

Bipartisan support for arms control treaties has been reflected in overwhelming votes in favor of the INF Treaty, START I, START II, and the Moscow Treaty. I believe the merits of New START should command similar bipartisan support.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KERRY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed in morning business for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. I ask unanimous consent that the Senator from California, Mrs. FEINSTEIN, be recognized at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask to rescind that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. And that at such time that the other side has had an opportunity to speak, Senator FEINSTEIN be recognized for 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. I thank the Presiding Officer.

#### NEW START TREATY

Mr. KERRY. Mr. President, this afternoon, the Senate takes up an issue that is critical to our Nation's security, and we have an opportunity, in doing so, to reduce the danger from nuclear weapons in very real and very measurable terms. We have an opportunity to fulfill our constitutional obligation that requires the Senate to provide a two-thirds vote of the Members present who must vote in favor of a treaty.

The Constitution, by doing that, insists on bipartisanship. It insists on a breadth of support that is critical to our foreign policy and to the security definitions of our country. That obviously requires that we put politics aside and act in the best interests of our country.

I am confident that in the next days the Senate will embrace this debate in the substantive way it deserves to be embraced, and we look forward to welcoming constructive amendments from our colleagues on the other side of the aisle. We will, obviously, give them time to be able to make those suggestions, and we certainly look forward to having an important discussion about the security of our Nation.

We have been working together for a lot of months now to get us to this point in time, and I think it is indisputable that we have worked in good faith on our side of the aisle to try to provide enormous latitude to colleagues who have had questions about this treaty, some of whom have opposed this or other treaties from the beginning but who wanted to engage in the process.

I think the administration, to their credit—Secretary Gottemoeller and others who have negotiated the treaty—has been available throughout the process. There have been an enormous number of briefings and discussions, dialogs, phone calls. There has been a very open effort, as open, incidentally, as any I can remember in 25 years in the Senate—and I have been through this treaty process with President Reagan, President Bush, President Clinton, and others—and I think this has been as open and as accessible and as in-depth and, frankly, as accommodating as any of those, if not significantly more.

I wish to begin by thanking my colleague in this effort, my friend and a longtime knowledgeable advocate on behalf of nuclear common sense, Senator LUGAR. We all know he is one of the world's foremost experts on the subject of threat reduction and proliferation reduction. There are very few Senators who can look out and see a program that has been as constructive in reducing the threat to our Nation that bears their name—the Nunn-Lugar Threat Reduction Program—and it has been an honor for me to work with Senator LUGAR and to have his wise counsel in this process and, equally important, to have his courage in being willing to stand for what he believes in so deeply and what he knows will advance the cause of our Nation.

I might comment to my colleagues that what we are doing in these next hours and days, providing advice and consent, is a responsibility that is obviously given only to the Senate. The Founding Fathers intended that the Senate be able to rise above the pettiness of partisan politics. As our friend CHRIS DODD said in his valedictory speech:

The Senate was designed to be different, not simply for the sake of variety but because the Framers believed the Senate could and should be the venue in which statesmen would lift America up to meet its unique challenges.

“Statesmen,” that is the word we need to focus on in these next days. Too often in recent months—the American people signaled that in the last election—the Senate has been unable to lift America to meet its challenges. Too often we became one of those challenges, and rather than cooperating or compromising, we saw blockade after blockade and an inability to be able to address a number of issues.

As Senator DODD said: What determines whether this institution works is whether the 100 of us can work together.

So with the New START treaty, we have the opportunity to do that and to demonstrate our leadership to the world. I would say to my colleagues that just 2 days ago the Foreign Relations Committee had the privilege of welcoming the entire United Nations Security Council, which came to Washington with our Ambassador, Dr. Susan Rice. Much on their minds was this question of: Could the Senate rise? Would the Senate accomplish this important goal, which has meaning not just to us but to them because they have joined with us in resolution 1929 in order to put pressure on Iran, not to mention the long-term efforts we have made with respect to North Korea.

So what we do is going to be an expression of our opportunity, of our ability to be able to provide leadership to the American people.

