



**Statement before the  
House Foreign Affairs Subcommittee on Europe, Eurasia,  
Energy, and the Environment**

***“Russia and Arms Control: Extending New  
START or Starting Over?”***

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Mr. Chairman, Ranking Member Kinzinger, members of the subcommittee:

Thank you for the opportunity to present my perspective on arms control with Russia, especially in light of the INF Treaty's likely termination next week and the question of a five-year extension of New START. It is a timely matter, as press reports indicate that U.S. and Russian officials were in Geneva last week to explore the concept of a new nuclear arms accord.<sup>1</sup>

Given our longer-term goals with respect to strategic competitions with Russia and China, such an extension could be made conditional on the immediate start of negotiations for a comprehensive approach to controlling all Russian nuclear weapons, and a joint effort to incorporate China into some future arms control agreement.

The United States may, in the end, decide to extend the New START treaty pursuant to its terms. But the decision need not be made immediately. The New START treaty is set to expire in February 2021, a year and a half from now.

It does, nonetheless, seem worth considering how this moment in the U.S.-Russian relationship can best be used to shape the future. Extension appears to be something that the Russians value, even if they have concerns about the U.S. approach to launcher conversion.<sup>2</sup> Perhaps that value could be leveraged in some way to advance two long-standing U.S. arms control goals: a more comprehensive approach and multilateralization.

### **A Pattern of Contempt**

The committee's hearing today usefully connects the question of New START extension with the question of the INF Treaty, from which the United States may soon withdraw, according to the treaty's terms. Disregard for international agreements and international law is a central feature of Russia's behavior and place in the international order. It should therefore be central to our thinking about future arms control with them, including whether, how, when, and under what circumstances an extension of New START should be made.

In addition to violating the INF Treaty, Russia is either rejecting or avoiding obligations and commitments under the Conventional Armed Forces in Europe Treaty, the Budapest Memorandum, the Helsinki Accords, and the Presidential Nuclear Initiatives. Russia has also violated the Open Skies Treaty and is selectively implementing the politically binding Vienna Document to avoid transparency of its major military exercises.<sup>3</sup> They have also carried out a chemical weapons attack on the territory of a NATO ally, contrary to the Chemical Weapons Convention. These are not isolated incidents, but a pattern.

The pattern is compounded not merely by Cold War-style nuclear rhetoric, but also by a willingness to manipulate the good faith upon which international agreements depend. In 2007, Russia messaged their discontent with the INF Treaty, and their interest in jointly withdrawing. In retrospect, one cannot read

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<sup>1</sup> Roberta Rampton, "U.S., Russia to Discuss Nuclear Arms Limits in Geneva on Wednesday: Officials," *Reuters*, July 15, 2019, <https://www.reuters.com/article/us-usa-trump-russia/us-russia-to-discuss-nuclear-arms-limits-in-geneva-on-wednesday-officials-idUSKCN1UA268>.

<sup>2</sup> Pavel Podvig, "Is New START Extension Really that Easy?" *Russian Strategic Nuclear Forces*, May 20, 2019, [http://russianforces.org/blog/2019/05/is\\_new\\_start\\_extension\\_really.shtml](http://russianforces.org/blog/2019/05/is_new_start_extension_really.shtml).

<sup>3</sup> Department of Defense, *Nuclear Posture Review* (Washington, DC: DOD, 2018), 73-4.

Putin's 2007 Munich remarks without recognizing the military logic by which Russia wanted intermediate-range missiles, given the capacity of their other neighbors. But instead of giving notice of its intent to withdraw for reasons of supreme national interests, as the United States did with the ABM Treaty, Russia instead took a more cynical path: violating its terms while remaining within the treaty, thereby putting the onus upon the United States to make the case about Russian violation, and then withdraw.

In the words of Lieutenant General Robert P. Ashley, Jr. director of the Defense Intelligence Agency, "Russia's actions have strained key pillars of [the] arms control architecture."<sup>4</sup> Many of Russia's arms control violations have been widely acknowledged, as has the sense of renewed geopolitical competition. But have the implications of this contempt sunk in? What does it mean for how future arms control will have to adapt? At what level of strain will the edifice fall?

