meet with President Yoon. And one of the things he talked about was the extended deterrence that the U.S. has provided to our allies in the Indo-Pacific. And I am also encouraged

by U.S. and NATO partners' cooperation on nuclear technology with our Indo-Pacific allies, the AUKUS Agreement, for example.

So, can you talk about what the Administration plans are to bring together our allies, both those in NATO and those in the Indo-Pacific, so that we can closely coordinate and work together on these issues?

Ms. JENKINS. Yes. You mentioned, of course, the Republic of Korea, and we had our Washington Summits last year, and we solidified with the South Koreans our commitment to them under extended deterrence. We set up to do a consultative group. I and we also have another group that I lead called the EDSEG where we meet with the Koreans on a regular basis.

So, we wanted to strengthen extended deterrence. We wanted to remind the South Korean public of our commitment to South Korea. We know that they have the DPRK in the background that is shooting off ballistic missiles. So, we want to make sure that they understand that our commitment is certainly there.

We have also had a number of things like having a ballistic—we had a B-52 landing there, we had a nuclear sub as well. So, we are doing these things to make sure that they understand our commitment to them, as well as with Japan and Australia. AUKUS, of course, is a great collaboration between U.S., the UK and Australia, as you mentioned.

And then at NATO, there are a number of conversations that I am engaged in, that some of our colleagues from the Department of Defense are engaged in on a regular basis with them on these issues of nuclear weapons and deterrence, and making sure that everyone we are working with, whether in Northeast Asia, or Australia, or in NATO, sees our commitment to all of this.

So this is a regular—I just want to highlight, these are regular conversations we have. We have, you know, doing TTX exercise, all kinds of things that we are doing with them.

Senator SHAHEEN. So, to go back to Russia, one of the things that I think people were very concerned about was hearing that Russia has ambitions to put a nuclear weapon in space. Can you talk about what diplomatic efforts are underway to try and counter that, and how we have responded to Russia?

Ms. JENKINS. Yes. Thank you for the question.

Yes, the possibility of satellite that has a nuclear device in orbit by Russia is a great concern. It is a violation of the Outer Space Treaty. It is, you know, putting up in space, so that could be catastrophic to other satellites there. We saw what happened a few years ago when Russia had a satellite missile test, and how all the debris is still up there. We had to move our International Space Station a couple times because of it.

So, outer space is an area that we do not want to have these types of nuclear devices or anything up there. So we, as you know, probably, got together with Japan and proposed a U.N. Security Council resolution that had 65 co-sponsors. Thirteen of the 15 countries voted in favor of it. Russia did not, of course, and China abstained.

Right after that, we had a meeting at the General Assembly at the U.N. because of Russia's veto where countries had an opportunity to talk to Russia about this and express their concerns about

this. We also had conversations with Russia itself, and with China, and India, individually, on this issue.

And our main goal now as we continue to think, diplomatically, how we deal with this, is to work with countries to encourage Russia not to do this. And we will continue to work with international forum, multilateral forums, and working with other countries. We are also continuing our work on norms developments, responsible behavior in space activities that we have started already.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Young, first of all, thank you for your leadership on AI. I read your document. It gives us a challenge moving forward and a lot of work for our committees. You did good work.

Senator YOUNG. Well, thank you, Chairman. I am looking forward to the international dimension of that work here on this committee. And in light of your very appropriate lead in, I will be asking a question of our witness about AI. So, I appreciate that.

Under Secretary Jenkins, the ADS Bureau at the State Department recently hosted 60 countries for a plenary session on the political declaration on responsible military use of artificial intelligence and autonomy. What are the biggest challenges to implementing this declaration?

Ms. JENKINS. Thank you for the question, and thank you for highlighting the good work that is being done on that. One of the things about some of the positives that is been really good is that we, as you said, we are able to get over 160 countries who were actually at the event. It is the first time we have had a chance to really think about how we implement this. And the goal, of course, is to get as many countries as possible to join us in this way of trying to develop responsible norms and responsible behavior in terms of AI in the military.

One of the biggest challenges, I guess, in most of these things that we are dealing with today is making sure that we can get as many countries as possible on it and joining it.

One thing I can say is that the event last year that was hosted by the Netherlands and the ROK called the REAIM Conference in February, where I announced it, the PRC did make the statement that we need to be concerned and make sure that there is not any misperceptions as a result of AI in the military. So hopefully, we can continue, maybe have the PRC join that, but of course, we want to get as many countries as possible to join it.

Senator YOUNG. And in the event there are any uninitiated folks who are following these proceedings, if we could get the PRC to join this declaration, then that would embed what we believe are the appropriate standards into AI technologies that they develop, and presumably would like to sell into the markets of the United States, many of our allies and partners, and other signatories.

So, embedding those values, you know, like privacy, openness, transparency, consumer protection into systems is a quite powerful thing for us to do, geopolitically speaking. You indicate the challenge, however, moving forward is to get more to sign on, including the PRC. It is been signed by over 50 countries, which is notable and important.

But notably absent are our strategic competitors and potential adversaries, certainly China, among those. Do you believe this puts us and our allies at any sort of disadvantage relative to non-signatories either in the short or long term?

Ms. JENKINS. As we are in the early stages, I just want to highlight that we continue to have conversations with countries around the world to join us. At this point, not necessarily a disadvantage. We think right now many countries are thinking about how they will integrate AI into the military.

We think it is being responsible leadership that the U.S. has on this and continues to need to have in these issues of international security that we should be leading this work, and trying to bring as many countries as possible onto this from around the world to make sure it is seen as something that all countries in different regions want to join.

So, we feel that that is the real focus for us right now, is to get more countries on, as many as possible.

Senator YOUNG. Well, it sounds like you do not see a substantial disadvantage to our country compared to those who choose not to sign on, because it could give them more flexibility. Maybe you see it the way I do, which is overall this effort brings great advantage to our country because it aligns other countries with our own value system, and that makes us stronger even though there is obviously more flexibility for countries like the CCP who do not sign on to develop standards in any way they like.

Ms. JENKINS. Particularly in these new areas of emerging technology, it is important to bring as many countries as possible on these responsible behavior norms. It is really, we think, in everyone's national security to be a part of these things,

Senator YOUNG. OK. Well, I will look forward to this continued dialogue. Perhaps not enough time for me to dive into Israel security assistance. So, I will submit a question for the record that you can respond to. Thank you.

[EDITOR'S NOTE.—The question and answer were not received at print time.]

The CHAIRMAN. Senator Kaine.

Senator KAINE. Thank you, Mr. Chair, and thank you, Secretary Jenkins.

I think Senator Shaheen may have raised AUKUS, but I really want to focus on that. I am the Chairman of the Seapower Subcommittee on Armed Services and the Americas Subcommittee here. But because of the kind of overlapping defense diplomacy aspect of AUKUS framework, I have been very involved in it.

And I want to ask you about a recent action. On May 1, the State Department published a set of proposed rules creating ITAR exemptions for the defense trade and cooperation necessary to fulfill the AUKUS partnership. Talk us through kind of the high points of this State Department proposal and how you believe they will foster a closer alignment of the industrial bases of the three nations.

Ms. JENKINS. Thank you, Senator. There is so much to say on that. I am not sure where to start. So as a result of AUKUS, one of the things that is going to be very important for us to do because of the interoperability nature of what we are trying to do with Aus-

Australia, and the UK, with the U.S., is to be able in what we call Pillar 2, which is what we are focusing on and extended on our emerging technology side of AUKUS, is to be able to work very closely with our two partners and to be able to have more license free exchange of data, equipment, technology, and intellectual property.

