



S. HRG. 113-319

# NOMINATIONS OF THE 113TH CONGRESS—FIRST SESSION

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## HEARINGS

BEFORE THE

## COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

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MAY 7 THROUGH DECEMBER 17, 2013

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Printed for the use of the Committee on Foreign Relations



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**NOMINATIONS OF ROSE GOTTEMOELLER,  
FRANK ROSE, AND ADAM SCHEINMAN**

THURSDAY, SEPTEMBER 26, 2013

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

Hon. Rose Eilene Gottemoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security  
Frank A. Rose, of Massachusetts, to be Assistant Secretary of State for Verification and Compliance  
Adam M. Scheinman, of Virginia, to be Special Representative of the President for Nuclear Nonproliferation, with the Rank of Ambassador

The committee met, pursuant to notice, at 10:08 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez (chairman of the committee) presiding.

Present: Senators Menendez, Shaheen, Murphy, Kaine, Markey, Corker, Rubio, and Barrasso.

**OPENING STATEMENT OF HON. ROBERT MENENDEZ,  
U.S. SENATOR FROM NEW JERSEY**

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee will come to order.

We are pleased to have three distinguished nominees before the committee. But, before I make an opening statement and turn to the ranking member, I know that Senator Isakson and Shaheen are here to introduce Rose Gottemoeller, and I know how complex our schedules are, so let me ask them to make those introductions, and then we will move to our opening remarks and introduce our nominees.

Senator Isakson.

**STATEMENT OF HON. JOHNNY ISAKSON,  
U.S. SENATOR FROM GEORGIA**

Senator ISAKSON. Well, thank you very much, Mr. Chairman.

The CHAIRMAN. And we welcome you back to the committee—where you served so admirably—maybe we can get you back here someday.

Senator ISAKSON. As a refugee, I would be happy to come back at anytime, so—

[Laughter.]

Senator ISAKSON [continuing]. Maybe we can negotiate that, one of these days.

It is an honor to be back with you and Ranking Member Corker. And I remember, fondly, my days on the committee, which, in fact, are, in part, why I am here today to introduce Rose Gottemoeller, because I got to know her during the negotiations on the New START Treaty, and I depended on her very heavily for feedback, information, guidance, and tough questions. And I found her to be a tough lady. I found her to be a knowledgeable lady. I have found her to be an effective lady. And she guided me through a process where I needed that kind of help to make the final decision I did on START.

And the reason I am here to introduce her today is, we have issues confronting us, as a country, given proliferation of weapons, not just nuclear weapons, but sarin gas and things of that nature, where we need the best minds in the United States of America to guide our country. In the position she will have, she will be the advisor to the Secretary of State on proliferation issues, and, as you know, we are, right now, dealing with the problem with sarin gas in the Middle East and the Syrian question. No better person to have than Rose Gottemoeller.

I remember, when I went through the due diligence I went through on the START Treaty, two things bothered me. One was being able to verify and count so we could do what Ronald Reagan intended when START began its negotiation: trust, but verify. It was her work with me on understanding the unique verification system of the New START Treaty, which is now bearing fruit, that I became comfortable with the fact that we could actually validate what was in Russia and what the Russian Federation had, and we could count without having a redundancy in our count.

Second, I needed to know that our nuclear arsenals and our laboratories would be modernized. I worked closely with Senator Corker, who worked hard and is still working hard, on the modernization issue. And I appreciated her commitment to the modernization of our nuclear arsenal, as well.

Now, you might think it is odd for a Georgian to introduce a Buckeye, but that is not really that odd, because one of her two children, Dan, went to Emory University in Atlanta, and that is our tie, beside my great respect for her as a representative of the United States of America. She and her husband, Dan, have been married for—Ray, not Dan—have been married for a number of years. He is a career servant of the United States of America. They have two sons and are great contributors to our country.

It is an honor and privilege for me to introduce to you someone who I would trust with the unique and very difficult and challenging things that face us, in terms of verification of weapons of proliferation. And, as a Senator from the State that houses part of the Savannah River facility where all of the spent nuclear fuel is reprocessed in the H Canyon, I know firsthand the danger of nuclear material, the need to make sure that it is—we keep up with it, the need to make sure that it does not get in the wrong hands.

And I trust and verify that Rose Gottemoeller is exactly the right person the United States of America needs at this time to go from

acting to permanent in her current position. And I recommend her to the committee with my highest recommendation.

The CHAIRMAN. Thank you very much. I think you should be more explicit about how you feel, but—

[Laughter.]

The CHAIRMAN [continuing]. That is one great recommendation.

Senator Shaheen, who is a member of our committee, and we are pleased to have her making an introduction, as well today.

**STATEMENT OF HON. JEANNE SHAHEEN,  
U.S. SENATOR FROM NEW HAMPSHIRE**

Senator SHAHEEN. Well, thank you, Mr. Chairman.

I am really honored to be here this morning to join Senator Isakson—and, as you point out, we really miss him on this committee, so we hope you will come back—but, to be here to introduce Rose Gottemoeller, who is the nominee to be Under Secretary of State for Arms Control and International Security.

And I first had the pleasure of meeting Rose back in March 2009, when I had just arrived in the Senate and got the opportunity to chair her nomination hearing as Assistant Secretary of State for Arms Control, Verification, and Compliance. And, at the time, the Senator who introduced her was Dick Lugar. And so, for me to be able to have this opportunity to join Senator Isakson and to do the introduction for this nomination in place of Dick Lugar is truly an honor, and I very much appreciate your asking me to do this, Rose.

As Senator Isakson said, even though I was new to the Senate, I was so impressed with the work that she did as the negotiator on the New START Treaty. She became the first woman in our history to negotiate this kind of a treaty. And, throughout all of those talks—again, as Senator Isakson said—she was skilled, she was patient, but she also went out of her way to engage with us in the Senate as we were thinking about ratification for that treaty and all of the challenges. And she was always there, she was always willing to provide the information in a very bipartisan way.

And, though that treaty is one of her most public efforts, Rose has led a lifetime of dedicated and nonpartisan service to the country, often with little or no fanfare. She was one of the leaders of the effort to eliminate the nuclear stockpiles throughout the former Soviet Union, including Ukraine, Belarus, and Kazakhstan, and, early on in her career, she worked on a secret effort to prevent highly enriched uranium from getting into Iran, in the 1990s, something I know we are all still very concerned about. And one of the things I found out about her this week is that she worked the Moscow-Washington Hotline, back in the late 1970s, so clearly she is ready for anything, and has worked extensively on WMD security issues throughout our government.

You know, it is those big nuclear deals and the work on New START that has gotten so much of the press, but I can attest, on a personal level, that, not only is she interested in that, but that she is interested in the economic issues facing the country and the challenges that our young people face. I persuaded her to come up to New Hampshire to meet with businesses about some of their export issues, and she talked extensively with them about export controls in our system, and how we can reform it. But, she also went

with me to the YWCA in Manchester to meet with some of our young women and talk to them about how to get them involved in the STEM subjects and the opportunity that exists for young women. And you could see her ability to work with everyone, in that brief trip to New Hampshire.

So, she has really spent her lifetime making Americans safer. Rose is a patriot. She is one of the most qualified candidates ever to be nominated for this position. And I am proud to support her in this effort. I hope the committee will move forward with full speed to confirm her and to get her nomination to the floor.

And thank you, Mr. Chairman, for the opportunity. And thank you, to Rose, for giving me this opportunity today.

The CHAIRMAN. Well, thank you both for your introductions and very strong support. And I know that you have busy schedules, so you are welcome to stay, but if you have to leave, I understand that you will need to do so. So, at any time, feel free to depart.

And let me say, as a preface to my remarks, that I appreciate the work of Senator Corker, the ranking member on this committee, on these issues. He has vigorously pursued them, was willing to use—because he believed it was right—his own personal political capital, in terms of the ratification of the treaty, and made very significant impacts on what that looked like. And so, I appreciate his work.

Let me thank you all very much for joining us today. We have three experienced nonproliferation officials nominated for key international security posts. Each of these nominees, in my opinion, is a qualified professional more than capable to assume their new role. Should they be confirmed, they will be in the vanguard of America's diplomatic negotiations on nonproliferation and compliance issues, and we welcome them to the committee.

We have heard, already, about our nominee to be Under Secretary of State for Arms Control and International Security, Rose Gottemoeller; Frank Rose, to be the Assistant Secretary of State for Arms Control, Verification, and Compliance; and Adam Scheinman, to be the Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador.

Each has a full and clear background in nonproliferation compliance and verification. Each is fully aware of the new threats that we face, the state and nonstate actors who represent those threats, and the importance and impact of every decision they will make.