Over the last five years, Washington has awakened to the reality of renewed competition with Russia and China. The invasion of Ukraine, the violation of numerous arms control treaties, various activities in the East and South China Seas, and a host of other activities have contributed to the sense that history has indeed returned, and that our approach to deterrence and defense policies must change accordingly.<sup>5</sup>

This new period of great power competition will not be brief. In describing the strategic competitions with Russia and China, the National Defense Strategy refers to them as "long-term." Approaches to arms control must be adapted to this new reality. Their content and form may also need to be different than in the Cold War, and the post-Cold War period up to around 2010.

### **Weighing the Question**

Much of the public commentary has treated the prospect of a five-year extension as self-evidently the right thing to do under any circumstances, as an urgent step that needs to be taken immediately, and as necessary to forestall an arms race between the United States and Russia. Few things in life are truly self-evident.

To be sure, there is some benefit in the degree of certainty with respect to the category of delivery systems and warheads called "strategic," even if the line between strategic and non-strategic nuclear weapons grows more artificial all the time. There is also value in the apparent confidence it instills about Russian intentions, force structure transparency, and perhaps intelligence gathering.<sup>6</sup>

It is, however, debatable that the expiration of the New START treaty would automatically lead to some kind of arms buildup over and above that which Russia is already undertaking. In the first place, Russia's current nuclear renaissance seems to have been initiated years ago, quite separately and prior to more recent U.S. nuclear modernization investments or force structure decisions. Former Secretary of Defense Ashton Carter has previously commented on assertions that planned U.S. nuclear modernization in the 2020s would spur an arms race: "Despite decades of American and allied reserve—for 25 years our

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<sup>4</sup> Robert P. Ashley Jr., "The Arms Control Landscape ft. DIA Lt. Gen. Robert P. Ashley Jr.," (speech, Hudson Institute, Washington DC, May 29, 2019), <http://s3.amazonaws.com/media.hudson.org/Hudson%20Transcript%20-%20The%20Arms%20Control%20Landscape.pdf>

<sup>5</sup> A similar point has been made by former Assistant Secretary of State for Arms Control, Verification, and Compliance Frank Rose. See Frank A. Rose, "The Future of Global Strategic Stability" (speech, Sasakawa Peace Foundation, Tokyo, Japan, July 19, 2019).

<sup>6</sup> *Hearing on Military Assessment of Nuclear Deterrence Requirements: Hearing Before the Armed Services Committee*, U.S. House of Representatives, 115<sup>th</sup> Cong. (March 8, 2017) (testimony of Gen. John Hyten).

nations have refrained from building anything new—many countries, including Russia, North Korea, and more, have been doing just that. And some of these nations are even building some new types of weapons.”<sup>7</sup>

Although the United States government has found that Russia has complied with New START, Russia has been modernizing its nuclear forces at a considerable rate over the past decade. An increase in Russian spending on strategic systems upon the expiration of the treaty would depend upon several factors, including the ability of Russia’s faltering economy to support even greater military spending.

There is also a question whether deciding now to renew New START in the face of Russia’s near-complete record of arms control violation would undermine our negotiating position and resolve about responding to their pattern of non-compliance. As the 2018 Nuclear Posture Review states, “Concluding further agreements with a state in violation of multiple existing agreements would indicate a lack of consequences for its non-compliance and thereby undermine arms control broadly.”<sup>8</sup> In December 2018 General Joseph Dunford, chairman of the Joint Chiefs of Staff, stated, “It’s very difficult for me to envision progress in extending [New START] ... if the foundation of that is non-compliance with the INF Treaty.”<sup>9</sup>

Any decision about a five-year extension should be made with a long-term view, and specifically what sort of follow-on treaty might be pursued or achieved in or before the 2026 timeframe. As much as one would like to segregate New START off into its own separate lane, these matters are linked. The Russia that has complied with New START is the same Russia that has violated INF and a host of other arms control agreements. And the Russia that violated INF is the same Russia with whom the United States would be negotiating a START follow-on treaty. Such linkages of distrust would likely carry over to those that would be called upon to advise and consent to a future treaty. When the Senate Foreign Relations Committee was briefed in November 2012 about Russia’s INF-violating missile, then-Senator John Kerry remarked that, “We’re not going to pass another treaty in the U.S. Senate if our colleagues are sitting up there knowing somebody is cheating.”<sup>10</sup>