So the way that we needed to do this was, and I thank everyone here for passing the NDAA, but also working very closely with the UK and Australia in the type of legislation that they also had to pass within their governments so that we can have the type of exchange and open license to equipment that we need.

And as a result of the work that all three countries have put in, in the past few months, in a much more accelerated rate than normal; it normally takes, you know, 6 to 12 months to do something like this, if not longer, because we are talking about new legislation, we have been able to get to the point that we have these exemptions from ITAR that we want to come into force.

But before we could do that, we needed to have an opportunity for industry to weigh in because that is very important since they are going to be implementing it. So, May 1, as you said, we put that in the Federal Register. Right now, industry is commenting on that. The U.S., the UK, and Australia have a team that is going to speak with industry in all three countries to answer any questions that they may have about it.

And because it is going to open up so much more license free capability amongst the three countries, it is going to be a very important part of our working together on all the emerging technology aspects of AUKUS.

Senator KAINE. And this sounds like kind of a geeky discussion maybe to people watching, but I think America's greatest strength is our alliances. And I think it is the one thing that we have that our adversaries generally have not invested time in. They are starting to realize they are at a deficit. And so, Russia, Iran, China, North Korea are trying to draw closer together because they see that the alliances that the U.S. and other democratic nations have is a powerful force multiplier.

And so, ITAR, where you are throwing that around, but again, just for folks watching who may not know what it is, ITAR is a set of rules that is trying to protect U.S. intellectual property, especially in important defense areas. So that by sharing it too casually, we do not give away strategic advantages that we have, and yet if we are going to be interoperable with our allies, there needs to be some sharing.

And so, part of the challenge, but it was a challenge I think we at least met in the first steps in the AUKUS legislation, was figuring out ways to build this framework, Australia, UK, U.S., where we can begin to share, gaining exemptions from some of the ITAR prohibitions that in the past might have stopped us. And I think that is very important.

And I am assuming that in coming up with these rules with respect to AUKUS, the State Department is also thinking down the road. Well, like in Pillar 2, we have other nations like Japan that have expressed interest in being part of Pillar 2. I was with the Canadian Defense Minister yesterday, what a great partner Canada

is, especially in the Arctic and in North America, but they are Pacific nation as well.

And so, these template changes to open up exemptions from ITAR are not just about AUKUS, but I am assuming that the State Department is doing them thinking down the road for the possibilities of other democratic allies working with us on important defense priorities. Am I right in making that assumption?

Ms. JENKINS. Yes. Actually, in April, all three countries, we are working very closely together, all three countries on all of the discussions about new partners have come up with some modalities, some ways forward, some considerations for new partners in Pillar 2.

And so, we are starting to consider consultations. And as you know Japan has been—it is one of the countries we are going to have consultations with in terms of bringing them in. We have not yet gotten to a decision yet about the how, how we are going to work through that part in terms of ITAR. But certainly, as we do these consultations, and work with countries, and consider finances, what kind of technology they have, you know, in terms of what kind of protections they have already, these will be the things that we are going to be considering and taking very seriously.

Senator KAINE. Good. And I will just say and conclude, you know, it is important to get the AUKUS piece right before we like prematurely add others in. And yet, at the same time, I do think it is a good template for how we can become more interoperable with our allies.

And if we craft the rules about AUKUS in such a way that we are mindful of the opportunities that others may want to join, then AUKUS will not only be good, in and of itself, but I think it will help us innovate down the road to keep the world safer. So, thank you for that.

Ms. JENKINS. Thank you.

Senator KAINE. I yield back.

The CHAIRMAN. Thank you, Senator Kaine.

Senator Risch.

Senator RISCH. First of all, I want to follow up on Senator Kaine's remarks. Let me say that up here, there are a number of us that think—I will be very frank about it. You are being too tough on ITAR. ITAR is really, really important when you are trying to withhold secrets from Russia, and China, and others.

But AUKUS is an outstanding enterprise. It is the NATO of the 21st century right now for the Indo-Pacific. And it is really important not only that we get this right, but that we craft it as rapidly as we can, and craft it right.

ITAR was put in place for a very good reason. But you know as well as I do that both of our allies, strong allies, Great Britain, and Australia, are complaining about the fact that we are being too tough on the ITAR rules. They are partners, they are friends. If we are going to work together with them, they need to have access and flex.

I think Senator Kaine is right about expanding. If you want to talk about expanding, that is all well and good, but we have got to get this thing up and running before we talk about expanding. And we also, as was pointed out, need to look forward to what we



do with ITAR as we expand. But just because we flex or waive ITAR in certain circumstances with the two current allies does not mean we have to carry that forward with when we admit somebody else.

So, I would urge you with all speed and haste to get through these ITAR issues, which seem to me to be stumbling blocks which do not need to be there.

So, thank you.

Thank you, Senator Kaine, for your remarks on that.

The CHAIRMAN. And Senator Risch, I agree with you. We have to get through the ITAR challenges. I must tell you there are two sides to that, and I have talked to both the Brits and the Australians about it, and they are making progress on their side as well. I think we have got to have a meeting of the minds as quickly as possible on this, which requires some legislative change. And I think our allies understand that.

And I hope that can be resolved quickly for the reasons that Senator Kaine and Senator Risch said. It is important that we move forward with the ability to advance the technologies in this area, and that requires a stronger information sharing and technology sharing among the three countries.

The record of the committee will remain open until close of business tomorrow for questions that may be asked by members of the committee. Some have already indicated they plan to take advantage of that. We ask you to please respond to those questions as soon as possible.

And there be no further business, the hearing will be adjourned. Thank you.

[Whereupon, at 11:19 a.m., the hearing was adjourned.]

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#### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

##### RESPONSES OF MS. BONNIE D. JENKINS TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

*Question.* In the wake of Russia's suspension of New START, how will the United States re-engage with Russia to bring them back into high-impact level talks, without showing dependency on U.S. allies and partner conventional forces; a vulnerability identified in U.S. strategy by both nuclear-armed adversaries, Russia and the People's Republic of China (PRC)?

*Answer.* The United States remains open to constructive dialogue and continues to press Russia to fully implement its obligations under the New START Treaty and to engage with us on a post-February 2026 nuclear arms control arrangement. We will continue our close coordination with allies and partners to ensure Russia gains no advantage from its irresponsible actions.

*Question.* How will you change, if necessary and appropriate, U.S. deterrence strategy, practice, and force structure to decisively influence the unique decision calculus of Russia?

*Answer.* The 2022 Nuclear Posture Review recognizes that as the security environment evolves, changes in U.S. strategy and posture may be required to sustain the ability to achieve deterrence, assurance, and employment objectives for both Russia and the PRC. The United States continuously assesses the sufficiency of our strategic posture to ensure we can fulfill the roles of nuclear weapons to deter strategic attacks, assure U.S. allies and partners, and achieve Presidential objectives if deterrence fails. The United States will do what is necessary to protect the security of this Nation, as well as our allies and partners.

*Question.* How do you view and envision the next 2 years of engagement with Russia before the expiration of New Start?

*Answer.* The United States remains open to constructive dialogue and continues to press Russia to fully implement its obligations under the New START Treaty and to engage with us on a post-February 2026 nuclear arms control arrangement. We will continue our close coordination with allies and partners to ensure Russia gains no advantage from its irresponsible actions. The United States also will continue to adhere to the New START central limits while the treaty remains in force so long as Russia does.

*Question.* How will you [and to what extent] work with the Congress to increase information transparency and improve knowledge-sharing regarding U.S. engagement with Russia and other countries, such as the PRC and Saudi Arabia, on nuclear enrichment and arms control, among other relevant issue areas?

