STATEMENT OF
MORTON H. HALPERIN
Before the
SENATE FOREIGN RELATIONS COMMITTEE
On the
NEW START TREATY
JUNE 24, 2010

Mr. Chairman,

It is a great honor and privilege to be invited to testify again before this distinguished Committee. I appear in support of the Senate consenting to ratification of the New START Treaty. I have no doubt that ratification is in the national interest and that the Treaty will strengthen strategic stability between the United States and Russia and help the United States to secure the international cooperation it needs to deal with nuclear proliferation and the threat of terrorists gaining control of a nuclear weapon.

My official involvement with these issues began in 1967 when, as a Deputy Assistant Secretary of Defense, I helped to develop the initial American positions for what became known as the SALT process. I also worked on strategic arms control matters in the Nixon and Clinton Administrations. I am now the co-chair of the advisory board of the New America Foundation Nuclear Strategy and Non-Proliferation Initiative. Perhaps most directly relevant to the evaluation of the New START Treaty, I served on the Congressional Commission on the Strategic Posture of the United States.

As the Committee knows, the Commission, composed of individuals with, to say the least, very divergent views on nuclear issues reached consensus on every issue but the CTBT. That consensus included very clear and precise recommendations on what we thought the next strategic arms control treaty should look like. The Obama Administration clearly took those recommendations very seriously. The Treaty now before the Senate conforms in every material way with the recommendations of the Commission. I thus support ratification for the same reasons that led me to join the consensus on the Commission.

In short, I believe that the limitations placed on Russian and American forces will contribute to strategic stability and reduce the risk of unintended or accidental use of nuclear weapons by either nation. At the same time it will permit the United States to maintain a strategic arsenal which is more than sufficient to deter a deliberate attack on the United States or its allies and partners by Russia or any other state possessing nuclear weapons. It will also enable the United States to provide credible and effective nuclear guarantees to our allies and partners and will provide a framework in which we are much more likely to get the cooperation we need from other states to advance our non-proliferation objectives. As I will explain in a minute, I am confident that the provisions of the Treaty can be verified.

The Commission's final report placed the value of a new START treaty in the context of the importance of the overall political relation between the United States and Russia and explained the potential value of an arms control regime as follows:

> It may provide assurances to each side about the intentions driving modernization programs. It may lend predictability to the future of the bilateral relationship, a benefit of value to the United States but also its allies and friends. U.S.-Russian arms control can also reinforce the NPT.
>
> Moreover, at a time when the United States is considering how to reduce nuclear dangers globally, it is essential that it pursue cooperative, binding measures with others.

The Commission was mindful, as was the administration, of how difficult it would be to reach agreement with the Russians on very large reductions in the nuclear arsenal of both sides. It, therefore, expressed its support for the framework agreed in early April 2009 between Presidents Obama and Medvedev and offered this specific advice:

> In the effort to renew the U.S.-Russian arms control process, the first step should be modest and straightforward. It is more important to reinvigorate the strategic arms control process than to strive for bold new initiatives…. A mutual reduction of operationally deployed strategic nuclear weapons in some increment should be achievable. This first reduction could be a modest one, but the objective should be to do what can be done in the short term to rejuvenate the process and ensure that strategic arms control survives the end of START I at the end of 2009.
>
> Recalling that reductions in nuclear forces should proceed only through bi-lateral agreements, the United States and Russia should address limits on both launchers and warheads and discuss how to adopt the comprehensive START verification measures to any new commitments. Success in taking this first step will help create the political will to proceed to follow-on steps on the basis of effective verification.

The Obama Administration followed this advice and the Treaty achieves the modest but important objectives that the Commission envisioned. I urge the Committee to report the Treaty favorably. This Treaty, reflecting as it does the recommendations of a bi-partisan commission, should provide momentum to re-establish bipartisanship on strategic arms control treaties and policy.

Although the Treaty is limited in its scope, the Administration has achieved the modest but important objectives identified by the Commission.

The numerical limitations contained in the Treaty will permit the United States to gradually reduce the number of deployed warheads and the number of launchers in its strategic arsenal over seven years and in a manner that will allow the United States to maintain the triad of delivery systems with each leg contributing to stability and deterrence. The Administration has ample time to make careful choices about which systems to reduce and to reach a posture that is more than sufficient for deterrence and assurance.

Moreover, the Administration's proposals to the Congress to modernize the nuclear infrastructure and to substantially increase spending to assure that the nuclear arsenal remains safe, secure and reliable, also follows the recommendations of the Commission. If approved by the Congress, which I would also strongly urge you to do, the Administration's proposed effort would assure that the nuclear forces of the United States remain equal to the tasks of deterrence and assurance.