The apparent anomaly whereby Russia complies with New START while violating nearly everything else merits further consideration. The Russians have demonstrated that they seem uninhibited from almost any form of bad behavior and international norm, so it may not be out of obligation to the sanctity of international treaties. Nor do they seem to be placing less reliance upon nuclear weapons, since they are modernizing their entire strategic and expanding their non-strategic nuclear forces.<sup>11</sup> So why does Russia comply with New START? It may be that Moscow does not feel the need to do so because they can gain comparative advantage by developing and fielding a wide variety of non-strategic systems. Apart from

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<sup>7</sup> Ashton Carter, “Nuclear Deterrence: Still the Bedrock of US Security,” *The American Interest*, April 6, 2017, <https://www.the-american-interest.com/2017/04/06/nuclear-deterrence-still-the-bedrock-of-us-security/>.

<sup>8</sup> *Nuclear Posture Review*, 74.

<sup>9</sup> Gen. Joseph Dunford quoted in Jonathan Landay and Arshad Mohammed, “Russia Must Scrap or Alter Missile U.S. Says Violate Arms Treaty,” *Reuters*, December 6, 2018, <https://www.reuters.com/article/uk-usa-russia-missiles/russia-must-scrap-or-alter-missiles-u-s-says-violate-arms-treaty-idUKKBN1O52BA>.

<sup>10</sup> Quoted in Thomas Karako, “Putin’s Treaty Problem: The Lessons of Russia’s INF Treaty Violations,” *CSIS Commentary*, July 29, 2014, <https://www.csis.org/analysis/putin%E2%80%99s-treaty-problem-lessons-russia%E2%80%99s-inf-treaty-violations>.

<sup>11</sup> Tony Wesolowsky, “Here’s What We Know: Russia’s New Generation Of Nuclear-Capable Weapons,” *Radio Free Europe*, February 19, 2019, <https://www.rferl.org/a/here-s-what-we-know-russia-s-new-generation-of-nuclear-capable-weapons/29778663.html>.

further uploading intercontinental ballistic missiles with additional warheads from their stockpile, it is hard to imagine Russia affording or doing much more than what they are doing already.

### **Paths Forward**

Since a decision about the short-term extension of New START need not be made immediately, the decision ought to be informed with respect to what we want and are willing to accept in a follow-on treaty, and how best to create the conditions for realizing our longer-term goals.

There are several major options for the post-New START era.

#### *Status Quo*

One is to essentially pursue the status quo—call it START IV—a bilateral arrangement between Russia and the United States that includes caps on both launchers and warheads, and perhaps improved methods of verification. If the status quo is good enough for the longer-term, then a five-year extension would make sense, as might indeed a hypothetical 10- or 15-year extension. Merely renewing the one arms control treaty with which Russia is interested in complying would not address the increasing imbalance of non-strategic systems, nor would it address China's growing nuclear forces. An unconditional extension also runs the risk of kicking the can on further reductions as well as failing to make a statement about Russia's pattern of noncompliance.

#### *Comprehensive Bilateral Approach*

Another option is to enter negotiations to include a comprehensive approach to all Russian nuclear weapons, specifically including those non-strategic weapons for which Moscow reportedly has a 10:1 advantage relative to the United States. Like several predecessor treaties, New START failed to capture the so-called “non-strategic” nuclear systems, including the INF-violating cruise missiles, a nuclear-powered and nuclear capable cruise missile, and a nuclear-powered, nuclear capable transoceanic torpedo. It is a cliché these days to say that all nuclear weapons are strategic weapons, and yet so many of them are not “strategic” for the purposes of arms control. As Russia doubles down on unregulated non-strategic forces, the definition of what nuclear forces are in and out of the “strategic” category (or the category's elimination) may be the most important criterion for a subsequent treaty.

This option was the one urged by the U.S. Senate in its resolution of ratification for New START, requiring that the president certify that the United States would, following consultation with NATO allies, initiate negotiations with Russia to address the disparity of non-strategic or tactical nuclear weapons possessed by Russia and the United States.<sup>12</sup>

The Obama administration pursued these negotiations in good faith. In April 2010, President Obama called for an additional round of bilateral negotiations that should address tactical nuclear weapons and nondeployed strategic weapons. And in June 2013, Obama called for deployed strategic weapons to be reduced by a third and for “bold reductions” in U.S. and Russian tactical nuclear weapons.<sup>13</sup> Russia

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<sup>12</sup> *Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms*, 111<sup>th</sup> Cong., December 22, 2010, S. Res. 111-5.