*Answer.* We are committed to keeping Congress fully informed of our diplomatic efforts on arms control and nonproliferation issues. With respect to arms control engagement with Russia and the PRC, in addition to myself, the Assistant Secretary for Arms Control, Deterrence, and Stability is available for briefings and updates at your convenience. The United States remains committed to limiting the spread of uranium enrichment and spent fuel reprocessing globally. My team in the Bureau of International Security and Nonproliferation provides regular updates to the relevant congressional committees regarding negotiations for bilateral civil nuclear cooperation agreements with a number of countries. We are committed to continued, regular engagement with our congressional partners on these important issues.

*Question.* Do you have plans to work with the Congress to modernize the U.S. nuclear security enterprise infrastructure and organization as well as our space architecture?

*Answer.* Responsibilities for the U.S. nuclear production enterprise, U.S. nuclear deterrence capabilities, and U.S. NC3 architecture are largely the province of the Department of Defense and the Department of Energy's National Nuclear Security Administration. I defer to them regarding the specifics of those responsibilities. We will continue to support these efforts and will continue to update Congress on related matters relevant to the Department of State's delineated responsibilities.

*Question.* Given the diverse views among the agencies, such as that of DIA and the Department of Defense (DOD), on China's nuclear use policy, how do you view the PRC's policy of nuclear force as well as its concept of nuclear deterrence, based on your engagements with China at the secretarial level?

*Answer.* I concur with DoD's assessment in the 2023 China Military Power Report that, despite the PRC's declared No First Use nuclear policy, PRC strategy probably includes consideration of a nuclear strike in response to certain nonnuclear attacks, as well as if a conventional military defeat in Taiwan threatened CCP regime survival. In my engagements with the PRC, the PRC has yet to acknowledge its rapid and opaque nuclear weapons build up, nor has it contended with the fact that this activity appears to depart from its longstanding approach to nuclear deterrence.

*Question.* According to recent intelligence reports, how do you view the PRC's push for talks between the United States and Russia, in context of the larger Chinese nuclear threat? What does this concern mean for U.S. nuclear strategy?

*Answer.* The United States accepts its responsibility as a nuclear weapons state to engage in good faith in nuclear risk reduction and arms control. As we have said many times, we remain ready to engage with both Russia and the PRC on these critical matters. We welcome calls from the PRC for Russia to exhibit that same readiness; unfortunately, Russia has refused to engage on nuclear risk reduction and strategic arms control to this point. At the same time, we also continue to press the PRC to also substantively engage on these issues, including on risk reduction. As we stated in the 2022 NPR, we will need to account for the PRC's nuclear weapons expansion in any future U.S.-Russia arms control arrangements.

*Question.* Do you plan on renewing dialogues with China soon and in a consistent manner, given their lack of communication and or interest in collaboration with the United States on nuclear arms control since the 2023 U.S.-China Summit?

*Answer.* The United States will continue to maintain open channels of communication with the PRC and responsibly manage competition in the relationship to prevent miscalculation and unintended conflict. However, the PRC has declined a follow-on arms control and nonproliferation consultation and has not provided a substantive response to the potential risk reduction measures we put forward. Given the importance of reducing strategic risks, the United States will continue to press the PRC on the need for substantive engagement on these issues and to increase transparency regarding its rapidly expanding nuclear arsenal. At the same time the

United States will continue taking prudent steps to ensure our own security and that of our allies and partners.

*Question.* In your view, how do you judge the role of AI technologies, particularly nuclear weapons systems with AI-based targeting, in nuclear diplomacy?

*Answer.* Nowhere is it more crucial to set strong and transparent norms than in the potential application of AI and other emerging technologies to nuclear operations. AI, in and of itself, isn't necessarily destabilizing, it is just an enabling technology. While AI could be applied to enhance the security of nuclear weapons, and to improve the resilience of command, control, and communications, we are also acutely aware of the risks of using AI in relation to nuclear weapons, including potential cybersecurity concerns and vulnerabilities. And the possible use of AI by irresponsible states to inform or support their nuclear operations raises serious concerns about how AI systems might affect nuclear risks.

Norms development can make positive contributions to enhancing predictability and stability. For these reasons the United States has made, together with the United Kingdom and France, the commitment to "maintain human control and involvement for all actions critical to informing and executing sovereign decisions concerning nuclear weapons employment." We continue to encourage the Russian Federation and the PRC to join us in this commitment.

*Question.* Can AI technologies have the potential to become bargaining chips in multilateral arms talks between the United States, Russia, and China?

*Answer.* AI offers significant opportunities to enhance U.S. security through the transformation it can bring to our military and intelligence collection capabilities. The use of AI in military applications is governed by existing law, in particular international humanitarian law. Further, we see an opportunity to build international support around U.S.-led norms of responsible behavior for the military use of AI. A significant step in creating that normative framework is the Political Declaration on Responsible Military Use of Artificial Intelligence (AI) and Autonomy. In the 14 months since the U.S. unveiled the Political Declaration, 55 countries have endorsed this global initiative that emphasizes the responsible use of AI. The Declaration includes ten responsible practices for the development and deployment of AI in the military domain including advocating for rigorous testing, auditable systems, and senior-level oversight of high-impact applications. This groundbreaking initiative seeks to promote transparency, accountability, and responsible behavior among states developing and deploying military AI technologies.

*Question.* How and where can the United States, whether at the congressional and or executive level, improve our understanding of AI systems given the current nascent phase of AI research and development in nuclear arms?

*Answer.* The Department would welcome the opportunity to provide briefings to Members and Staff about our work related to artificial intelligence, including the Political Declaration.

Through our work on the Political Declaration on Responsible Military Use of Artificial Intelligence (AI) and Autonomy we seek to take steps to implement the Declaration's ten responsible practices. At the inaugural plenary in March, we brought together 160 participants from 60 states, including observers from 14 non-endorsing states. The event was a major step toward implementing the Political Declaration and the endorsing states formed three working groups focused on accountability, oversight, and assurance. Through workshops, expert level exchanges, and the production of deliverables such as reports, endorsing states will strive to attain a better understanding of how to implement legal and oversight policies and best practices for military use of AI; best practices on issues like training and staffing to enable and promote responsibility and accountability; and policies and practices to reduce risks and establish justified confidence in the reliability of military AI capabilities.

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RESPONSES OF MS. BONNIE D. JENKINS TO QUESTIONS  
SUBMITTED BY SENATOR JAMES E. RISCH

*Question.* How is the administration planning for what will happen post New START Treaty?

*Answer.* Looking toward 2026, we remain clear-eyed about the challenges of engaging with Russia on nuclear arms control and risk reduction. The United States stands ready to hold discussions without preconditions, which does not mean without accountability, with Russia on both its return to full compliance with the New START Treaty and a post-February 2026 nuclear arms control framework. The

United States must also prepare for the possibility that Russia does not engage constructively and there is no post-February 2026 nuclear arms control framework. In either scenario, the United States will assess the sufficiency of our strategic posture to ensure we can fulfill the key roles identified in the 2022 Nuclear Posture Review in a dynamic security environment: deter strategic attacks, assure U.S. allies and partners, and achieve Presidential objectives if deterrence fails.

*Question.* The Biden Administration continues to advocate for the entry into force of the Comprehensive Test Ban Treaty (CTBT) even though China is not a signatory and Russia has revoked its ratification. Why is the administration still pushing the Comprehensive Nuclear-Test Ban Treaty?