They will be facing both ongoing and new issues when it comes to negotiations with Russia, chemical weapons in Syria, the threat of proliferation of nuclear weapons in North Korea and Iran. These nominees will be implementing and verifying the New START Treaty, which provides transparency and stability in our strategic relations with Russia.

They will also be exploring the potential for further reductions in U.S. and Russia nuclear forces. We know further reductions are possible, because a comprehensive review of our nuclear posture has determined that we can ensure the security of America and our allies and maintain a strong and credible strategic nuclear deterrent while reducing our forces. Clearly, the obvious question, which I would like to hear in our panelists' answers, is, to what extent

do the Russians also support further negotiations and continued verifiable reductions?

In Syria, we are facing the issue of ridding the regime of its chemical weapons arsenal and the details of the proposed framework for the elimination of those weapons; the verification of Syria's compliance with provisions to destroy chemical weapons production, mixing and filling equipment by November; and the verifiable and enforceable destruction of all of Syria's arsenal by the middle of 2014. And I am curious to hear about the challenges we face in implementing this framework, should it ultimately move forward, and what role each of you may play in carrying out its provisions.

Finally, in Iran, our policy is clear: We will not allow the development of nuclear weapons capability. As the President noted in his speech at the United Nations, the election of President Rouhani has opened up the possibility of a diplomatic approach to resolving these issues surrounding Iran's nuclear program. But, despite the positive words coming out of Tehran—they sounded better to me when they were coming out of Tehran than what I heard in New York the other day—but, regardless of those words, Iran has continued to add capabilities to its nuclear program, including 2,000 centrifuges, with 300 of these more advanced second-generation ones.

So, while I support constructive engagement with Iran, our policies must be based upon Iranian actions, not merely words. That is why I want to hear from our panelists how our sanctions policies, which helped bring Iran to the negotiating table, can be further strengthened in response to Iran's continuing march toward nuclear capability.

I am also looking forward to hearing what requirements our panelists see as necessary for concluding an agreement with Iran. And, at a minimum, should not we expect Iran to suspend its enrichment, as required by the United Nations Security Council resolutions, close the Fordow plant, reveal the location of all nuclear facilities, and allow international inspectors in Iran in order to verify that these facilities can only be used for peaceful purposes?

In terms of North Korea, the United States has stated we will not accept North Korea as a nuclear weapons state which would potentially unleash an arms race in the region and threaten our security and the security of our allies. I would like to hear from each of you what you believe we can do to move in that direction to ensure that the North Koreans return to the table, and what we must do to ensure that the North is not sharing information and becoming a dangerous source of proliferation and nuclear weapons technology.

So, there are many challenges clearly before us, and I think those challenges make a compelling case that we need qualified people sitting in the key positions to help us meet those challenges. I know that there are differences on the committee when it comes to these issues and how we treat them, and, for some, these nominations. I know that there are deeply held positions on both sides of the aisle as to their record and views.

But, regardless of our differences, I believe there are a number of things we can all agree upon. We can all agree that we face a

new and more complex set of proliferation threats, the threat of terrorists getting their hands on and then using nuclear, chemical, or biological weapons; the danger of regional armed nuclear adversaries, like North Korea and Iran, using their nuclear capabilities to blackmail our partners and allies.

In response to these threats, I think we can all agree that we need a more modern and flexible nuclear enterprise and updated policies that can respond to these new threats as well as the old threats we face.

What I would say to members of the committee is that, at the end of the day, we may disagree on verification and compliance procedures, but we cannot disagree on the significance of the threats we face and the need to have a team in place that is tasked with representing our security interests at the highest level.

So, I appreciate many of the members' engagement. I want to turn to the distinguished ranking member for his comments, and then I will introduce our other two nominees and we will move forward.

**STATEMENT OF HON. BOB CORKER,  
U.S. SENATOR FROM TENNESSEE**

Senator CORKER. Thank you, Mr. Chairman. And I will be brief. I think you have given a very extensive introduction.

And I want to thank you for the comments you made about New START. As a matter of fact, I would say, to the whole committee, the Foreign Relations Committee has been a place where we have checked partisanship at our shore's line. And if you look at the many issues that have been before us this year, in every case each issue has been dealt with in a bipartisan way. And I think that speaks volumes about your leadership, and I want to thank you for that. And I hope we will continue, and I think we will, moving through these issues in a way that seeks common ground and seeks to, again, always put our country's national interests first. And I am really proud of this committee. And I know we have had some tough, tough votes. I stand by those votes, and I am proud that we have done the work we have done. But, thank you for your leadership in getting us there.

And, with that, to our nominees—I agree, I think we have some very qualified nominees. And I know that Rose was in yesterday, in a classified briefing, to talk about some things that are of utmost importance to our country. And, like Johnny Isakson in—with his wonderful opening comments, I got to know—I apologize, I will call you "Rose"—during the process of New START, and I have been disappointed, in fairness, with some of the modernization efforts that have taken place since, which were a part of our ratification. On the other hand, I do appreciate, that it looks like things are stepping back up, and I appreciate your efforts, and others, in making that happen. And I just hope Congress will support those efforts. I think it is very important to our national security that we continue to have the ability, should breakouts occur down the road, to deal with things in an appropriate way. And I thank you, again, for pushing those.

I also have been concerned recently about comments regarding new agreements with Russia, and was able to get a letter from the



State Department stating that we would not agree to additional reductions with Russia without going through the treaty process, which I think is very important. And I thank you for, first, verbalizing that, but also then causing the Secretary of State to follow up in writing. And I do hope that, obviously, any reductions with anyone, any agreement, is done solely through a treaty.

And then, last, especially getting to some of the things we have discussed most recently, there needs to be real consequences for people who violate treaties. And we have that to deal with on a range of issues.

So, look, I will not belabor the points. I think our chairman, again, went through the points in a very articulate manner, and I thank you for that.

And I look for your testimony, and I look forward to the questions.

Thank you very much.

The CHAIRMAN. Thank you, Senator Corker.

Let me also present to the committee Frank Rose, who is nominated for the Assistant Secretary of State for Verification and Compliance. He began his career, as I understand it, as one of the most promising young legislative correspondents in Senator Kerry's office. And that promise has clearly been realized. He is currently Deputy Assistant Secretary of State for Space and Defense Policy, working on arms control, defense policy, missile defense, military space policy, and conventional arms control. He has held national security staff positions in the House of Representatives on the House Armed Services Committee and the Permanent Select Committee on Intelligence.

And so, we thank you for your service and look forward to your hearing today.

Mr. Scheinman, who has been nominated as Special Representative for the President for Nuclear Nonproliferation, is a senior advisor for nuclear nonproliferation in the Bureau of International Security and Nonproliferation at the State Department, and he has served on the White House national security staff and has held many positions in government relating to arms control, international security, and nonproliferation.

And we thank you, as well.

With that, Ms. Gottemoeller, we will start with you. Your full statements will be included in the record. We ask you to synthesize it in about 5 minutes or so, so we can get into a Q&A session.

And the floor is yours.

**STATEMENT OF HON. ROSE EILENE GOTTEMOELLER, OF VIRGINIA, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY**

Ms. GOTTEMOELLER. Thank you, Mr. Chairman. And I will do so. I have excerpted my statement.

And thank you, to you, Mr. Chairman, to Senator Corker, Senator Shaheen, for your very kind introduction. I am grateful to both you and Senator Isakson. And I wanted to thank Senator Kaine for coming this morning, too. My current hometown is Falls Church, VA, so I am delighted, sir, that you were able to make it this morning.

You know, when I was driving in this morning, I heard that today, in history, Thomas Jefferson was confirmed by the Senate to be our first Secretary of State. Now, I am no Thomas Jefferson, I do realize that. But, I do consider it an auspicious date to appear before this committee, and thank you all for the opportunity to testify.

Indeed, it would be a great honor for me to come before this committee today and be considered for the position of Under Secretary of State for Arms Control and International Security. I want to thank my husband of almost 34 years, Ray Arnaudo, and my sons, Dan and Paul, for their unwavering support. I am grateful for the confidence that President Obama and Secretary Kerry have shown in nominating me for this position, and I am mindful of the significant and serious responsibilities that I will undertake on behalf of our country, should I be confirmed by the Senate.

Mr. Chairman, Senator Corker, I am remiss if I do not mention, also, that I am joined by my brother, Fred Gottemoeller, and his wife, Patricia, who came down this morning from Columbia to join us. So, it is great to have them there, as well as supporters throughout the room.