<sup>13</sup> Barack Obama, “Remarks by President Obama at the Brandenburg Gate -- Berlin, Germany,” The White House, Office of the Press Secretary, June 19, 2013, <https://obamawhitehouse.archives.gov/the-press-office/2013/06/19/remarks-president-obama-brandenburg-gate-berlin-germany>.

showed little interest in these ideas. It seems to me that the extension of New START might be used as a means to help reopen these issues.

Even while pursuing this grander deal, the United States should not widen the aperture to include negotiated restraints on its missile defenses, whether in terms of number, types, location, or capabilities. The Trump administration's 2019 Missile Defense Review stated that "the United States will not accept any limitation or constraint on the development or deployment of missile defense capabilities needed to protect the homeland against rogue missile threats."<sup>14</sup> In doing so, it continues the approach endorsed by the Obama administration, that "the United States will not negotiate restraints on U.S. [ballistic missile defense] capabilities."<sup>15</sup> As then-Under Secretary of State for Arms Control and International Security Rose Gottemoeller noted in 2014, the number of U.S. long-range interceptors is fewer than the 68 nuclear-armed interceptors around Moscow, and "our limited numbers of defensive systems cannot even come close to upsetting the strategic balance."<sup>16</sup> In terms of both numbers and capability, U.S. ballistic missile defenses will not come close to upsetting the strategic balance anytime in the foreseeable future, so limits on them should not be included in strategic arms negotiations.

### *Multilateralization*

A third option is scrapping the bilateral approach to pursue in earnest a multilateral treaty that includes China. This would indeed be a worthy goal. China is, after all, the long-term pacing threat for the United States. China has up until now entered into no agreements related to transparency, limitation, or reduction of its nuclear forces. Although some commentators would like to believe China has a minimum deterrence policy, it is hard to square such a conclusion with what appears to their pursuit of a robust triad of delivery systems.

Such a move to move beyond the bilateral structure was endorsed by Russian Deputy Foreign Minister Sergei Ryabkov, in 2013: "We cannot endlessly negotiate with the United States the reduction and limitation of nuclear arms while some other countries are strengthening their nuclear and missile capabilities." He added that "Making nuclear disarmament a multilateral process is becoming a priority."<sup>17</sup>

This approach is not without risk and would not be easy. Assuming that all parties would be permitted parity in numbers, a trilateral or multilateral approach could result in substantial reductions on the part of Russia and the United States to come down to China's level, or conversely green light China to build up to Russian and U.S. levels.

Such a goal is worth pursuing, and the Trump administration should be commended for entering into discussions with Russia about possibly pursuing such a goal. Apart from the prestige that it might bring to raise China to the level of a great power in a nuclear arms control context, however, it is not obvious why it would be in China's interest to do so, or what the United States and Russia could do, exactly, to get China to that table—at least not as the table is currently set.

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<sup>14</sup> Department of Defense, *Missile Defense Review Report* (Washington, DC: Department of Defense, 2019), ix.

<sup>15</sup> Department of Defense, *Ballistic Missile Defense Review Report* (Washington, DC: Department of Defense, 2010), 35.

<sup>16</sup> Rose Gottemoeller, "America's Commitment to Ballistic Missile Defense and the European Phased Adaptive Approach" (speech, Missile Defense Agency site, Bucharest, Romania, November 18, 2014), <https://2009-2017.state.gov/t/us/2014/234157.htm>.

<sup>17</sup> Sergei Ryabkov quoted in "Russia Insists on Multilateral Nuclear Arms Control Talks," *Nuclear Threat Initiative*, May 28, 2013, <https://www.nti.org/gsn/article/russia-insists-next-round-nuke-cuts-be-multilateral/>.