*Answer.* Since 1992, the United States has had a self-imposed moratorium on nuclear explosive testing. Once in force, a global, legally binding ban on nuclear explosive testing in all environments would be in the national security interest of the United States. Entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) would enhance our efforts to prevent the further proliferation of nuclear weapons.

*Question.* Is Russia testing nuclear weapons now that it has revoked its ratification to the CTBT?

*Answer.* There has been thus far no indication that Russia's withdrawal of its ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in November 2023 is paired with a change in its nuclear testing-related actions.

*Question.* Is China conducting nuclear tests?

*Answer.* Given the lack of transparency with regard to its nuclear arsenal build up and nuclear testing activities and previously identified adherence issues, the United States remains concerned about the PRC's adherence to its moratoria. The United States continues to emphasize the need for the PRC to increase its nuclear weapons-related transparency, including during a bilateral consultation with the PRC in November 2023. We would be happy to brief you on the specific concerns in the appropriate forum.

*Question.* What is the administration's strategy for taking advantage of our withdrawal from the INF treaty?

*Answer.* The Department of Defense (DoD) continues to develop and deploy conventional capabilities that would previously have been prohibited under the INF Treaty.

*Question.* Per your exchange with Congressman Connolly during the House Foreign Affairs Committee hearing earlier this year, do you believe that we are less safe now that we have withdrawn from the INF Treaty?

*Answer.* As I referenced to Congressman Connolly, the world is more secure with valid arms control treaties. For many years, the INF Treaty had eliminated the threat posed by Russian intermediate-range missiles. But Russia's material breach of the INF Treaty and refusal to return to compliance despite 6 years of high-level U.S. and Allied engagement made the United States, its allies and partners, and the world less safe. Russia bears sole responsibility for the demise of the INF Treaty.

*Question.* The New START Treaty will expire in 2026 and cannot be renewed. Does the Biden Administration believe that our current nuclear posture will be sufficient for a world without arms control?

*Answer.* The United States continuously assesses the sufficiency of our strategic posture to ensure we can fulfill the key roles identified in the 2022 Nuclear Posture Review in a dynamic security environment: deter strategic attacks, assure U.S. allies and partners, and achieve Presidential objectives if deterrence fails. If potential adversaries are unbound by arms control, that will certainly factor into our assessments of what is sufficient. We remain confident in our current nuclear forces and posture today, but if nuclear force adjustments are required to maintain deterrence, we must be prepared to execute them in sufficient time to avoid a deterrence shortfall.

*Question.* Does the U.S. need to field a Sea-Launched Nuclear Cruise Missile to strengthen deterrence, extended deterrence or allied assurance? If no, why?

*Answer.* The Fiscal Year 2024 National Defense Authorization Act (NDAA) directed the establishment of a SLCM-N program. DoD is complying with the law and looking to execute the NDAA requirement in a manner that provides the most deterrence value for the least risk to the modernization program, the production enterprise, and the Joint Force. I defer to DoD on the status of that effort and the envi-

sioned role for the SLCM-N in our assurance and deterrence strategies going forward.

*Question.* Does the U.S. need to upload additional warheads to its ICBM force in response to China's nuclear breakout?

*Answer.* The United States remains confident in its current nuclear forces and posture today. The United States continuously assesses the sufficiency of our strategic posture to ensure we can fulfill the key roles identified in the 2022 Nuclear Posture Review in a dynamic security environment: deter strategic attacks, assure U.S. allies and partners, and achieve Presidential objectives if deterrence fails. Potential adjustments will be assessed through careful consideration of the implications for strategic stability; the capacity of the defense industrial base and the nuclear weapons production enterprise; cost; competing priorities; the need to deliver modernized nuclear forces; and potential adversary countervailing responses. As National Security Advisor Jake Sullivan said, effective deterrence means that we have a "better" approach—not a "more" approach.

*Question.* China has undertaken a nuclear breakout, Russia has suspended New START and the treaty expires in 2026. Why does a nuclear modernization program that is based on maintaining strategic parity with Russia under the New START treaty still make sense?

*Answer.* The United States continuously assesses the sufficiency of our strategic posture to ensure we can fulfill the key roles identified in the 2022 Nuclear Posture Review in a dynamic security environment: deter strategic attacks, assure U.S. allies and partners, and achieve Presidential objectives if deterrence fails. As National Security Advisor Jake Sullivan said in June 2023, the United States will "ensure that we have the capacity and capabilities necessary to deter and, if necessary, defeat major aggression against our country, our allies, and our partners."

*Question.* Do you believe that conventional weapons can substitute for nuclear weapons in terms of deterrence and employment?

*Answer.* Nuclear weapons continue to provide unique deterrence effects that no other element of U.S. military power can replace.

As part of the 2022 Nuclear Posture Review, the Department of Defense (DoD) committed to seek to identify and assess the ability of non-nuclear capabilities to contribute to deterrence, and will integrate these capabilities into operational plans, as appropriate. I defer to DoD on the status of those efforts.

*Question.* Are we going to adapt our theater posture to account for China's rapid nuclear modernization efforts?

*Answer.* As the security environment evolves, it may be necessary to consider strategy and force posture adjustments to ensure our ability to achieve deterrence and other objectives with respect to the People's Republic of China. The PRC's build up features heavily as a topic in our deterrence dialogues with Indo-Pacific allies. We remain confident in our current nuclear forces and posture today, but if nuclear force adjustments are required to maintain deterrence, we must be prepared to execute them in sufficient time to avoid a deterrence shortfall.

*Question.* What steps is the Administration taking to strengthen deterrence and extended deterrence in the Indo-Pacific?

*Answer.* We continuously evaluate the security environment in the region to ensure that our nuclear strategy and force posture meet our requirements. We are enhancing and deepening our alliances with the Republic of Korea, Japan, and Australia to ensure an effective mix of capabilities, concepts, deployments, exercises and tailored options to deter and, if necessary, respond to coercion and aggression. We are also working with each ally to improve crisis management consultation and identify opportunities to increase the visibility of U.S. strategic assets in the region.

*Question.* Is China in compliance with its Article VI obligations under the NPT?

*Answer.* The PRC's rapid nuclear weapons build up and lack of transparency is alarming and risks undermining decades of international progress toward nuclear disarmament. Although the available evidence does not support a conclusion that the PRC is in violation of its NPT Article VI obligations, we will continue to closely monitor its nuclear activities.

*Question.* Does the U.S. accept mutual vulnerability with China?

*Answer.* Based on conclusions set out in the 2022 Nuclear Posture Review and Missile Defense Review, the United States will continue to rely on strategic deterrence to deter large intercontinental-range nuclear missile threats to the homeland. We remain focused on how the PRC is increasing its capability to threaten the

United States, our allies, and our partners, including through its nuclear weapons capabilities. For the first time in our history, by the 2030's the United States will face two major nuclear powers as strategic competitors and potential adversaries. We are determined to maintain and, where necessary, strengthen a tailored deterrence strategy and flexible nuclear capabilities to convey clearly to the PRC and other nuclear armed competitors that they can never achieve strategic advantage through nuclear employment, and that the United States will not be coerced into abandoning our allies and partners.

*Question.* What are the implications of novel and advanced nuclear weapons, to include, reports that Russia has deployed nuclear weapons in outer space?

*Answer.* Russia's new types and new kinds of advanced nuclear weapon delivery systems, such as Poseidon, have direct effects on strategic stability and must be addressed in any future arms control arrangement.

Russia's pursuit of a nuclear-armed anti-satellite capability would threaten the vital communications, scientific, meteorological, agricultural, commercial, and national security services that any and all satellites provide to societies around the globe. It is also irresponsible and, if deployed, would violate the Outer Space Treaty that has been in place nearly six decades. Following Russia's veto of that resolution, we will continue to urge the international community to take steps to address this challenge.