For the past 4 years, I have served as the Assistant Secretary of State for Arms Control, Verification, and Compliance. As part of my duties, I had the privilege of serving as the leading negotiator for the New START Treaty. That agreement has been in force for almost 3 years, and its implementation is going very well. I want to thank the members of this committee for their leadership and deep involvement, as well as advice, throughout the New START negotiation and ratification process.

The Senate plays a critical role in policymaking on national security and strategic stability issues, and I think that our experience with New START reinvigorated national interest in these critical issues, so I am grateful to this committee for helping to generate that process. I know that we might not always agree on specific steps, but I know that we all prioritize the security of our country and our fellow citizens and allies.

I also welcome the relaunch of the National Security Working Group, under the chairmanship of Senator Feinstein and Senator Rubio. If I am confirmed for this position, I will plan to continue to work closely with that group.

All the challenges we have faced together over the past 4 years leave me with no doubt that the team in AVC will continue to contribute to a safer, more secure nation. I am especially pleased that President Obama nominated Deputy Assistant Secretary of State Frank Rose to succeed me as the Assistant Secretary in AVC. I have worked with Frank over the past 4 years, and I have every confidence that, if confirmed, he will be an excellent Assistant Secretary and will continue AVC's focus on improving and enhancing verification and compliance mechanisms.

Since February 2012, I have also been serving as the Acting Under Secretary for Arms Control and International Security. I had the privilege to follow Ellen Tauscher, who is a remarkable and dynamic leader. In this position, I have responsibility for the T family of bureaus—AVC, the International Security and Non-proliferation Bureau, known as ISN, and the Political Military Af-

fairs Bureau, known as PM. The issues that are handled by the T bureaus are cross-cutting and affect people around the world. And the chairman already mentioned the profound interest and focus, these days, on what is going on in Syria, North Korea, and Iran. This preoccupies us every day.

For that reason, we are covering a lot of ground, figuratively and literally. The work we do in T informs, augments, and helps to implement U.S. security policies. I am proud to say that, when it comes to keeping America safe, the people working in the T Bureaus make a remarkable contribution and, I would hazard to say, a unique contribution.

Mr. Chairman, Senator Corker, members of the committee, I am under no illusions about the enormous challenges we face on arms control, nonproliferation, and political/military affairs, but I do think that the United States and the T-family bureaus are prepared to meet these challenges. With your support, I would be proud to serve as the Under Secretary of State for Arms Control and International Security.

Chairman Menendez, Senator Corker, in closing, I would like to note that I have been privileged to observe and work with some of the most skilled arms control and international security leaders in modern American history. These include my first boss at the RAND Corporation, Col. Thomas Wolfe; Ambassador Linton Brooks; Senator Howard Baker; Senator Sam Nunn; Senator Richard Lugar, on this committee; Secretary Moniz; Secretary Hillary Clinton; and my current boss and your former colleague, Secretary John Kerry. I have been able to learn from the best. And, if I am confirmed, I will continue to follow the example of these fine Americans, and I pledge to work closely with this committee throughout.

Thank you very much.

[The prepared statement of Ms. Gottemoeller follows:]

PREPARED STATEMENT OF ROSE E. GOTTEMOELLER

Thank you, Chairman Menendez, Senator Corker, and members of the committee. Thank you also to Senator Shaheen and Senator Isakson for your introductions. I am honored by your kind words of support.

Indeed, it is a great honor for me to come before this committee today and be considered for the position of Under Secretary of State for Arms Control and International Security. I want to thank my husband, Ray Arnaudo, and my sons, Dan and Paul, for their unwavering support. I am grateful for the confidence that President Obama and Secretary Kerry have shown in nominating me for this position and I am mindful of the significant and serious responsibilities that I will undertake on behalf of our country should I be confirmed by the Senate.

For the past 4 years, I have served as the Assistant Secretary of State for Arms Control, Verification and Compliance (AVC). As part of my duties, I had the privilege of serving as the lead negotiator for the New START Treaty. That agreement has been in force for over 3 years and its implementation is going very well. I want to thank the members of this committee for their advice, leadership, and deep involvement throughout the New START negotiation and the ratification process. The Senate plays a critical role in policymaking on issues of strategic stability, and I think that our experience with New START reinvigorated national interest in these critical issues. I know that we might not always agree on specific steps, but I know that we all prioritize the security of our country and our fellow citizens and allies. I also welcome the relaunch of the National Security Working Group under the leadership of Senator Feinstein and Senator Rubio. If confirmed, I would plan to work closely with this esteemed group.

As I mentioned, New START's implementation is going very well. Its robust verification system is providing the predictability and mutual confidence that both sides are living up to their commitments. I am very proud of the overall work that

AVC has done on verification. For over many years, the staff in AVC has advanced U.S. national security by promoting verifiable agreements and verification technologies, and by working to ensure compliance by other countries with respect to their arms control, nonproliferation, and disarmament agreements and commitments. I take President Reagan's mantra of "trust, but verify" to heart and have been steadfast in my pursuit of new technologies to aid in verification and monitoring. In fact, the mission of the Bureau is focused on ensuring that effective verification is a vital part of the negotiation and implementation of arms control agreements.

Under my direction, AVC took steps to encourage private sector entrepreneurs and experts to develop ideas on the application of new information and technologies to verification and monitoring. I have been lecturing on this issue extensively at universities and nongovernmental organizations around the world. I think it is imperative that the next generation of Weapons of Mass Destruction (WMD) experts understands our current verification and monitoring needs and applies creativity and innovation to solving our future needs in these areas. If confirmed, I would continue to push for new thinking and increased budgets for verification and monitoring efforts and funding for R&D technology in this area.

All the challenges we have faced together over the past 4 years leave me with no doubt that the team in AVC will continue to contribute to a safer, more secure nation. I am especially pleased that President Obama nominated Deputy Assistant Secretary Frank Rose to succeed me as the Assistant Secretary in AVC. I have worked with Frank over the past 4 years and have every confidence that, if confirmed, he will be an excellent Assistant Secretary and will continue AVC's focus on improving and enhancing verification and compliance mechanisms.

Since February 2012, I also have been serving as the Acting Under Secretary for Arms Control and International Security. I had the privilege to follow Ellen Tauscher—a remarkable, dynamic leader. In this position, I have responsibility for the T family of three Bureaus—AVC, International Security and Nonproliferation (ISN), and Political-Military Affairs (PM). The issues handled by the T bureaus are cross-cutting and affect people around the world. For that reason, we cover a lot of ground, both literally and figuratively. The work we do in T informs, augments, and helps implement U.S. security policies. I am proud to say that when it comes to keeping America safe, the people working in T make a remarkable contribution.

It is no secret that I came into this position as a "nuke person." While arms control and nonproliferation are familiar territory for me, I was somewhat new to the issues covered by the Political-Military Affairs Bureau, which is a major part of the Under Secretary's portfolio.

As the principal link between the Departments of State and Defense, PM is the linchpin in State-DOD relations, increasing and institutionalizing collaboration in implementing our security agenda with partners worldwide. Over the past year and a half, as I have traveled to many partner countries to discuss political-military issues, it has become clear to me that many of PM's issues are linked to our arms control and nonproliferation goals.

If confirmed, I plan to continue championing the work of this Bureau, as well as the work of AVC and ISN. I believe that the experience I have gained throughout my career makes me well suited to advance the work of these three distinct and important Bureaus.

Looking ahead, I know that the T family of Bureaus is facing an agenda that is challenging and diverse. These Bureaus will continue to work on reducing the dangers posed by nuclear, chemical, biological, and conventional weapons—through arms control or nonproliferation measures; improving export controls and opportunities for U.S. defense trade; countering piracy; clearing unexploded landmines and munitions; and strengthening U.S. defense and security relationships with friends and allies.

A top priority, if confirmed, will be the sound coordination of the State Department's efforts to ensure the Syrian regime can never again use chemical weapons against its own people. Experts in the T bureaus are working hard to coordinate the diplomatic, technical, and public and congressional outreach activities related to implementing the agreement to inventory, secure, and destroy Syrian chemical weapons. We face a difficult road with difficult players, but we must push forward and we must remain vigilant. As Secretary Kerry said last week, "The complete removal of Syria's chemical weapons is possible here, through peaceful means. And that will be determined by the resolve of the United Nations to follow through on the agreement that Russia and the United States reached in Geneva, an agreement that clearly said this must be enforceable, it must be done as soon as possible, it must be real."

One thing we do have going in our favor is our experience with helping to eliminate Libya's chemical weapons program. The experts in T played a direct role in that process and are now applying the lessons learned to Syria.