Let me clarify one thing at the outset of this discussion. We have enough time to do this treaty. To anybody who wants to come out here and claim: Oh, no, we do not have time; we cannot do it; it is right before Christmas, and so forth, let me just remind people the original START agreement, which was passed back in 1992, was a far more dramatic treaty than the New START.

The original START treaty was formulated in the aftermath of the demise of the Soviet Union. There was huge uncertainty in Russia at that point in time. The Soviet Union had just collapsed. Yet despite all the uncertainty, despite the complexity of going from some 10,000 nuclear warheads down to 6,000, the full Senate needed only 5 days of floor time in order to approve the treaty by a vote of 93 to 6.

The START II treaty, which followed it about 4 years later, took only 2 days on the floor of the Senate. It was approved 87 to 4.

The Moscow Treaty, which actually resulted in the next further big reduction—because START II was ratified by the Senate but not approved by Russia because of what had happened with the ABM Treaty, the unilateral pullout of the United States; so in their pique at that, it was not ratified—but we managed to go to the Moscow Treaty, and it resulted in further reductions to some 1,700 to 2,200 weapons, a very dramatic reduction. That treaty, which did not have any verification measures in it at all—no verification—that treaty took only 2 days on the floor of the Senate, and it was approved 95 to 0.

So we have time to do this treaty. If we approach it seriously, if we do not have delay amendments and delay amendments, I believe we have an opportunity to embrace the fact that this New START treaty is a commonsense agreement in the next step to reduce down to 1,550 warheads and to enhance

stability between two countries that together between them possess some 90 percent of the world's nuclear weapons.

It will limit Russia over the next 10 years to those 1,550 deployed warheads, 700 deployed delivery vehicles, and 800 launchers. It will give us flexibility in deploying our own arsenal. We have huge flexibility in deciding what we put on land, what we put in the air, and what we put at sea. At the same time, it will allow us to eliminate surplus weapons that have no place in today's strategic environment. New START's verification provisions are going to deepen our understanding of Russia's nuclear forces.

For the past 40 years, the United States, often at the instigation of Republican Presidents, has used arms control with Russia to increase the transparency and the predictability of both our nuclear arsenals, and this has built trust between our two countries. It has reduced the chances of an accident. It stabilized our relationship during times of crisis. It has provided for greater communication and greater understanding and, as everybody knows, in making military decisions and strategic decisions, one's understanding of the legitimacy of a particular threat and the immediacy of that threat and knowing what the intentions and actions of a potential adversary might be is critical to being able to make wise judgments about what reaction might best be entertained.

Frankly, that trust is exactly why President George H.W. Bush signed the START I and the START II treaties. That is why these treaties passed the Senate with overwhelming bipartisan support.

New START simply stands on the shoulders of those two START agreements. It is not new. There are a few new components of it, a few twists in terms of the verification, other things, but they are not fundamentally new. They also stand on the trust and the fact of the legitimate enforcement of that treaty over all the years that START has been in effect.

So we are not beginning from scratch. We have a 1992 until today record of cooperation and of knowledge and increased security that has come to us because of the prior agreements. That is, frankly, why I was so pleased President Bush—George Herbert Walker Bush—last week, issued a statement urging the Senate to ratify this treaty.

In addition to stabilizing the United States-Russia nuclear relationship, New START has a profound impact on our ability to be able to work to try to stop the spread of nuclear weapons in states such as Iran. I might point out that in the 7 months since President Obama signed this agreement, Russia has already exhibited a greater cooperative attitude in working with the United States on a number of things, not the least of which is in supporting

harsher sanctions against Iran, and they have suspended the sale of the S-300 air defense system to Tehran. That is critical.

We were struggling a couple years ago to try to strengthen the sanctions against Iran. There is not a Member of this body who did not articulate, at one point or another, the need to move to the Iran Sanctions Act. We finally did that, but we did not have a partnership. Neither China nor Russia, who are permanent members of the Security Council, were joining in that effort, so we could not get the United Nations even to move.