*Question.* What is the role of nuclear weapons in the defense of NATO?

*Answer.* As the 2022 NATO Strategic Concept states, NATO's deterrence and defense posture is based on an appropriate mix of nuclear, conventional, and missile defense capabilities. Complemented by space and cyber capabilities. The fundamental purpose of NATO's nuclear capability is to preserve peace, prevent coercion, and deter aggression.

The strategic nuclear forces of the Alliance, particularly those of the United States, are the supreme guarantee of the security of the Alliance.

*Question.* Would a Russian deployment of nuclear weapons in Belarus constitute a violation of its NPT commitments?

*Answer.* The transfer by Russia or receipt of Belarus of a nuclear weapon or control over a nuclear weapon, for example, could raise compliance concerns with respect to NPT Articles I and II. As a policy issue we have emphasized repeatedly that Russia's announcements are part of a broader body of dangerous and irresponsible nuclear rhetoric.

*Question.* Is Russia in compliance with its NPT Article VI commitments?

*Answer.* Russia's irresponsible and reckless nuclear saber-rattling highlights the importance of reducing nuclear and strategic risks and avoiding nuclear war. Although the available evidence does not support a conclusion that Russia is in violation of its NPT Article VI obligations, we will continue to closely monitor its nuclear activities.

*Question.* On May 1, the State Department determined that Russia has used the chemical weapon chloropicrin against Ukrainian forces in violation of the Chemical Weapons Convention (CWC). What is the administration's strategy for addressing Russia's continuous non-compliance in this space?

*Answer.* The United States continues to work with allies and partners in several multilateral fora, including the Organization for the Prohibition of Chemical Weapons (OPCW), to hold Russia accountable for its non-compliance with the Chemical Weapons Convention (CWC). At the OPCW, the United States led an effort that added Novichok nerve agents to the CWC's Annex on Chemicals, lobbied multilateral support that denied the Russians a seat on the OPCW's Executive Council, and helped establish a Trust Fund to support OPCW assistance to Ukraine. The United States is also working closely with the Ukrainian government as it seeks assistance from the OPCW to investigate Russian use of riot control agents and chloropicrin against Ukraine's armed forces. In May 2024, the United States determined that Russia has used the chemical weapon chloropicrin in Ukraine and imposed sanctions on Russia under the Chemical and Biological Weapons Act and took additional measures against Russia's chemical and biological weapons programs in coordination with the U.S. Department of the Treasury.

*Question.* The DPRK is significantly increasing the size and quality of its nuclear weapons. What are the implications of the improvements that North Korea is making in diversification and sophistication of its delivery systems?

Answer. The DPRK's weapons of mass destruction (WMD) and ballistic missile programs constitute serious threats to international peace and security and the global nonproliferation regime, and are in direct violation of multiple U.N. Security Council Resolutions. The DPRK's continued diversification of its delivery systems and advancement of its nuclear capabilities are increasing the threat that the DPRK poses to U.S., allied, and global security and stability. The U.S. extended deterrence commitments to the Republic of Korea and Japan are ironclad, and the United States will continue to strengthen our alliances in the face of increasing regional threats, including from the DPRK.

*Question.* Does the U.S. need to return nuclear weapons to the Korean Peninsula to deter the DPRK? To assure the ROK and Japan? If no, why?

Answer. It is U.S. policy to neither confirm nor deny the presence or absence of nuclear weapons at any general or specific location. While we retain the capability to forward deploy nuclear forces worldwide, the United States has no plans to change our regional deterrence posture at this time. That said, the Administration is committed to modernizing our central deterrence triad forces while strengthening extended deterrence, including enhancing the visibility of strategic assets in the region, to respond to growing threats, continue to deter the DPRK, and reassure our ROK Ally. We also support an integrated deterrence approach that leverages non-nuclear capabilities. Our goal remains the denuclearization of the Korean Peninsula.

*Question.* What are the implications of the missile cooperation between North Korea and Russia?

Answer. This expanding relationship between the DPRK and Russia, including arms and missile transfers in direct violation of multiple United Nations Security Council resolutions, undermines regional stability and threatens the global non-proliferation regime, peace and stability on the Korean Peninsula, and freedom and independence of the Ukrainian people. The United States will continue to strengthen our alliances and extended deterrence in the face of increasing regional threats.

*Question.* Will the Administration agree to discuss enhanced nuclear planning and the establishment of new crisis consultations mechanism with Japan and South Korea?

Answer. The Administration discusses joint U.S.-ROK nuclear and strategic planning through the U.S.-ROK Nuclear Consultative Group. The Administration regularly engages with Japan on sustaining and strengthening extended deterrence through the Extended Deterrence Dialogue (EDD). An important U.S. goal is to identify opportunities for trilateral (United States, Japan, ROK) or quadrilateral (plus Australia) information sharing and dialogue.

*Question.* Can you explain why the administration won't return nuclear weapons to Asia?

Answer. It is U.S. policy to neither confirm nor deny the presence or absence of nuclear weapons at any general or specific location. While we retain the capability to forward deploy nuclear forces worldwide, the United States has no plans to change our regional deterrence posture at this time. As the security environment evolves, it may be necessary to consider nuclear strategy and force posture adjustments to sustain effective deterrence of potential adversaries and assurance of allies and partners. Any decision to adapt our theater defense posture would be made only after interagency deliberation and consultation with allies and Congress.

*Question.* What is the U.S.-ROK Nuclear Consultative Group? What does it do and what are its novel and strategic benefits?

Answer. The NCG is a bilateral consultative body tailored to facilitate joint U.S.-ROK nuclear and strategic planning with a focus on ensuring the continued safety and security of the people of the ROK, including the significant number of Americans who reside in that country, as well as the U.S. servicemembers forward deployed to the Korean Peninsula.

The NCG has improved the frequency and depth of communication between the United States and the ROK on issues related to nuclear deterrence; increased the frequency of tabletop exercises and simulations that enhance understanding of threats on the Peninsula and stimulate shared preparedness to strengthen deterrence; created additional opportunities for site visits that showcase U.S. and ROK deterrence capabilities; established a nuclear deterrence immersion course for ROK officials; and enhanced information-sharing, including through joint threat assessments.

*Question.* The war in Ukraine and Russia's nuclear sabre rattling has created a renewed focus on NATO's nuclear mission. Is there interest from new NATO allies in supporting NATO nuclear operations?

*Answer.* Allies remain committed to the imperative to ensure the broadest possible participation by Allies concerned in NATO's nuclear burden-sharing arrangements to demonstrate Alliance unity and resolve.

Allies understand the importance of nuclear deterrence and across the Alliance, Allies have expressed increased interest in participating in various ways including hosting nuclear-related NATO meetings in the Capitals, participating in nuclear military exercises, contributing and procuring conventional support for nuclear operations, sharing intelligence, among other means of participation.

*Question.* Will the Biden Administration undertake enhanced forms of planning for nuclear weapons related contingencies with Japan?

*Answer.* Yes. Since publication of the 2022 Nuclear Posture Review, using the U.S.-Japan Extended Deterrence Dialogue venue, the United States has prioritized strengthening extended deterrence consultations, emphasizing a cooperative approach between the United States and Japan, in planning and decisionmaking related to nuclear deterrence policy.

*Question.* Will the Biden Administration undertake enhanced forms of planning for nuclear weapons related contingencies with South Korea?