Other priorities include advancing strategic stability with the Russian Federation. Over the past few years, we have achieved significant results from our work with the Russians. These include Russian support of U.N. Security Council resolutions that created the toughest sanctions ever on North Korea and Iran, our work together on the New START Treaty, bringing into force the agreement to dispose of excess weapons plutonium, concluding a successor arrangement to continue our bilateral threat reduction cooperation, and our work to open up and sustain the Northern Distribution Network to get critical supplies to troops in Afghanistan—which by the way, has been achieved through PM-led diplomacy.

That said, we are dealing with some serious issues and challenges with the relationship—this applies to strategic issues, Syria and beyond. We will continue to engage the Russians to try to find common ground, and when needed, to speak out forcefully on our concerns. We will only move ahead on cooperative arrangements when it is in our national security interest to do so.

The President announced in Berlin that we would pursue reductions of deployed strategic nuclear weapons. This decision flowed from the administration's extensive analysis of the current strategic environment and deterrence requirements. That analysis confirmed that the United States can ensure its security and that of our allies, and maintain a strong and credible strategic deterrent, while reducing our deployed strategic nuclear weapons by up to one-third below the level established by the New START Treaty. The President said on that occasion, "I intend to seek negotiated cuts with Russia to move beyond cold war postures." Toward that end, we will pursue a treaty with the Russian Federation.

We agree with the Senate regarding the importance of addressing the disparity between U.S. and Russian nonstrategic nuclear weapons, and will work with our NATO allies to seek bold reductions in U.S. and Russian NSNW in Europe.

If confirmed, I will play a role in these efforts and I can assure you that the administration and I are committed to consulting with the Congress and our allies as we move forward with the nuclear arms reduction process. When considering possible reductions, the United States will only enter into treaties and agreements that are in our national security interest.

As we pursue reductions, I will do my part to support the nuclear modernization budget. I have excellent working relationships with my former colleagues, Secretary Ernest Moniz, Deputy Secretary Dan Poneman, and Frank Klotz, the nominee for National Nuclear Security Administration (NNSA) Administrator, along with many other colleagues at the Department of Energy.

If confirmed, I will continue to support ISN's efforts to prevent the illicit spread of arms, including weapons of mass destruction and their delivery systems. ISN plays a key role in the U.S. Government's efforts to address the nuclear programs of Iran and North Korea—one of the top priorities for this administration and for me. The diplomatic full-court press from the State Department has contributed to the unprecedented international consensus on maintaining sanctions and other pressure on both states. We must continue to push.

Part of what makes us effective is our partnership with the Department of Defense, led by the PM Bureau. This partnership is important to our security cooperation around the world, which is fundamentally a foreign policy act. Our work in this regard enables us to expand security cooperation with our allies and partners, is critical to America's national security and economic prosperity. It is also an important part of the State Department's economic statecraft efforts.

A related priority for me, if confirmed, is to continue my work to advance export control reform, which includes revising the U.S. Munitions List (USML). Updating the USML, a major effort by PM, working with the Departments of Defense and Commerce, is a key part of our export control reform effort. The USML review will improve U.S. national security by permitting us to focus on, and thus more stringently protect, our most sensitive goods and technologies, while for less sensitive items, implementing export requirements that are thorough, but not unduly burdensome to U.S. exporters and facilitate interoperability with our allies.

Of course, I have barely scratched the surface of what the "T family" does each and every day in order to build a strong, balanced approach to foreign policy and U.S. security. If confirmed, I will have the responsibility for a range of additional policy areas. I welcome the opportunity to talk with you about our goals for a fissile material cutoff treaty, the Comprehensive Nuclear Test-Ban Treaty, cooperative threat reduction, engaging China, arms sales, conventional arms control, missile defense cooperation, and any other issue you might wish to discuss. All of these issues will require the deep involvement and expertise of this committee and others

in Congress. If confirmed, I look forward to continuing to consult closely with the members of this committee on all these issues.

I am under no illusions about the enormous challenges we face on the arms control, nonproliferation, and political-military fronts, but I do think that the United States and the T family bureaus are prepared to meet these challenges. With your support, I would be proud to help lead the effort as the Under Secretary of State for Arms Control and International Security.

Chairman Menendez, Senator Corker, in closing, I would like to note that I have been privileged to observe and work with some of the most skilled arms control and international security leaders in modern American history. They have influenced my path and shaped my policy views. Working with leaders such as my first boss at the RAND Corporation, Colonel Thomas W. Wolfe; Ambassador Linton Brooks; Senator Howard Baker; Senator Sam Nunn; Senator Richard Lugar, on this committee; Secretary Moniz; Secretary Hillary Clinton; and my current boss and your former colleague, Secretary John Kerry; I have been able to learn from the best. If confirmed, I will certainly continue to follow the example of these fine Americans. I want to again thank the committee and its leaders for the attention and interest demonstrated during the New START ratification process. It was a testament to your dedication to American national security.

The CHAIRMAN. Thank you.  
Mr. Rose.

**STATEMENT OF FRANK A. ROSE, OF MASSACHUSETTS, TO BE ASSISTANT SECRETARY OF STATE FOR VERIFICATION AND COMPLIANCE**

Mr. ROSE. Good morning, Mr. Chairman, Ranking Member Corker, and members of the committee. It is, indeed, a great honor to come before the Senate Foreign Relations Committee as President Obama's nominee to be the next Assistant Secretary of State for Arms Control, Verification, and Compliance.

I would like to thank President Obama and Secretary Kerry for the confidence they have shown in me by nominating me for this position.

I would also like to acknowledge my mother, Athalyn, who is here in the front row, and my sister, Nikko, who is behind her, who are here today to provide moral support. We have certainly come a long way since I was a teenager, when we were watching CNN together. [Laughter.]

Finally, let me acknowledge my colleagues on the panel, especially Rose Gottemoeller, with whom I have worked closely for the past 4 years and whom I will succeed as Assistant Secretary, if confirmed by the Senate.

The Arms Control, Verification, and Compliance Bureau was established by Congress in Public Law 106-113. This important law lays out the fundamental purpose for the ABC Bureau and establishes the Assistant Secretary as having the lead within the Department of State on, "all matters related to verification, compliance with international arms control, nonproliferation, and disarmament agreements and commitments." So, let me commit to you today that, if confirmed as Assistant Secretary, I will focus on effectively conducting rigorous compliance assessments and ensure that countries are accountable for their arms control, nonproliferation, and disarmament commitments.

The ABC Bureau is required by statute to produce several reports on compliance of countries with their arms control, nonproliferation, and disarmament agreements. The largest and most important of these reports is the Annual Report on Adherence To

and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments, which we refer to as the Compliance Report. For the last 4 years, in my current job as Deputy Assistant Secretary of State, I have been the Bureau official responsible for overseeing the annual Compliance Report. This is an incredibly important report, which the Obama administration takes very seriously. The compliance assessments in this report undergo a rigorous review to ensure the findings are factually based and have the concurrence of key U.S. Government departments and agencies, including the intelligence community.

Despite this massive undertaking, I am proud to say that the Obama administration has transmitted the Compliance Report to Congress every year for the past 4 years. I will admit, however, it has been a challenge to meet the report's April 15 deadline. Should I be confirmed as Assistant Secretary, I want to commit to you that I will look at ways of developing a more efficient process so we can get this important report to Congress in a more timely manner. As always, if confirmed, I would be prepared to discuss compliance issues with you at any time.

The Bureau has also been given responsibility for the development of new arms control agreements as part of the 2010 restructuring contained in the Quadrennial Diplomacy and Development Review. This restructuring has enhanced the Department's ability to utilize traditional arms control tools to address the growing challenge of weapons of mass destruction. By combining arms control, verification, and compliance in a single bureau under one Assistant Secretary, the Department has ensured that verification and compliance regimes are built into arms control agreements from their inception, and that compliance with all such agreements are diligently verified. In practice, this means the Bureau's experts, with their decades of verification and compliance experience, are, in many cases, the ones drafting the new agreements.

The New START Treaty is an excellent example of this approach. During the negotiations, ABC was able to use the decades of experience of arms control inspectors in order to craft a robust verification regime for the New START Treaty.

Mr. Chairman, these critical national security issues underscore the important responsibility that I will be undertaking, should the Senate decide to confirm me. It is an important responsibility I cannot achieve alone. One of my primary goals, should I be confirmed in this position, is to ensure that ABC retains and expands the expertise that is essential for this important mission, while developing the next generation of arms control, verification, and compliance professionals.

Having spent many years of my career working on Capitol Hill, I also know how important it is to collaborate closely with Congress on these issues, so let me conclude my remarks by pledging my strong commitment to work closely with Congress.