The Committee has asked me evaluate the concerns that have been raised about the Treaty. As I understand them, these concerns, in addition to doubts about whether Congress will fund the proposed improvements in the nuclear infrastructure, relate to verification and to ballistic missile defense.

I will leave it to other witnesses to discuss the technical aspects of verification. Let me simply say that I have no doubt that Russian efforts at evasion have no chance of success at the level which could provide any advantage. With thousands of warheads and hundreds of delivery vehicles permitted under the Treaty, the scale of any possible undetected cheating would have no impact on our security nor that of our allies and partners. The question of whether any arms control treaty is in the American security interest does not turn on whether there is a 100% assurance that the first violation can be detected on the first day. There can never be such an assurance. Rather one must ask, in light of the value to the United states of the limitations and monitoring in the treaty and the range of uncertainty about possible violations, whether the Treaty is in the overall interest of the United States. That is the standard which informed the evaluation of the INF Treaty, START I and START II, and the Moscow Treaty – all of which were overwhelmingly approved by the Senate – and it should be the standard for this very modest step.

The BMD issue seems to have generated the greatest level of concern. I find this surprising and frankly somewhat disappointing. The New START Treaty simply does not limit the number of launchers the U.S. can deploy or otherwise constrain the ability of the United States to deploy ballistic missile defenses. Period. That should be the end of the discussion. The concerns expressed are that the preamble acknowledges the link between offense and defense, that the treaty bans placing BMD launchers in strategic missile silos, and that the Russians have asserted a right to withdraw from the Treaty if they determine that American missile defense deployments threaten their deterrent.

The statement in the preamble is nothing more than a statement of the obvious and a truth which the United States long urged on the Russians before they accepted it. The Russian

unilateral assertion is nothing more than a restatement of what is in the Treaty and what is obvious. No one could doubt that a Russian decision to deploy a very large ballistic missile defense force aimed at shooting down all of the American missiles that survived a Russian surprise first strike would lead the United States to carefully evaluate the adequacy of our offensive forces and to withdraw from the Treaty if we determine that our supreme national interest requires such action. We should not be surprised if the Russians have the same view.

As the Committee well knows, the military and civilian leadership of the Department of Defense have assured the Senate that the Pentagon has concluded that placing defensive missiles in existing offensive silos is not cost-effective. The existing silos that were converted at Vandenberg, despite some early claims to the contrary by Treaty opponents, have been grandfathered in under the Treaty. In any event, there is nothing in the Treaty to prevent the United States from building new missile defense launchers. So this constraint is of no significance.

Moreover, it is in the interest of the United States to draw a bright line between those systems that are limited under the treaty, strategic nuclear warheads and delivery vehicles, and those that are not, i.e. missile defenses. Rather than seeing this demarcation as a constraint, a clear line between offenses and defenses ensures an unconstrained space outside the treaty for a robust missile defense effort.

I noted that the continuing controversy over BMD was disappointing. That is so because the Commission, which included many long time opponents of ballistic missile defense as well as many passionate advocates, reached a full consensus on this issue, one that is fully consistent with the Treaty as well as with the actions that the Obama Administration has taken and recommended to the Congress. I have attached the short chapter on this subject from the Commission report to my statement and ask that it be made part of the record along with my prepared statement.

The Commission strongly supported technically-capable missile defenses against limited threats such as those that might come from Iran or North Korea, but it argued against any effort to deploy defenses directed at Russia or China, warning that "the United States should ensure that its actions do not lead Russia or China to take actions that increase the threat to the United States and its allies and friends." It also urged renewed efforts to insure cooperation with Russia. It noted that:

> For more than a decade the development of U.S. ballistic missile defenses has been guided by the principles of (1) protecting against limited strikes while (2) taking into account the legitimate concerns of Russia and China about strategic stability. These remain sound guiding principles. Defenses sufficient to sow doubts in Moscow or Beijing about the viability of their deterrents could lead them to take actions that increase the threat to the United States and its allies and friends.

The START Treaty and the policies of the Obama Administration are, down to the last detail, fully consistent with that advice. The assertion that the Treaty should be rejected because of a concern about BMD amounts to an unfounded assertion that this administration or a future one would fail to request funding for a ballistic missile program against a real threat from a third power because of a fear that Russia would use it as an excuse to withdraw from the Treaty. This administration made clear where it stands when it resisted efforts to write additional limits on defense into the Treaty and was prepared to walk away from the negotiations if necessary. I have no doubt that future administrations will act with similar regard to the nation's security.

I appreciate this opportunity to appear before this distinguished committee and would be pleased to answer your questions.