Now we have, and there is nobody who has watched the evolution of this restart with Russia who does not understand that cooperation has been enhanced by our signing of this treaty. To not ratify it now would be a very serious blow to that cooperative effort and, in fact, according to many experts, could ignite an opposite reaction that would move us back into the kinds of arms race we have struggled so long to get out from under. So the fact is, we need to understand that relationship.

I might add, I think Steve Forbes, in Forbes magazine, wrote an article just the other day urging the Senate to ratify START because he said it does not just have an implication in terms of the security component of it, the nuclear side, it has a very strong economic component. He is arguing for greater economic engagement between Russia and the United States and Russia and the West. He said the restart relationship is critical to that increased commerce, to that increased economic strengthening between our countries. I hope my colleagues will look carefully at a strong conservative voice such as his that urges the ratification of this treaty.

In addition to the Russian component of the relationship, New START will help us keep nuclear weapons out of the hands of terrorists. One of the greatest fears of our security community is that terrorists may not necessarily get what we strictly call a nuclear bomb, but they may be able to get nuclear material through back channels and through the black market because it has not been adequately guarded and because we have not reduced the numbers of missiles and the amount of material and so they could get a hold of some of that material and make what is called a dirty bomb; that is, a bomb that does not go off in nuclear reaction but which, because of the nuclear material that explodes with it, has a very broad toxic impact on a very large community. That is a legitimate concern and one of the reasons why we drive so hard to reduce the nuclear actors in the world.

The original START agreement was, frankly, the foundation of the Nunn-Lugar Cooperative Threat Reduction

Program. That is, simply put, the most successful nonproliferation effort of the last 20 years. As James Baker, former Secretary of the Treasury and Secretary of State, said:

I really don't think Nunn-Lugar would have been nearly as successful as it was if the Russians had lacked the legally binding assurance of parallel U.S. reductions through the START treaty.

So the New START is going to strengthen our ability to continue to secure loose nuclear materials, and without New START, absolutely, to a certainty, that ability to contain those materials will be weakened.

In short, New START is going to help us address the lingering dangers of the old nuclear age while giving us important tools to be able to combat the threats of the new nuclear age, and the sooner we approve it the safer we will become.

That is why there is such an outpouring of support for this treaty. Every single living former Secretary of State, Republican and Democrat, supports this treaty. So do five former Secretaries of Defense and the Chair and the Vice Chair of the 9/11 Commission. So do seven former commanders of our nuclear forces and the entirety of our uniformed military, including Admiral Mullen and the service chiefs, and our current nuclear commander. All support this treaty as well. It is difficult to imagine an agreement with that kind of backing from so many individuals who contributed so much to our Nation's security, almost all of whom know a lot more about each of these arguments than any Senator—myself, everybody here. They have been in the middle of this, and over the last weeks every single one of them has spoken out in favor of this treaty.

Some have suggested we shouldn't rush to do this, but I have to tell my colleagues, only in the Senate would a year and a half be a rush. We started working on this treaty a year and a half ago. Senators have had unbelievable opportunity to be able to do this. I think the question is not why would we try to do it now, it is why would we not try to do it now. For what reason within the four corners of the actual treaty—not talking about modernization; that is not in the four corners of the treaty—notwithstanding that, the administration has allowed delay after delay after delay in order to help work with Senator KYL and provide adequate increases in modernization, so much so that the modernization is way above what it was under President Bush or any prior administration. But that is not in the four corners of the treaty. That is something you do because you want to maintain America's nuclear force, and we all want to do that, which is why we have worked hard to be able to provide that funding.

I believe the importance here is to recognize it has been more than a year

since the original START treaty and its verification provisions expired. It has been more than 1 year since we had inspectors on the ground in Russia without access to their nuclear facilities. Every day for the past year our knowledge of their arsenal or whatever they are doing begins to diminish, one step, one small amount at a time, cumulatively over time, which is why our entire national intelligence community has come out and said this treaty, in fact, will advance America's security and assist us to be able to know what Russia is doing.