Mr. Chairman, Ranking Member Corker, and members of the committee, thank you for your time today, and I would be pleased to answer any questions you may have.

Thank you.

[The prepared statement of Mr. Rose follows:]

## PREPARED STATEMENT OF FRANK A. ROSE

Good Morning, Mr. Chairman, Ranking Member Corker, and members of the committee. It is a great honor for me to come before the Senate Foreign Relations Committee as President Obama's nominee for the position of Assistant Secretary of State for Verification and Compliance, which we have renamed within the Department the Bureau of Arms Control, Verification and Compliance (or AVC). I would like to thank President Obama and Secretary Kerry for the confidence they have shown in me by nominating me for this position. I would also like to acknowledge my mother, Athalyn, and my sister, Nikko, who are here today to provide moral support. Finally, let me acknowledge my colleagues on the panel, especially, Rose Gottemoeller, with whom I have worked closely for the past 4 years and in whose path I will follow if the Senate agrees to confirm me in this position.

The Arms Control, Verification and Compliance Bureau traces its history back to the 1980s in the Arms Control and Disarmament Agency where it was known as the Bureau for Intelligence, Verification, and Information Support (IVI). It was then reestablished in the State Department by the Congress in Public Law 106-113. This important law defines the fundamental purpose and critical national security function of the AVC Bureau and establishes the Assistant Secretary as having the lead within the Department of State on "all matters relating to verification and compliance with international arms control, nonproliferation, and disarmament agreements and commitments."

The Senate Foreign Relations Committee report that accompanied P.L. 106-113 called for an Assistant Secretary with a "true commitment to vigorous enforcement of arms control and nonproliferation agreements and sanctions." This is an essential mission for U.S. national security. So let me commit to you today, that if confirmed in this position, I will focus on continuing to effectively conduct rigorous compliance assessments and ensure that countries are accountable for the arms control, nonproliferation, and disarmament commitments they have made.

This core verification and compliance mission also puts the Bureau at the center of key national security efforts of the Obama administration.

The effective and timely verification of arms control, nonproliferation and disarmament agreements and commitments is essential to U.S. national security. The United States must be assured that countries in compliance with their commitments. As a result, verification regimes are crafted that often provide for onsite inspections, which allow the United States or multilateral organizations to have a physical presence to monitor compliance with another country's commitments. The staff of the AVC Bureau has a deep expertise, knowledge, and commitment to the verification and monitoring of arms control and nonproliferation agreements and commitments. Many of the Bureau's staff members have served as inspectors in arms control agreements, such as the START Treaty, the New START Treaty, the Conventional Armed Forces in Europe (CFE) Treaty, and the Open Skies Treaty, and other agreements, such as Libya's 2003 commitment to renounce weapons of mass destruction. This experience ensures that our compliance assessments are thorough, precise and timely. AVC is now playing a key role supporting the efforts to eliminate Syria's chemical weapons and will play a critical role in assessing the initial documents that Syria has provided to the Organization for the Prohibition of Chemical Weapons (OPCW).

As part of its responsibilities, the AVC Bureau is statutorily charged with producing several reports on the compliance of countries with their arms control, nonproliferation, and disarmament agreements. The largest and most important of those reports is the Annual Report on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments, which we call the Compliance Report for short and once was also known as the Pell Report.

For the last 4 years, in my current job as Deputy Assistant Secretary of State, I have been responsible for overseeing the Annual Report on Compliance. This is an incredibly important report which the Obama administration takes very seriously. The compliance assessments in this report undergo a rigorous review to ensure the findings are factually based and have the concurrence of key U.S. Government departments and agencies, including the Intelligence Community. This massive effort results in a comprehensive package that distills numerous Intelligence Community and inspection reports, and provides a comprehensive assessment of compliance with a wide range of agreements and commitments, from the Nuclear Nonproliferation Treaty (NPT), to the 1999 Vienna Document, to the Missile Technology Control Regime (MTCR). Also included is information on the steps the U.S. Government has taken to resolve any compliance concerns.

Despite this massive undertaking, I am proud to say that the Obama administration has transmitted the Compliance Report to Congress every year for the past 4



years. I will admit, however, it has been a challenge to meet the report's April 15 deadline. Should I be confirmed in the position of Assistant Secretary, I want to commit to you that I will look at ways of developing a more efficient process so that we can get this important report to Congress in a timelier manner. As always, if confirmed, I will be prepared to discuss compliance issues with you at any time.

The AVC Bureau also produces three other reports that are required by Senate Resolutions of Advice and Consent. These include the Condition (5)(C) Report: Compliance With the Treaty on Conventional Armed Forces in Europe; the Condition (10)(C) Report: Compliance With the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; and the Annual Report on Implementation of the New START Treaty.

Beyond the experience of AVC staff and these reports, the Bureau is seeking to develop new technologies that can be used to verify and monitor compliance with arms control agreements and commitments. One of the AVC Bureau's main efforts is through the Key Verification Assets Fund, known as the V-Fund, which was established in the Bureau by Public Law 106-113. This is a modest fund that we use to preserve critical verification assets and to promote the development of new technologies. In many cases, the AVC Bureau uses the V-Fund as "seed money" which we can leverage to influence the development of new technologies rather than replace or duplicate activities underway by other Government agencies. The objective is to encourage other agencies either to develop new technologies or to adapt existing projects to meet the Governments arms control verification needs. In addition, in order to better organize these efforts, the AVC Bureau has created a Verification Technology Research and Development Needs document, which identifies the priority needs of the Bureau for research and development programs to address critical arms control and nonproliferation technology requirements in the realm of verification and transparency.

The AVC Bureau also uses congressionally appropriated funds to build and enhance the verification regime of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), which complements our own national technical means. When North Korea announced it had conducted nuclear tests in 2006, 2009, and 2013, the sensors of the International Monitoring System (IMS) rapidly provided information that described the location, seismic magnitude, time and depth of the events. Radio-nuclide detections at IMS stations in Japan and Russia were collected nearly 2 months after the 2013 event and were consistent with a nuclear explosion in North Korea. These detections played a key part in the U.S. and other states' efforts to verify North Korea's claims it had tested a nuclear device.

The Bureau is also seeking to engage more with civil society on verification issues and has begun an Arms Control Innovation Challenge. This challenge is now in its second iteration and seeks new, innovative ideas from the general public to heighten awareness on the topic of arms control. AVC is looking to use this challenge to develop new inspection tools, processes, and ideas that could supplement or even replace current technical approaches which date back to the cold war, with modern methods that capture the capabilities of mobile devices and easy information-sharing. It is also an opportunity to engage the larger community including students, technologists, inventors, and educators, to participate and become part of the solution to the verification and monitoring challenge. The 2013 challenge asks the public, "What Information Technology Tools and Concepts Can Support Future Arms Control Inspections?"

At the same time as the Bureau is carrying out this important verification and compliance mission, the Bureau was given the responsibility for the developing new arms control agreements as part of a 2010 restructuring contained in the Quadrennial Diplomacy and Development Review (also known as the QDDR). This restructuring enhanced the Department's ability to utilize traditional arms control tools to address the growing challenge of weapons of mass destruction. By bringing the arms control mission together with the verification and compliance missions in a single bureau under one Assistant Secretary, the State Department has ensured that verification and compliance regimes are built into arms control agreements from their inception and that compliance with all such agreements is diligently verified. In practice, this means that the Bureau's experts, with their decades of verification and compliance experience, are integrated directly into the efforts to develop new arms control treaties and, in many cases, are the ones drafting the new agreements.

The New START Treaty, which requires the United States and Russian Federation to reduce their deployed strategic nuclear warheads to no more than 1,550 by 2018, is an excellent example of this approach. The Treaty contains a robust verification regime. Let me highlight a couple of the important verification mechanisms. For example, the verification regime requires twice yearly exchanges of data on facilities, numbers and locations, and notifications as required regarding move-

ments of aircraft, flight tests, and new types of strategic offensive arms. To confirm that data, the verification regime allows the United States to conduct 18 inspections annually in Russia and vice versa. In addition, each Party is required to conduct an exhibition of new strategic offensive arms, which allows us to inspect the design of any new system. The Treaty's central limits, combined with the monitoring provisions that enable compliance verification, enhance predictability and strategic stability between our countries, and ultimately increase U.S. national security.

There is still much work to be done on the arms control agenda. President Obama has spoken of his desire to negotiate a verifiable Fissile Material Cutoff Treaty (FMCT). However, efforts to get such negotiations started in the Conference on Disarmament have been stymied. The United States remains committed to this important arms control treaty and is now examining other ways of making progress.