*Answer.* Yes. Through the Nuclear Consultative Group, the United States is seeking to strengthen extended deterrence, discuss nuclear and strategic planning, and manage the threat to the nonproliferation regime posed by the Democratic People's Republic of Korea.

*Question.* Will the Biden Administration agree to create new nuclear crisis consultation mechanisms with Japan?

*Answer.* As explained in the 2022 NPR, we are identifying pragmatic steps to enhance consultations, including examining options to improve crisis management consultations, with Indo-Pacific allies. Any efforts undertaken will be tailored to each alliance. With Japan, the Extended Deterrence Dialogue (EDD), which has existed since 2010, already provides a robust venue for discussion of these efforts, including ways to coordinate Alliance deterrence efforts and crisis management.

*Question.* Will the Biden Administration agree to create new nuclear crisis consultation mechanisms with South Korea?

*Answer.* In 2023, President Biden and President Yoon Suk Yeol of the ROK announced, through the Washington Declaration, the establishment of the Nuclear Consultative Group (NCG) to strengthen extended deterrence, discuss nuclear and strategic planning, and manage the threat to the nonproliferation regime posed by the Democratic People's Republic of Korea.

*Question.* Does the Biden Administration believe it needs more theater based nuclear capability in Asia in order to strengthen extended deterrence?

*Answer.* As the security environment evolves, it may be necessary to consider nuclear strategy and force posture adjustments to sustain effective deterrence of potential adversaries and assurance of allies and partners.

*Question.* Does the Biden Administration believe it needs more theater based nuclear capability in Asia in order to strengthen allied assurance?

*Answer.* We remain confident in our current nuclear forces and posture today, but if nuclear force adjustments are required to maintain deterrence, we must be prepared to execute them in sufficient time to avoid a deterrence shortfall. The United States will assess potential adjustments through careful consideration of relevant factors. Additionally, we are enhancing and deepening our alliances with the Republic of Korea, Japan, and Australia to ensure an effective mix of capabilities, concepts, deployments, exercises and tailored options to deter and, if necessary, respond to coercion and aggression. We are also working with each ally to improve crisis management consultation and identify opportunities to increase the visibility of U.S. strategic assets in the region.

*Question.* How will the administration expedite cooperation on hypersonic missiles and unmanned systems—both explicitly identified as key focus areas for Pillar Two?

*Answer.* AUKUS partners are committed to accelerating the development of hypersonic and related technologies. To facilitate that effort, the United States is prioritizing review and adjudication of Australia and UK requests, including defense export licenses, for advanced missile technology. We are committed to seamless co-



operation with both partners and focused on driving further innovation and cooperation in this critical area while maintaining our shared international nonproliferation commitments.

*Question.* According to Sec. 1342 of the fiscal year NDAA, the administration is required to provide our committee a report detailing a list of advanced military platforms. The report was expected 90 days after enactment of the NDAA, but has yet to be delivered to the committee. Why is this report delayed and when can we expect the report?

*Answer.* The Administration is compiling the report per the requirements set forth in Section 1342. We intend to provide this report to the Committee soon.

*Question.* Also under Pillar Two legislation, as required by the NDAA, the Secretary of State jointly with the Secretary of Defense is required to review and update interagency policies and implementation guidance as they relate to the Foreign Military Sales and Direct Commercial Sales to include those anticipatory and pre-clearance releases as mentioned in the previous question. What is the status of this review and when can the committee expect a briefing on this?

*Answer.* The Administration is compiling the report. We intend to provide this information to the Committee soon.

*Question.* Last week, your administration announced it was pausing delivery of some weapons to Israel. It is unclear how these munitions were funded or where they actually are. Who initiated this policy review of Israel arms transfers, and on what date?

*Answer.* We consult with the interagency on all proposed transfers. In April, as Israeli leaders were reaching a decision point on a major operation in Rafah, the interagency focused on particular weapons that might be used in Rafah. The Administration continues to engage the Government of Israel on this issue through the U.S.-Israel Strategic Consultative Group.

*Question.* What agencies, bureaus, offices, and officials are responsible for this review? What is the process, timeline, and criteria of the review?

*Answer.* Multiple agencies are involved in the review of arms transfers to Israel. The Administration paused one shipment of weapons. We are especially focused on the end-use of the 2,000-pound bombs and the impact they could have in dense urban settings as we have seen in other parts of Gaza. We believe that the use of 2,000 pound bombs would be counterproductive to defeating Hamas, which is a goal we share with Israel. We have conveyed these concerns to the Israeli government. We have not made a final decision on proceeding with this shipment.

*Question.* Exactly what weapons are being delayed?

*Answer.* We paused one shipment of munitions to Israel. It consists of 1,818 2,000-pound bombs and 1,704 500-pound bombs.

*Question.* Were these weapons purchased before or after October 7, 2023?

*Answer.* The sales were approved this fiscal year consistent with notifications to Congress ranging from 2004 to 2020.

*Question.* Were these weapons financed via Foreign Military Financing, FMS, DCS, or a blended case?

*Answer.* The cases are FMF-funded, and the transfers are being executed through the FMS system.

*Question.* Were supplemental funds or previously appropriated funds used to purchase the paused weapons deliveries?

*Answer.* The cases are FMF funded. Given Israel's use of Cash Flow Financing, it is not possible to definitively confirm the fiscal year of the funds at this time.

*Question.* If previously appropriated funds were used to finance this sale, then what fiscal year were they drawn from?

*Answer.* The cases are FMF funded. Given Israel's use of Cash Flow Financing, it is not possible to definitively confirm the fiscal year of the funds at this time.

*Question.* Was cash-flow financing used to procure these weapons?

*Answer.* Cash flow financing impacts the payment schedule for invoices but is not a tool for payment of invoices. FMF funds support the procurement of these munitions.

*Question.* What are the statutory means by which you are pausing weapons made with already appropriated funding?

*Answer.* All our activities for FMS cases, including in this matter, are consistent with the Arms Export Control Act (AECA). The AECA provides broad authorities that allow us to react to situations where we have foreign policy concerns.

*Question.* Are these weapons already in Israel?

*Answer.* No, the weapons are currently in the United States.

*Question.* If so, are these weapons in the WRSA-I stockpile?

*Answer.* The weapons are not in the WRSA-I stockpile.

*Question.* If the weapons are not already in Israel, where are they?

*Answer.* The paused shipment is in the United States under DoD custody.

*Question.* What is the impact of this decision on related U.S. defense industry?

*Answer.* This is one shipment of 3,522 bombs that have already been produced and paid for. There is no impact on production or the defense industry in general.

*Question.* Are the U.S. Government or U.S. contractors accruing additional costs due to delayed shipments?

*Answer.* Potential costs due to the delayed shipment are still being assessed.

*Question.* What other arms transfers are the administration reviewing with respect to Israel, and under what conditions would those arms transfers be held?

*Answer.* As of now, we have paused one single shipment of weapons consisting of 1,818 2,000-pound bombs and 1,704 500-pound bombs. All proposed U.S. arms transfers to any country, including Israel, are reviewed and adjudicated on a case-by-case basis consistent with the U.S. Conventional Arms Transfer Policy, which includes assessments of the diplomatic, security, economic, human rights, and civilian protection considerations associated with any potential transfer.

*Question.* Has your administration delayed or revoked the license of any Israel-related DCS cases? If so, which ones?

*Answer.* The Department of State carefully reviews all Direct Commercial Sales (DCS) licenses, for all parties around the world. Cases must be reviewed rigorously by experts throughout the building to ensure full compliance with the President's Conventional Arms Transfer (CAT) Policy. The duration of this review will vary significantly on a case-by-case basis.