To get China there may require resetting the table. To do so, it will be necessary to first persuade China it is in its interest to join it. That may require the robust pursuit of intermediate-range capabilities. That pursuit could be in concert with Russia. Vladimir Putin noted in 2007 the Russian desire to have intermediate-range missiles, given the presence of such capabilities on their periphery. Perhaps the United States should have listened to Putin when he said that in Munich, or perhaps Russia should have exited the INF treaty in an orderly and legal manner in order to meet the need for such capability relative to China and others. At any rate, the demand signal by Russia for such forces seems to be a real one, as is that of the United States.

It may therefore be worth exploring with Russia an arrangement to both limit the numbers and capability of intermediate-range missiles in the European area, and encourage their location by both parties closer to China.<sup>18</sup> Just as it took the fielding of Pershing missiles in Europe to bring Russia to the table for INF, getting China to the arms control table may require fielding a number of new capabilities, perhaps in coordination with Russia, as well as the cooperation of our allies.

### **A Less Formal Approach**

Should none of this happen, there is another path forward: a less formal approach. The United States could simply allow New START to expire with unilateral or joint declarations to abide by the existing limitations, as has been done in the past. Some four decades ago, in the wake of Russia's invasion of another one of its neighbors, Afghanistan, it became clear that SALT II would not be ratified, and there was a period of time with a presidential declaration of adhering to SALT II limits even without a binding treaty governing strategic systems. There was likewise a period after the expiration of START I and the entry into force of New START in 2011, when no legally binding verification mechanisms were in place.

In 1961, Thomas Schelling and Mort Halperin wrote that "a more variegated and flexible concept of arms control is necessary—one that recognizes that the degree of formality may range from a formal treaty with detailed specifications, at one end of the scale, through executive agreements, explicit but informal understandings, tacit understandings, to self-restraint that is consciously contingent on each other's behavior."<sup>19</sup> Moving away from a more formal approach might have the added benefit of withholding the prestige and ceremony that accompany treaty signing and conclusion.

Perhaps not surprisingly, the future of arms control with Russia could look different than its Cold War-era forms. It might not be defined by formal treaties with numbers of delivery systems or warheads. Other elements such as transparency, alert levels, and confidence building measures might be more important. The two more ambitious tracks discussed above are preferable, but a less formal approach is not unthinkable. As the world order takes a new form, arms control may also take new forms.

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<sup>18</sup> Elbridge Colby, "The INF Treaty Hamstrings the U.S., Trump is Right to Leave It," *Washington Post*, October 23, 2018, [https://www.washingtonpost.com/news/global-opinions/wp/2018/10/23/the-inf-treaty-hamstrings-the-u-s-trump-is-right-to-leave-it/?utm\\_term=.b8091d67dbb9](https://www.washingtonpost.com/news/global-opinions/wp/2018/10/23/the-inf-treaty-hamstrings-the-u-s-trump-is-right-to-leave-it/?utm_term=.b8091d67dbb9).

<sup>19</sup> Thomas C. Schelling and Morton H. Halperin, *Strategy and Arms Control* (New York: The Twentieth Century Fund, 1961), 77.

**Concrete Conditions for Extension**

The question of a short-term extension of New START should be informed by the longer-term strategic goals, as well as by Russia's troubling record of arms control compliance. To that end, it might be beneficial for the U.S. to pursue a conditional rather than unconditional extension of New START.<sup>20</sup>

The condition should be that Russia immediately enter into negotiations for the New START-follow-on agreement, one encompassing all nuclear weapons including so-called non-strategic weapons. Such an approach would also have to be informed by Russia's troubling history of contempt for arms control, and by the prospect that a nominal commitment to such negotiations could become nothing more than a means of delay. This would require an annual assessment of negotiations over the course of the next five years, lest Russia merely use this as a means to delay or prolong genuine negotiations. A second condition or perhaps topic of negotiations during that period should be how the United States and Russia can bring China to the table for a multilateral agreement—just as Rybakov urged in 2013.

We should all hope that the concrete conditions are present in which a New START extension can be made. There are eighteen months to shape those conditions. These options should be explored, and talks should be given time to proceed. At this moment, however, it is probably premature to make a firm decision about extension.

Thank you for the opportunity to join you today. I look forward to your questions.

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<sup>20</sup> Franklin Miller, "Deterrence, Modernization, and Arms Control" (speech, Mitchell Institute Breakfast Series, Washington DC, May 24, 2019).