The modernization of the CFE Treaty, one of the three pillars of the conventional arms control process in Europe, is another area of focus for the AVC Bureau. Under CFE, thousands of inspections have taken place at military sites all over Europe, dramatically increasing confidence and military transparency on the continent by providing a means to verify the information provided in data exchanges. Together with our NATO allies and our other European partners, the United States is strongly committed to the preservation, strengthening, and modernization of the European conventional arms control regime, consistent with our core principles and concerns, such as host nation consent. We must adapt and improve the efforts to meet current and future security needs. The Vienna document is a good example of the use of Confidence- and Security-Building Measures (CSBM) to build predictability and mutual confidence in Europe.

The Bureau is also playing a lead role in the efforts to verifiably eliminate Syria's chemical weapons arsenal. The Framework Agreement for Elimination of Syrian Chemical Weapons reached by Secretary Kerry and Foreign Minister Lavrov in Geneva calls for the elimination of Syria's chemical stockpile under the auspices of the Organization for the Prohibition of Chemical Weapons, which was established by the Chemical Weapons Convention (CWC). The Bureau oversees the work of the U.S. mission to the OPCW in The Hague, which is leading the effort to reach agreement on the expedited destruction of these weapons in Syria.

There are also several other issues where the AVC Bureau has the lead role within the Department.

For example, the Bureau has the lead within the Department on missile defense. The Bureau was responsible for the successful negotiation of missile defense basing agreements with Turkey, Romania, and Poland for the implementation of President Obama's European Phased Adaptive Approach (EPAA). Now that the EPAA is being implemented, the AVC Bureau has turned its focus to seeking missile defense cooperation in other regions. For example, the United States already has robust missile defense cooperation with Israel and is seeking ways to expand that cooperation. The United States is also working on several initiatives under the auspices of the U.S.-Gulf Cooperation Council's (GCC) Strategic Cooperation Forum to enhance missile defense cooperation with our GCC partners. Finally, we are working on enhancing missile defense cooperation with our Asia-Pacific partners such as Japan, South Korea, and Australia.

Furthermore, like previous administrations, we are working to develop missile defense cooperation with the Russian Federation. Such cooperation is in the national security interests of the United States. However, we have been clear that any cooperation with Russia will not come at the expense of the ability to defend the United States homeland or our allies and partners from missile attacks from countries like Iran and North Korea. As we have informed the Russian Government on numerous occasions, the United States will not accept any limits on U.S. missile defense capabilities.

The AVC Bureau also has the lead for the Department on issues related to national security space policy and cooperation. President Obama's National Space Policy directed the U.S. Government to work with the international community to develop transparency and confidence-building measures or TCBMs in outer space on a bilateral and multilateral basis. Such TCBMs can help prevent mishaps, misperceptions, and miscalculations by encouraging openness, familiarity, and trust between governments. An example of TCBMs is the draft International Code of Conduct for Outer Space Activities. The AVC Bureau is leading the U.S. Government's efforts to work with the European Union and other space-faring nations to develop this Code of Conduct, which seeks to establish nonlegally binding guidelines for responsible behavior to reduce the hazards of debris generating events in space and increase the transparency of operations to avoid the danger of misperceptions.

These important issues underscore the important responsibility that I will be undertaking, should the Senate agree to confirm me as Assistant Secretary. It is an

important responsibility that I cannot achieve alone. One of my primary goals, should I be confirmed in this position, is to ensure that AVC retains and strengthens the expertise and experience that is essential for this important mission, but also to expand and develop the next generation of arms control, verification, and compliance professionals.

In addition, having spent many years working in Congress on then-Senator Kerry's personal staff, and on the professional staffs of the House Armed Services Committee and the House Permanent Select Committee on Intelligence, I know how important it is to work closely on these issues with Congress. So let me conclude my remarks by pledging my strong commitment to working closely with Congress on all of these issues.

Mr. Chairman, Ranking Member Corker, and members of the committee, thank you for your time today and I would be pleased to answer any questions you may have.

The CHAIRMAN. Thank you.  
Mr. Scheinman.

**STATEMENT OF ADAM M. SCHEINMAN, OF VIRGINIA, TO BE  
SPECIAL REPRESENTATIVE OF THE PRESIDENT FOR NU-  
CLEAR NONPROLIFERATION, WITH THE RANK OF AMBAS-  
SADOR**

Mr. SCHEINMAN. Thank you, Mr. Chairman, Ranking Member Corker, and members of the committee.

It is also an honor for me to appear before this committee as President Obama's nominee as the Special Representative of the President for Nuclear Nonproliferation. And I am grateful to President Obama and Secretary Kerry for the confidence they have placed in me.

I am also very pleased to be joined today by my wife, Justine, my two daughters, Audra and Sela—my son, Nathaniel could not be here—and my parents. This group reminds me, every day, there is life away from nonproliferation, as important as that work is.

As a longtime civil servant, I have spent more than 20 years dealing with nuclear nonproliferation issues in the Department of Energy, where I was appointed to the Senior Executive Service at the National Security Staff in the White House, and now at the State Department. But, my experiences actually reaches farther back, as I chose to follow my father's footsteps, Dr. Lawrence Scheinman, who is here and, himself, a well-known nonproliferation scholar and practitioner. And what I have learned along the way is that success in nonproliferation requires patience, persistence, and steady leadership, and that leadership can only come from the United States. We are the only nation with the reach and the influence to sustain it. And, if confirmed, I pledge to do my part to carry forward this legacy of leadership, working closely with my colleagues on this panel, agencies in Washington, and, of course, the Congress.

As Senator Corker said, preventing nuclear proliferation is a bipartisan national security priority. And central to this effort is ensuring that the Nuclear Nonproliferation Treaty, the NPT, serves as a unifying framework for our security. As the President said about the NPT in Prague in 2009, the basic bargain is sound: countries with nuclear weapons will move toward disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy.

The United States is carrying out a broad strategy to advance NPT goals, and, as such, strengthen our national security interests. We are working to strengthen international safeguards to make cheating more difficult. We are securing vulnerable nuclear materials to deal with the threat of nuclear terrorism. We are encouraging new frameworks for nuclear cooperation that minimize nuclear proliferation dangers. We helped to secure a consensus at the 2010 NPT Review Conference, the first in a decade. And we are pursuing verifiable nuclear reductions with Russia. This is a positive and proactive U.S. agenda that reinforces international support for the NPT. That support is essential if we are to deal effectively with cases of noncompliance; in particular, by Iran and North Korea.

Noncompliance challenges the NPT's legitimacy, and it is a disservice to all states that play by widely accepted rules. It should be dealt with openly and directly. It is not a distraction from the priority others attach to nuclear disarmament or rights to peaceful nuclear energy. It is fundamental to achieving those goals. Nonproliferation and disarmament are mutually reinforcing and should be pursued in a balanced manner.

The 2010 NPT Review Conference approved an action plan that we think strikes this balance and is a good point of reference for future NPT review meetings. When NPT parties take stock of progress at the next review conference, in 2015, we can point to a solid record of achievement.

For example, some may not know that this year marks the end of a 20-year agreement with Russia to convert many thousands of Russian nuclear bombs into reactor fuel that is used to light American cities. Others may be unaware that the United States is the world's leader in peaceful nuclear assistance. States that uphold their nonproliferation commitments should know that they have a partner in the United States.

If confirmed, I will work to get this message across and pursue further steps to strengthen the NPT. More could be done to tighten IAEA safeguards and discourage abuse of the treaty's withdrawal provision.

Forging a still stronger NPT will require enormous effort on our part and the cooperation of partners who understand that the NPT is simply too important to fail or to be held hostage to unrealistic disarmament proposals or regional agendas that certainly cannot command consensus.

Mr. Chairman, I have learned from my government service that progress will require more than good ideas; it requires good people. And there is no shortage of that in the United States. I have had the privilege of working with some of the most talented and dedicated nonproliferation professionals in and outside of government. And, if confirmed, I look forward to drawing on this talent in the service of our nonproliferation goals. And, of course, I will consult frequently with Congress, and, in particular, this committee.

Thank you again, Mr. Chairman, and I welcome any questions you may have.

[The prepared statement of Mr. Scheinman follows:]

## PREPARED STATEMENT OF ADAM M. SCHEINMAN

Thank you, Mr. Chairman and members of the committee. It is an honor to appear before this committee as President Obama's nominee as the Special Representative of the President for Nuclear Nonproliferation. I am grateful to President Obama and Secretary Kerry for the confidence they have placed in me. I am also very pleased to be joined here today by my wife, Justine Fitzgerald, and family members, who remind me every day that, while there are good reasons for working to prevent the spread of nuclear weapons, there's also life away from that work.