Let me point out 2 weeks ago James Clapper, the Director of National Intelligence, urged us to ratify the New START and he said: "I think the earlier, the sooner, the better." That is our National Intelligence Director.

Others have tried to suggest again that this is a squeeze in the last days here, but let me say respectfully I have already given the timeframe. START took 5 days; START II, 2 days; Moscow, 2 days. So if we work diligently, there is nothing to stop us from finishing this in the time we have. We just have to stay here and make it clear we are going to stay here, and the President wants us to, and HARRY REID has said we will, until we get this done. The fact is that starting in June of 2009, over a year ago—a year and a half ago—the Foreign Relations Committee was briefed at least five times during the talks with the Russians. We met downstairs in the secure facilities with the negotiators while they were negotiating. We met with them before they negotiated. We gave them parameters we thought they needed to embrace in order to facilitate passage through the Senate. We met with them while they were negotiating at least five times—Senators from the Armed Services Committee, Senators from the Intelligence Committee, Senators from the Senate's National Security Working Group, which I cochair along with Senator KYL. Whenever Senator KYL wanted to meet with that group, we called a meeting with that group. We met and called in Rose Gutmoeeller and others and we sat and talked. The Select Committee on Intelligence did its work. In the end, if you count them, more than 60 Senators were able to follow the negotiations in detail over a 1-year period. Senators also had additional opportunities to meet with the negotiating team and a delegation of Senators even traveled to Geneva, which the administration helped to make happen in order to meet with the negotiators while the negotiations were going on.

So even though the New START was formally submitted to the Senate in May, the fact is Congress knew a lot about this treaty before it was even signed. The President made certain we were continually being briefed and that the input of the Senate was taken into

account in the context of those negotiations. No other Senate—not next year's Senate—could come back here and replicate what this Senate has gone through in preparing for this treaty. We can't replicate those negotiations. They are over. They can't go back and give advice to the negotiators at the beginning. That is done. We did that. It is our responsibility to stand up and complete the task on this because we have put a year and a half's work into it. We have done the preparation. We have the knowledge. It is our responsibility.

The fact is over the last 7 months, this Senate has even become more immersed in the treaty. We have had briefings. Documents have been submitted. Nearly 1,000 formal questions were submitted to the administration and they have been answered. We have volumes of these questions, all of which were asked by Senators, completely within their rights, totally appropriate in the ratification process. We welcome it. I think it has produced a better record and a stronger product.

The Foreign Relations Committee conducted 12 open and classified hearings. We heard from more than 20 witnesses. The Armed Services Committee and the Intelligence Committee held more than eight hearings and classified briefings of their own. We heard from Robert Gates, the Secretary of Defense; from ADM Mike Mullen, the Chairman of the Joint Chiefs of Staff; GEN Kevin Chilton, the Commander of the Strategic Command; LTG Patrick O'Reilly, the Director of the Missile Defense Agency, who incidentally repeated what every single person involved in this, from Secretary Gates all the way through the strategic command, has said:

This treaty does nothing to negatively impact America's ability, or to even impact it in a way that prevents us from doing exactly what we want with respect to missile defense.

We also heard from the directors of the Nation's nuclear laboratories, the intelligence officials who are charged with monitoring the threats to the United States, and we heard, as I mentioned previously several times, from the negotiators of the agreement. We heard from officials who served in the Nixon administration, Ford, Carter, Reagan, Bush, Bush 41, Clinton, Bush 43. We heard from officials in every one of those administrations, and you know what. Overwhelmingly, they told us we should ratify the New START.

As I said, some of the strongest support for this treaty comes from the military. On June 16 I chaired a hearing on the U.S. nuclear posture, modernization of our nuclear weapons complex and our missile defense plans. General Chilton, Commander of the U.S. Strategic Command, who is responsible for overseeing our nuclear deterrent, explained why the military supports the New START. He said:

If we don't get the treaty, A, the Russians are not constrained in their development of force structure; and B, we have no insight into what they are doing. So it is the worst of both possible worlds.

That is the head of our Strategic Command telling us if you don't ratify this treaty, it is the worst of both possible worlds.