America's Strategic Posture

The Final Report of the Congressional Commission on the Strategic Posture of the United States

Chapter 3

3

On Missile Defense

Missile defenses are an integral part of the strategic posture of the United States after the Cold War. Such defenses were essentially impractical before, given the massive arsenal of multi-range Soviet missiles. In the past, they have also been counterproductive in that they drove the expansion of offensive capabilities. Today, the missile threats of most immediate concern originate from countries such as North Korea and Iran which have deployed short- to medium-range ballistic missiles, and are developing long-range missiles. For example, Iran has several hundred mobile short and medium-range missiles that could threaten U.S. allies and bases, and the recent launch of its Safir-2 Space Launch Vehicle demonstrated some technologies necessary for the development of a crude long-range missile. North Korea has hundreds of mobile short- and medium-range ballistic missiles, and has under development liquid-fueled rockets that could serve as a space launch vehicle for a satellite or as a first-generation long-range missile.

Ballistic missile defense capabilities can play a useful role in support of the basic objectives of deterrence, broadly defined, and damage limitation against limited threats, as set out in the previous chapter. These capabilities may contribute to deterrence by raising doubts in a potential aggressor's mind about the prospects of success in attempts to coerce or attack others. They may contribute to assurance of allies, by increasing their protection and also reducing the risks that the United States would face in protecting them against a regional aggressor. Defenses against short- and medium-range ballistic missiles are seen by some U.S. allies as increasingly important to their security. Israel and Japan have demonstrated the value they ascribe to missile defense by joining in cooperative programs with the United States. The Commission strongly supports continued missile defense cooperation with allies. It lowers costs for all and strengthens the potential for collective defense.

The United States has fielded a ballistic missile defense system capable of defending against these short- to medium-range missiles. U.S. missile defense systems in development and deployment, including the Terminal

High Altitude Area Defense (THAAD) system, Patriot Advanced Capability (PAC) 3, and the Aegis Combat System, have had numerous successful flight tests. The United States currently plans to complete deployment of 96 THAAD and 133 Standard Missile 3 interceptors. These numbers should be reviewed if the threat from North Korean or Iranian missiles increases.

The United States has also fielded a ground-based system intended to defend against small numbers of long-range missiles. This system has demonstrated some capability against unsophisticated threats and should undergo additional system testing to determine its effectiveness against more complex threats that include technologies intended to help in-coming missiles penetrate the defense (so-called penetration aids). Further development and deployment of these long-range defense interceptors should depend on results of these tests and on developments in the ICBM threats facing the United States and its allies. Research and development should continue on responses to counter limited but more complex threats.

For more than a decade the development of U.S. ballistic missile defenses has been guided by the principles of (1) protecting against limited strikes while (2) taking into account the legitimate concerns of Russia and China about strategic stability. These remain sound guiding principles. Defenses sufficient to sow doubts in Moscow or Beijing about the viability of their deterrents could lead them to take actions that increase the threat to the United States and its allies and friends. Both Russia and China have expressed concerns. Current U.S. plans for missile defense should not call into question the viability of Russia's nuclear deterrent. China sees its concerns as more immediate, given the much smaller size of its nuclear force. U.S. assessments indicate that a significant operational impact on the Chinese deterrent would require a larger and more capable defense than the United States has plans to construct, but China may already be increasing the size of its ICBM force in response to its assessment of the U.S. missile defense program.

For more than a decade the development of U.S. ballistic missile defenses has been guided by the principles of (1) protecting against limited strikes while (2) taking into account the legitimate concerns of Russia and China about strategic stability. These remain sound guiding principles.

The Commission supports a substantial role for defenses against short- to medium-range missiles. Defenses against longer range missiles should be based on their demonstrated effectiveness and the projected threat from North Korea and Iran. Defenses against these limited threats should be designed to avoid giving Russia or China a reason to increase their strategic threat to the United States or its allies. But these defenses should become ca-

pable against more complex limited threats as they mature. As noted above, this long-range missile defense system is now incapable of defending against complex threats.

The Commission recommends that the United States strengthen cooperation with Russia and China to restrict transfers to others of advanced missile technology, including the countermeasures to such defenses. Cooperative missile defense efforts with allies should be strengthened and opportunities for missile defense cooperation with Russia should be further explored.

Finding

1. Missile defenses effective against regional nuclear aggressors, including against limited long-range threats, are a valuable component of the U.S. strategic posture.

Recommendations

1. The United States should develop and, where appropriate, deploy missile defenses against regional nuclear aggressors, including against limited long-range threats. It should also develop effective capabilities to defend against increasingly complex missile threats.
2. While the missile threats posed by potential regional aggressors are countered, the United States should ensure that its actions do not lead Russia or China to take actions that increase the threat to the United States and its allies and friends.
3. The United States should strengthen international cooperation for missile defense, including with allies, but also with Russia.
4. The United States should also work with Russia and China to control advanced missile technology transfer.