As a long-time civil servant, I have spent more than 20 years dealing with nonproliferation issues in the Department of Energy, where I was appointed to the Senior Executive Service in 2006, the National Security Staff in the White House, and now the State Department. I owe much to my father, Dr. Lawrence Scheinman, a well-known nonproliferation scholar and practitioner.

I learned from him and my colleagues that nonproliferation successes require patience, persistence, and steady leadership. That leadership must come from the United States; we were present at the creation of the nonproliferation regime, and no other nation has our reach and influence to sustain it. If confirmed, I pledge to do my part to carry forward the legacy of U.S. leadership, working closely with my colleagues on this panel, agencies in Washington, and the Congress.

Preventing nuclear proliferation is a bipartisan national security priority. Central to this effort is ensuring that the Nuclear Nonproliferation Treaty—or NPT—continues to serve as the unifying framework for international cooperation. As the President said about the NPT in Prague in 2009, “[t]he basic bargain is sound: Countries with nuclear weapons will move towards disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy.”

The United States has a broad strategy that is advancing the NPT's goals and, as such, serving national security interests. We are working to strengthen International Atomic Energy Agency safeguards to make cheating more difficult; we are securing vulnerable nuclear materials around the world; we are encouraging new frameworks for nuclear energy cooperation that will reduce nuclear dangers; for the first time in a decade, we helped to secure a consensus final document at the 2010 NPT Review Conference; and we are implementing the New START Treaty successfully and committing to pursue further, verifiable reductions with Russia.

A positive and proactive U.S. agenda reinforces international support for the NPT. That support is essential if we are to deal effectively with cases of noncompliance, and in particular by Iran and North Korea, which pose the most significant threat to the treaty's future. Rules must be binding and violations must have consequences.

Noncompliance challenges the NPT's legitimacy and is a disservice to all states that play by widely accepted rules. It should be dealt with openly and directly. It is not a distraction from the priority others attach to nuclear disarmament or rights to peaceful nuclear energy; it is fundamental to achieving those goals. Nonproliferation and disarmament are mutually reinforcing and should be pursued in a balanced and collective manner.

The 2010 NPT Review Conference approved an “Action Plan” that strikes this balance and is a good point of reference for future NPT review meetings. When NPT parties take stock of progress on the Action Plan at the next Review Conference in 2015, we will point to a solid record of achievement. For example, this year marks the final one of a 20-year agreement with Russia to convert uranium recovered from thousands of Russian nuclear bombs to reactor fuel that is used to light American cities. Others may be unaware that the United States is the world's leader in peaceful nuclear assistance. States that uphold their nonproliferation commitments should know they have a partner in the United States.

If confirmed, I will work to get this message across and pursue further steps to strengthen the NPT. More could be done to tighten IAEA safeguards, discourage abuse of the treaty's withdrawal provision, and support existing nuclear-weapon-free-zone treaties. Action by the Senate on the protocols to the African and the South Pacific zone treaties before the 2015 Review Conference would be a helpful gesture.

Forging a still stronger NPT will require enormous effort on our part and the cooperation of partners who understand that the NPT is too important to fail or to be held hostage to unrealistic disarmament proposals or regional agendas that cannot command consensus.

Mr. Chairman, I have learned from my government service that progress requires more than good ideas; it requires good people. There is no shortage of that in the United States. I have had the privilege of working with some of the most dedicated

nonproliferation professionals in and outside of government, and, if confirmed, I look forward to drawing on this talent in the service of our nonproliferation goals.

Thank you again, Mr. Chairman. If confirmed, I look forward to consulting frequently with Congress and, in particular, this committee, and I welcome any questions you may have at this time.

The CHAIRMAN. Well, thank you all for your testimony.

We welcome your families who are here. We recognize that service is an extended reality, and we appreciate the families willing to endure some of the sacrifices that are involved. So, we welcome you all to the committee.

Let me start off by a question I ask every nominee. If confirmed, will you be responsive to questions and inquiries of this committee?

Ms. GOTTEMOELLER. Yes, sir.

Mr. ROSE. Yes, Senator.

Mr. SCHEINMAN. Yes, Senator.

The CHAIRMAN. All right.

Now, let me ask you, What are the U.S. goals for the 2015 Review Conference and the 2014 NPT preparatory committee meeting? And, if the NPT Review Conference is, for example, unable to censure Iran, does that imply acceptance of Iran with nuclear weapons?

Ms. GOTTEMOELLER. Perhaps I will start, Mr. Chairman, and ask if Adam Scheinman would pick up, since he will greatly engaged in both the Preparatory Committee and the Review Conference.

We have the advantage, coming out of the 2010 Review Conference, of a comprehensive action plan that we have been working on with both nuclear-weapon states and non-nuclear-weapon states through the intervening years. I, for example, am deeply involved in working with the P5 to begin to work on verification technologies together, to work on stability and security issues together, and, overall, to advance, in that way, the disarmament agenda by getting the P5, together, focused on responsibilities in the disarmament arena. So, we do have a comprehensive, I would call it, in some ways, roadmap as we are approaching the prep com and the Review Conference. But, it is not enough, and we have, I think, a lot of work to do in the upcoming 2 years to make sure that we approach the Review Conference in 2015 with a very robust set of results in response to the action plan.

I, in particular, have been working hard, under tasking directly from our President as he spoke in Berlin, with regard to pursuing further reductions with the Russian Federation. And I will be happy to talk more about this, but it has been a difficult slog. So, we will continue to be pressing on that issue, for example.

But, perhaps with this beginning—oh, one thing further.

With regard to Iran—and we will have more opportunities to speak on this point—we just defeated some actions at the IAEA General Conference that would have highlighted Iran in the ways that you are concerned about, and we are constantly assiduous in our efforts to ensure that we do not take any steps on the diplomatic front and oppose steps on the diplomatic front that would provide for any kind of hint that we would find acceptable an Iranian nuclear weapons program. It is the same with North Korea. So, we are constantly working to push back on any efforts of that kind. And I am sure it would be absolutely the same at the NPT Review Conference.

Adam, why don't you pick up on that.

Mr. SCHEINMAN. Yes, thank you.

I think the NPT Review Conference and the NPT review cycle is essentially a political process; and so, our principal goal at the conference ought to be to reinforce the broad support for the NPT as a bulwark against proliferation. We will try to see consensus, as we would in any multilateral gathering like this, but I think we have to be realistic about the prospects, given certain undercurrents, including rising Arab frustration that their favorite project, of a regional nuclear weapon-free zone, has not been moving forward, and concern that the nuclear-weapon states are not moving more rapidly toward nuclear disarmament. We will have to deal with that.

And, I think, if we cannot reach consensus, then what we ought to be doing is trying to encourage the widest number of states possible to support our agenda for the NPT. And it is an agenda, I think, that is widely shared by states, which would demonstrate that there is progress in the direction of disarmament. I think the United States has a fantastic record in this area, and we will highlight it. We will seek acknowledgment—we should seek acknowledgment that IAEA safeguards could be strengthened and that we might consider measures to deal with countries that would withdraw from the treaty and abuse their rights, as North Korea did.

The CHAIRMAN Let me interrupt you; that is a point I want to follow up on. Its withdrawal—North Korea's withdrawal, as well as the consequences that flow from that, how does the United States best ensure that current non-nuclear-weapons states ultimately, under the treaty, refrain from pursuing nuclear weapons in the future? And what type of consequences—some may call them “punishments” over time—but consequences are in place, or should be in place, for states withdrawing from the NPT?

Mr. SCHEINMAN. With respect to what can be achieved in the NPT, because it is a consensus-based process, there is the opportunity for countries to, essentially, halt progress. They have an effective veto on the decisions of the NPT. But, what we would like to do is raise expectations that states that withdraw from the NPT will face consequences. And we have been thinking about possibilities in that regard, including requiring that suppliers cut off cooperation with a withdrawing state, ensuring that the IAEA can verify the state of compliance in the country that is withdrawing.

But, I think the greatest prospect for penalizing states may not be within the NPT itself, but through the sanctions that we pursue, and pursue in partnership with other states. And I think what we have seen is that sanctions have been effective, not just because the United States insists on it, but because we have used the NPT and its process to highlight the dangers that noncompliance poses, not just to our security, but to the security of all nations. And, if confirmed—

The CHAIRMAN. Well, I—

Mr. SCHEINMAN [continuing]. I will continue that.

The CHAIRMAN [continuing]. I hope that we will look through whatever forum we think is the most appropriate, consequences for withdrawal, because there are incentives to join, and there should be consequences for withdrawal.