This treaty may have been negotiated by a Democratic President, but some of the strongest support for this treaty comes from Republicans. Two weeks ago, five former Republican Secretaries of State—five—Henry Kissinger, George Shultz, James Baker, Lawrence Eagleburger, and Colin Powell—wrote an article saying they support ratification of New START because it embraces Republican principles such as strong verification. Last week, Condoleezza Rice published an op-ed which said that the New START treaty deserves bipartisan support when the Senate decides to vote on it. As Secretary Rice wrote, approving this treaty is part of our effort to "stop the world's most dangerous weapons from going to the world's most dangerous regimes."

So if some think we haven't somehow considered this treaty carefully, I encourage them to revisit the voluminous record that has been produced over the last year and a half, and I look forward to reviewing it here as we debate New START in the coming days.

In the end, I am confident we are going to approve this treaty just as the Senate approved the original START treaty in 1992. At that time there were also Senators who insisted on delay. There were Senators who suggested that serious questions remained unanswered. That is their privilege. There were Senators who drafted dozens and dozens of amendments. But in the end, within 5 days, the Senate came together to approve the treaty 93 to 6.

So what is important that we pay attention to as we look at the big picture here and to the national imperative, the security imperative behind this treaty and what our military leaders and civilian leaders are urging us to think about, both past and present? Well, if you pay attention to the facts, you can come to only one conclusion, and that is we have to ratify this treaty.

Some of our colleagues have said they could support the treaty if we addressed certain issues in a resolution of ratification. Well, again, I hope they are listening. We have addressed the issues they raised in the resolution of ratification. I think many people may not even be aware of how much we have put into the resolution of ratification and how much we have done over the last 7 months to respond to the concerns raised during the consideration of the treaty.

The draft resolution is 28 pages long. It contains 13 conditions, 3 understandings, 10 declarations, and the conditions will require action by the executive branch. The understandings are formally communicated to the Russians, and the declarations express clear language of what we in the Senate expect to happen in the next years. That is the distinction between each of those categories.

This resolution currently addresses every serious topic we have addressed over the course of the last 7 months. For example, on the issue of missile defense, our military has repeatedly and unequivocally assured us that the New START does nothing to constrain our missile defense plans. The Secretary of Defense says it does nothing to constrain our missile defense plans. The Chairman of the Joint Chiefs of Staff says it does nothing to constrain our missile defense plans. The commander of our nuclear forces says it does nothing to constrain our defense plans. Indeed, the man who probably knows more about these plans in the greatest detail—much more than any Senator—LTG O'Reilly, the head of the Missile Defense Agency, testified that in many ways, the treaty reduces constraints on our missile defense testing. Get that. The head of missile defense says this treaty reduces the constraints on our missile defense testing.

He also testified that the Russians signed the treaty full knowing that we are committed to the phased adaptive approach in Europe. He said:

I have briefed the Russians personally in Moscow on every aspect of our missile defense development. I believe they understand what it is and that those plans for development are not limited by this treaty.

Now, if the head of our missile defense sees no problem with this treaty, I don't understand the concerns being expressed. But if a Senator is still worried about the New START missile defense treaty, notwithstanding his comments, then they ought to read condition 5, understanding 1, and declarations 1 and 2, all of which speak directly to that issue.

We have also addressed the issue of what resources are needed in order to sustain our nuclear deterrence and modernize our nuclear weapons infrastructure. This is not an issue that falls within the four corners of the treaty, as I mentioned. But as a matter of good faith, in an effort to sort of accelerate the ability of people to support this treaty, every step of the way the administration, in good faith, has worked to provide Senator KYL and others with the full knowledge of how that program is going to go forward from their point of view.

Obviously, the administration doesn't control what a Republican House is going to do next year. I don't know. But Senator INOUE has given his assurances. Senator FEINSTEIN has

given her assurances. We have shown a good-faith effort to guarantee that there is knowledge of the funding going forward—the 1251 program, which lays out the spending going forward and has been made available ahead of schedule, in a good-faith effort to try to make certain every base is covered.