*Question.* How many Israel-related DCS cases that fall beneath congressional Notification thresholds are currently under review at the State Department?

*Answer.* The number of Direct Commercial Sales (DCS) cases involving Israel that are pending review with the Directorate of Defense Trade Controls (DDTC) varies as new licenses are submitted daily. Consistent with the President's Conventional Arms Transfer policy, all arms transfer decisions are reviewed on a case-by-case basis. The President has been clear: we will always ensure Israel has what it needs to defend itself. We are continuing to approve cases related to Israel.

*Question.* How, when, and at what level did you communicate to Israel the pause in weapons shipments?

*Answer.* We are in constant dialogue with Israel on meeting its security assistance requests as well as our expectations on use of munitions provided by the United States, including Israel's adherence to international law.

*Question.* What are the conditions under which the shipment of these weapons will be resumed? Have these been communicated with Israel?

*Answer.* We are in close consultations with the Israelis at the highest levels via the U.S.-Israel Strategic Consultative Group, which is led by National Security Advisor Sullivan. This is an ongoing dialogue where we are discussing military operations in Rafah, humanitarian assistance, civilian harm mitigation, and security assistance, among other critical topics. It is a process that we stood up to have the tough conversations. The process is meant to be consultative, and it is through this process that we will jointly develop next steps regarding the paused shipment.

*Question.* What agencies are involved in the delayed shipment and under what legal authority are these agencies operating?

*Answer.* Situations like this require a collaborative approach and are addressed through regular interagency coordination. All our activities for FMS cases, including in this matter, are consistent with the Arms Export Control Act.

*Question.* With which Members of Congress did your administration consult with regarding this pause and when?

**Answer.** The President assessed the circumstances surrounding the war and decided to pause one shipment of munitions. The action was in the national security interest of the United States and involved sensitive diplomatic engagements.

*Question.* Why wasn't your decision conveyed to Congress the day it was made, given Congress' longstanding role in security assistance and arms transfers to Israel, including through the supplemental assistance package the administration strenuously advocated for 7 months?

**Answer.** The President assessed the circumstances surrounding the war and decided to pause one shipment of munitions. The action was in the national security interest of the United States and involved sensitive diplomatic engagements.

*Question.* Have you determined Israel has been involved in an AECA Section 3(c)(2) violation?

**Answer.** We have not submitted any reports under section 3 of the AECA. If a substantial violation is identified, the matter will be reported to Congress consistent with the requirements of section 3 of the AECA.

*Question.* What message does the arms freeze send to our partners around the world? What conclusions are our adversaries making?

**Answer.** Since Hamas' horrific attack on October 7, the United States has surged billions of dollars in security assistance to Israel; provided essential defense articles to Israel directly from U.S. stocks; requested the enactment of a significant supplemental appropriation for emergency assistance for Israel; and led an unprecedented coalition to defend Israel against direct Iranian attacks. We will continue to do whatever is necessary to ensure Israel can defend itself from the threats it faces. This was a single paused shipment. We continue to send military assistance, approve cases, offer contracts, and send shipments of military items. The U.S. relationship with Israel is steadfast.

*Question.* How were the weapons you are withholding from Israel paid for? Were they financed in the supplemental or previous appropriations? Are these weapons already in Israel or are they in the U.S.?

**Answer.** The cases are FMF funded. Given Israel's access to Cash Flow Financing, it is not possible to definitively confirm from which fiscal year the funds are drawn at this time. These weapons remain in the United States.

*Question.* Like most arms control, the MTCR has continued to constrain the West. What is the administration's strategy for addressing the fact that Chinese drones are being flown by both Russians and Ukrainians?

**Answer.** The MTCR is a critical tool to address the proliferation of missiles used as delivery systems for nuclear weapons, a core national security interest. U.S. commitments to the MTCR do not prevent us from providing our most advanced missile technology to close partners.

The PRC remains the world's leading proliferator of equipment and technology capable of supporting the development of weapons of mass destruction, their delivery systems, or advanced conventional weapons. As a transshipment state, the PRC allows Iranian and Russian procurement networks to operate within its jurisdiction, supplying electrical components, antennas, engines, and other components, most of which fall below MTCR control thresholds and those of other multilateral export control regimes, but are still critical to the development of UAVs for both Iran and Russia.

State has continued to raise the issue of PRC dual-use exports and transshipments to Russia at the highest levels. In collaboration with the Departments of the Treasury and Commerce, State has worked to identify and sanction or add to the Commerce Department's Entity List, hundreds of Russian, Iranian, and PRC entities involved in the UAV trade. State continues to work with partners, transshipment states, and private industry to counter the proliferation of Chinese components and drones to Russia.

*Question.* You recently re-named the Arms Control, Verification and Compliance Bureau to the Arms Control, Deterrence and Stability Bureau. How many personnel in the Arms Control Bureau spend the preponderance of their time working on deterrence?

**Answer.** In November 2023, the Department of State announced the Bureau of Arms Control, Deterrence, and Stability (ADS), the new name of the Bureau of Arms Control, Verification and Compliance. This name change offers an opportunity for the Bureau to better reflect the work it has done for a long time.

Deterrence is a cross-cutting function which forms a significant component within several of our offices' portfolios and these efforts are closely coordinated with the interagency, particularly with the Department of Defense (DoD). To that end, the Bureau is currently staffed at approximately 170 foreign policy professionals, including civil servants, Foreign Service officers, contractors, fellows, military advisors, and interagency detailees. The Office of Strategic Stability and Deterrence Affairs partners with DoD to conduct extended deterrence dialogues and leads State Department input into the Nuclear Posture Review and the President's Nuclear Employment Guidance. The Office of Multilateral and Nuclear Affairs deters nuclear weapons testing and increases the costs of adversaries' testing programs by supporting the Comprehensive Nuclear Test Ban Treaty's International Monitoring System. The Office of Chemical and Biological Weapons Affairs deters the development and use of chemical and biological weapons by working through multilateral organizations to hold accountable those who use them, as well as strengthen the implementation of and institutions around the Chemical Weapons Convention and the Biological Weapons Convention. The Office of Emerging Security Challenges contributes to interagency efforts to deter undesirable activities in contested domains such as space, underseas, the polar regions, and assesses the potential impact of emerging technologies on arms control. The work we do to advance the science and technology of verification deters weapons testing, deployment, use, and noncompliance with agreements. All ADS offices play parts in ensuring that arms control and deterrence are complementary, mutually reinforcing and that we clearly communicate U.S. policies and interests to foreign governments to help deter them from acting contrary to U.S. interests.

*Question.* How many personnel in the Bureau spend the preponderance of their time working on the implementation of arms control agreements?

*Answer.* All ADS offices play parts in ensuring that arms control and deterrence are mutually reinforcing and that we clearly communicate U.S. policies and interests to foreign governments to help deter them from acting contrary to U.S. interests. Arms control, like deterrence, is a cross-cutting function which forms a significant portion within several of our offices' portfolios. To that end, the Bureau is currently staffed at approximately 170 foreign policy professionals, including civil servants, Foreign Service officers, contractors, fellows, military advisors, and interagency detailees.

Reliance on deterrence alone will not solve the various security challenges we face. Arms control and risk reduction complement deterrence and are essential pieces to the puzzle of strategic stability. Moreover, arms control is a more expansive concept than treaties—it enhances our security by establishing norms and measures of responsible behavior on issues such as destructive direct-ascent anti-satellite testing, the military uses of AI, and radiological weapons.

*Question.* What role does the Department of State play in setting U.S. policy as it relates to deterrence?