The Obama administration proposed spending \$80 billion over the next 10 years. That is a 15-percent increase over the baseline budget, even after accounting for inflation. It would have been much more an amount than was spent during the Bush administration. Notwithstanding that commitment, still last month some Senators expressed further concerns. So guess what. The administration responded even further and put up an additional \$5 billion over the next 10 years. In response, the directors of our three nuclear weapons laboratories sent me a letter saying they were "very pleased with the new plan," and they said:

We believe that the proposed budgets provide adequate support to sustain the safety, security, reliability, and effectiveness of America's nuclear deterrent within the limit of the 1,550 deployed strategic warheads distinguished by the new START Treaty with adequate confidence and acceptable risk.

Last week, the person responsible for running our nuclear weapons complex, who was originally appointed by George W. Bush, told the Wall Street Journal:

I can say with certainty that our nuclear infrastructure has never received the level of support we have today.

That is a ringing endorsement, Mr. President, one that is completely persuasive—or ought to be—to any reasonable mind with respect to this issue. If Senators are still concerned, then I suggest they go see condition 9 of the resolution of ratification. It says if any of this funding doesn't materialize in the coming years, the President is required to report to Congress as to how he or she will respond to that shortfall.

Every other issue that has been raised is also addressed in the resolution as well. If you are worried about modernizing our strategic delivery vehicles, declaration 13 gets at that concern. Conventional prompt global strike capabilities—look at conditions 6 and 7, understanding 3, and declaration 3.

Tactical nuclear weapons are likewise covered in the resolution. Verifying Russian compliance is also covered. Even the concern raised about rail mobile missiles has been addressed in the resolution of ratification.

Obviously, there is room for someone else to come in and say you need to do this or that; not everything has been covered. We completely remain open to any reasonable and legitimate efforts to improve on or guarantee some safeguard that somehow is not included in a way that it can be without obviously trying to scuttle the treaty itself.

I have reached out to colleagues. We have had terrific conversations. I thank my colleagues on the other side of the aisle who have sat with us in a lot of efforts and inquired and helped us to navigate this process. But make no mistake, we are not going to amend the treaty itself. We are willing to accept resolutions that don't kill the treaty, but we are not going to get into some process after all that has been said and done by all of the different bipartisan voices that have inspected this treaty and found it one that we should ratify.

Mr. President, I have been through all the folks who signed and endorsed it, et cetera. I simply say I hope in the next hours we will have a healthy debate. I hope we can also work out—everybody knows the holiday is upon us—I hope we can work out reasonable time periods on amendments. We are certainly not going to prolong debate. I think most Senators have a sense of where they feel on most of these issues.

We look forward to working with our colleagues in a very constructive way to try to expedite the process for our colleagues. We have other business before the Senate, as well, and we are cognizant of that.

This is truly a moment where we can increase America's hand in several of the greatest challenges we face on the planet. First and foremost, obviously, if we are truly committed to a non-nuclear Iran, if the United States can turn away from reducing weapons with Russia in a way that sends a message to them about our bona fides and clean hands in this effort, it would be a tragedy if we didn't take this opportunity in order to strengthen the President's and the West's and the U.N.'s hands in trying to deal with this increasingly threatening issue.

I hope our colleagues will warmly rise to that challenge in the Senate.

I thank the Chair and yield the floor. THE PRESIDING OFFICER. The Senator from Louisiana is recognized.

#### BOEMRE PAPUA, NEW GUINEA VISIT

Mr. VITTER. Mr. President, I rise to discuss an issue that is very important to Louisianians and folks along the gulf coast and very important to the entire country, which is continuing the de facto moratorium—the "permatorium" is what many folks have called it—in terms of drilling, energy production in the Gulf of Mexico.

There is one particular headline I want to point out in this context that is very frustrating and baffling. If it weren't so serious, it would be comical. Over the last several months, Louisianians have grown increasingly frustrated with the Interior Department in particular—and in particular, what used to be called MMS but is now the Bureau of Ocean Energy Management,