*Answer.* The Department of State plays active roles in informing, developing, implementing, and communicating U.S. deterrence policy both to adversaries and to our allies and partners. State participates in the Nuclear Posture Review process and contributes to deliberations on the President's nuclear employment guidance. With the Department of Defense, State co-chairs extended deterrence dialogues with Australia, Japan, and the Republic of Korea. State also participates in NATO's deterrence bodies. State helps further ensure that arms control, risk reduction, non-proliferation, and deterrence mutually reinforce each other to protect and advance U.S. security interests.

*Question.* What are the specific deterrence tools available to the State Department?

*Answer.* Deterrence is about influencing adversary calculations, particularly that the risks and/or costs of a possible action outweigh its benefit. Engaging and influencing foreign governments is what the Department of State does every day. Through diplomacy, State gains insights into foreign government capabilities, thinking, and values to help inform effective deterrence and to communicate it persuasively. This includes refuting adversary disinformation about U.S. deterrence policies. It further includes shaping norms with other governments to stigmatize unwanted actions and aggression. State also helps craft the tools that enable attribution and accountability that can provide a further deterrent to those contemplating transgressing their norms or obligations. The Department is also at the forefront of strengthening alliances—the United States' greatest strategic asset—and enhancing interoperability with allies to make potential aggression more daunting. State also

partners with the Department of Defense in strategic messaging to deter foreign governments and assure allies and partners.

*Question.* Why doesn't the Deterrence Bureau co-chair the U.S.-ROK Nuclear Consultative Group?

*Answer.* The Nuclear Consultative Group (NCG) is a forum more focused on Department of Defense capabilities and responsibilities in nuclear contingencies. The broader U.S.-ROK Extended Deterrence Strategy and Consultation Group (EDSCG), which State co-chairs, looks at how to use all available levers of power—diplomatic, informational, military, and economic—to strengthen and reinforce U.S. security commitments to the ROK. While not an NCG co-chair, State participates in the NCG and leads some of its work streams.

Submitted by Senator James E. Risch

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**United States Senate**  
 COMMITTEE ON FOREIGN RELATIONS  
 WASHINGTON, DC 20510-6225

May 14, 2024

The Honorable Joseph R. Biden, Jr.  
 President of the United States  
 The White House  
 1600 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20500

Dear President Biden,

We have written previously about your administration's tendency to undermine the regular order associated with the non-statutory informal notification process for arms sales. These violations of regular order range from the misuse of classification to help obscure arms transfers to Taiwan in the summer of 2022, to your failure to respect the informal review process in notifying the sale of F-16s to Turkey in January of 2024.

Unfortunately, the failure to respect congressional prerogatives has risen to new levels with your recent decision to unilaterally pause a shipment of weapons to Israel without any prior notification or consultation with Congress. Despite numerous requests from our respective chambers, we still don't have basic answers to questions about the weapons you have stopped from shipping.

To date, we do not know how these weapons were financed, where they are, or by what authority you chose to do this. This decision not only transgresses well-established processes and contradicts congressional intent, but it also undermines a close ally during a time of war for reasons principally associated with U.S. domestic political considerations. At a minimum, this calls into question our credibility as a security assistance provider.

In late 2023, we wrote to Secretary Blinken about the failure of your administration to adhere to regular order in processing Israel-related direct commercial sales (DCS) cases. We specifically called out your administration's refusal to submit a case for formal notification despite its having cleared the informal review of both the chair and ranking members of both the Senate Foreign Relations and House Foreign Affairs Committees. In addition to this, we believe there are countless other DCS cases under review by the State Department that remain in limbo – neither granted a license nor formally rejected.

The Honorable Joseph R. Biden, Jr.  
May 14, 2024  
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We now worry that the U.S.-Israel Memorandum of Understanding (MOU), which lays out a ten-year plan for military assistance from 2018-2028 demonstrating our shared interests and “unshakeable” commitment to Israel’s security, is being used to conceal executive branch actions from Congress, resulting in the de facto conditioning of our assistance.

It is clear your policy shift contradicts congressional intent based on recent enacted legislation. Congress has consistently funded security assistance to Israel, consistent with the 2018 U.S.-Israel MOU. Thus far in fiscal year 2024, Congress has enacted regular and supplemental legislation appropriating \$12.5 billion in security assistance and missile defense for Israel without any extra conditions.

Additionally, the decision to classify certain arms transfers since the heinous October 7<sup>th</sup> terrorist attack has enabled you to both selectively declassify information for political purposes while simultaneously obscuring congressional oversight of weapons transfers. Even the vast amounts of security assistance provided to Ukraine, while handled in official channels, have not been subject to these measures.

The White House background brief to the press on May 7<sup>th</sup> claimed the weapons being “paused” were 2,000 and 500 lb. bombs. Congress has not received any congressional notifications, either for Foreign Military Sales (FMS) or DCS cases, that fit the description of the weapons described, other than an FMS case dating back to 2015. Therefore, it is imperative that Congress understand what is being paused.

Accordingly, we ask that you answer the following questions in writing by May 24:

- Who initiated this policy review of Israel arms transfers, and on what date?
- What agencies, bureaus, offices, and officials are responsible for this review?
- What is the process, timeline, and criteria of the review?
- Exactly what weapons are being delayed?
- Were these weapons purchased before or after October 7, 2023?
- Were these weapons financed via Foreign Military Financing, FMS, DCS, or a blended case?
- Were supplemental funds or previously appropriated funds used to purchase the paused weapons deliveries?
- If previously appropriated funds were used to finance this sale, then what fiscal year were they drawn from?
- Was cash flow financing used to procure these weapons?
- What are the statutory means by which you are pausing weapons made with already appropriated funding?
- Are these weapons already in Israel?
- If so are these weapons in the WRSA-I stockpile?
- If the weapons are not already in Israel, where are they?
- What is the impact of this decision on related U.S. defense industry?

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- Are the U.S. government or U.S. contractors accruing additional costs due to delayed shipments?
- What other arms transfers are the administration reviewing with respect to Israel, and under what conditions would those arms transfers be held?
- Has your administration delayed or revoked the license of any Israel-related DCS cases? If so, which ones?
- How many Israel-related DCS cases that fall beneath Congressional Notification thresholds are currently under review at the State Department?
- How, when, and at what level did you communicate to Israel the pause in weapons shipments?
- What are the conditions under which the shipment of these weapons will be resumed? Have these been communicated with Israel?
- What agencies are involved in the delayed shipment and under what legal authority are these agencies operating?
- With which members of Congress did your administration consult with regarding this pause and when?
- Why wasn't your decision conveyed to Congress the day it was made, given Congress' longstanding role in security assistance and arms transfers to Israel, including through the supplemental assistance package the administration strenuously advocated for seven months?
- Have you determined Israel has been involved in an AECA Section 3(c)(2) violation?

Threatening to abandon Israel as it prepares to undertake the last stage of its campaign to eradicate the threat posed by Hamas is deeply troubling. The foreign policy implications of your recent decision will have a lasting impact on perceptions of the United States as a dependable security partner. Make no mistake, America's allies and adversaries are watching. Partners straddling the fence between the United States on the one hand and China and Russia on the other are watching. They're drawing the conclusion that the United States is a fickle friend and cannot be relied upon to follow through on its commitments in their hour of need.

Sincerely,



JAMES E. RISCH  
 Ranking Member  
 Senate Foreign Relations Committee



MICHAEL T. McCAUL  
 Chairman  
 House Foreign Affairs Committee

CC:  
 The Honorable Antony Blinken, Secretary, U.S. Department of State  
 The Honorable Jacob J. Sullivan, National Security Advisor, The White House