And if we map out the consequences before anyone withdraws, then it is not nation-specific, it is more global, in the sense of, "You understand the consequences of leaving." And, in that respect, we avert some of the individual bilateral challenges that we sometimes face at the Security Council and whatnot. So, I think, maybe work toward a goal that is broader—

Then, one final quick question—there is a whole host of them; I may have to submit some of them for the record—but, the IAEA's paid a pivotal role in global nonproliferation policy, and there are several prominent commissions that have recently argued that the IAEA is underfunded and overtasked. So, what is your view of that? Are those views legitimate? And, if so, how do we work to support the IAEA, particularly in the realm of verification in nuclear security?

Ms. GOTTEMOELLER. Perhaps, again, Mr. Chairman, I will start, and with your permission, perhaps Adam would like to add something.

President Obama's administration has been very committed to the funding of the IAEA, and we provide support to the annual budget—to the annual budget in a routine way, according to our assessment. But, we are one of the greatest supporters of the IAEA, in terms of budget support.

The other way we support the IAEA is in an extra-budgetary way, and that is by providing experts who really contribute in a very active way to the work of the IAEA.

You ask a very good question: Is it underfunded and overtasked? In fact, we have been pushing to increase some resources for the IAEA, doing so in a number of ways. One way we can do it, for example, is by providing expertise. So, it is not always a question of money, but also of providing expertise.

And I do think that, as time goes by, we will have a continued challenge, because the tasks only get greater. But, the organization is doing a terrific job, I think, under its current Director General, and we will continue to do everything that we can to support it.

Adam.

Mr. SCHEINMAN. Thank you. I would—

The CHAIRMAN. The essence of my question—and I am not looking for a simple "yes" or "no," but I want to get to the heart of it—Is it underfunded and overtasked? I understand how we support it, I understand that we provide technical expertise. That is all great. And I am not saying that the United States, alone, should be in the midst of making sure that it has the resources to meet its mission. But, the question is—all these commissions say that it is underfunded and overtasked. Is that a reality or are they wrong?

Mr. SCHEINMAN. Well, I would say that the IAEA is properly tasked, and, to the extent we can do more to encourage the IAEA's work, whether it is in security, nonproliferation safeguards, or peaceful uses, we should explore those opportunities. But, with respect to the NPT process, I would just simply note that the IAEA is important to all aspects of the treaty, and we have encouraged broad support for—

The CHAIRMAN. Right. So, neither of you have given me an answer. So, I want you to submit, for the record—I am not going to belabor this—the core question: Is it underfunded and overtasked?



It is either yes, underfunded, or no, it is not underfunded, and it is yes, either appropriately tasked or it is overtasked.

The CHAIRMAN. All I am trying to do is to get a sense of a major entity that gives legitimacy to efforts that we are concerned about, globally, creating the right—if we are going to use that as a venue, then we have to make it a venue that works. There is no trick question, here.

Senator Corker.

Senator CORKER. Thank you, Mr. Chairman.

Again, thank you all for being here and your desire to serve us in this way.

And, Rose, I think you know I have been concerned about comments that the President and Secretary of State have said about future reductions with Russia. And I know, in a dinner here one evening, you said that we would not have reductions without a treaty. And, since that time the Secretary of State, as I mentioned earlier, has said that that is the case.

In your opinion, does that foreclose the administration making unilateral reductions in our own arsenal if a treaty with Russia is not achievable?

Ms. GOTTEMOELLER. Sir, I mentioned that we have a hard slog, working with the Russians right now, but one thing I will say is that this is a very high priority for our President, and he has made it clear, from the time he first spoke in Prague in 2009, that he wants to pursue step-by-step reductions in our nuclear arsenal, and pursue them with the Russian Federation.

So, as I said first, when we had dinner together, back in July with the National Security Working Group, we will pursue a treaty with the Russian Federation. And, in fact, we are pursuing a treaty with the Russian Federation. We have already begun to have some initial exchanges with them on this matter, in a discussion format.

I would say that, in answer to your specific question, unilateral reductions are not on the table.

Senator CORKER. And so, you see no way that the administration would pursue unilateral reductions without a treaty.

Ms. GOTTEMOELLER. Well, sir, as I said, unilateral reductions are not on the table.

Senator CORKER. As you move forward with Russia—I know numbers of comments were made during New START regarding the massive amount of tactical weapons that Russia has, and they were not a part of the negotiation. And, to me, that was well understood and reasonable at the time. But, as we move ahead and as you continue to talk to your counterparts in Russia, what role will tactical weapons play in that?

Ms. GOTTEMOELLER. Sir, I am ever mindful of the Resolution of Ratification of the New START Treaty, for any number of reasons. And, frankly, we share the Congress' concern about nonstrategic nuclear weapons. And so, as we have laid out, starting with the Resolution of Ratification, we are seeking reductions in nonstrategic nuclear weapons with the Russian Federation. The President said, in Berlin in July, that we are seeking bold reductions. And we will continue to do so.

As a first order of business, we have been developing, with our NATO allies, some proposals for transparency, working together

with them to develop ideas for gaining more information, as a first order of business for all parties that would be involved. And it is important, in this case, to work closely with our NATO allies.

So, this is a priority for the President, and it is, and will be, a priority for me.

Senator CORKER. We had some issues, as we moved ahead with modernization—and again, I appreciate very much the update that we recently have talked about and the administration's put forth. Do you think the administration understands, fully, the importance in seeking reductions, the role that modernization has to play in that, and how it is almost impossible to look at reducing the amount of weapons and warheads we have without modernizing at the same time. Is it your sense they strongly believe that and internalize that and would only move forward on that basis?

Ms. GOTTEMOELLER. Sir, it is absolutely my conviction that they take modernization of the weapons infrastructure and the need to have a robust science-based stockpile stewardship program in place, and well funded. They are, I think, conveying their conviction in that regard by the degree to which they have ensured that the budget numbers coming up to the Hill are increasing for the National Nuclear Security Administration at a time when the budget is under a great deal of pressure from sequestration, from a number of other directions.

So, there is, I think, a real commitment by this administration, and it can be seen in the fact that, despite these budget pressures that are out there, since 2010 there has been a 28.7-percent increase in the NNSA budget for modernizing and sustaining the infrastructure of the nuclear enterprise. So, I do think that that conveys, in real terms, the commitment of this administration.

Senator CORKER. One of the other issues we discussed extensively and actually were able to add—I think it was the last amendment we added to the Resolution of Ratification under New START—was the absolute commitment to missile defense. And does the administration still take the position that the phased adaptive approach that we have, you know, laid out for Europe is absolutely nonnegotiable as it relates to dealing with Russia?

Ms. GOTTEMOELLER. Absolutely, sir. We will not place any limitations on our missile defense program.

Senator CORKER. Let me ask you this question. You know, if you look at the numbers of warheads that we each possess, what we are doing in Russia—I mean, in Europe is to—in the most common-sense ways, only about rogue nations. I mean, what we are establishing there in no way could counter what Russia possesses. It is just not possible. What is it in the Russian mentality that causes them to, again, continue to raise the issue of us having the missile defense system that we have in Europe, which clearly is about rogue nations, not about Russia? What is it in their mentality that continues to cause them to focus on that?

Ms. GOTTEMOELLER. Sir, maybe I will give a quick answer, and, if it is OK, I will ask Frank also to give an answer, because he is a real expert on this matter.

But, in my view, the Russians have long memories and a great regard for our technological prowess, and they have seen, over the years, beginning with—well, they were very struck by President

Reagan's Star Wars Program, and very concerned about our ability to deploy high-technology missile-defense capabilities at that time. And I think that anxiety has continued over the years. So, even though—I think they recognize, just as you say, that this EPAA is a very limited program that is focused on threats emanating particularly from Iran and North Korea—or Iran, in the case of the EPAA. Nevertheless, they are concerned about our technological capabilities.

I frequently say to them that it is important to take note that they have, themselves, taken some steps that are technologically based, in that they have, over the years, developed very good countermeasures for missile defense systems. So, I think, you know, frankly, there is an element of this, to me, that is also politically motivated. But, I will let Mr. Rose pick up on this.

Senator CORKER. Yes.

Mr. ROSE. Senator, I think one of the main concerns that the Russians have is, What comes next? As Rose noted, they know that the current set of capabilities, as you noted, would have no effect against the Russian deterrent, but they are concerned about what comes after that, and they have called for, "legally binding guarantees" that our missile defenses will not have a negative impact on their deterrent. And what they really mean by that is legally binding limitations on our missile defenses. And we have made it very clear that legally binding or any other limitations on U.S. missile defenses are not on the table.

Senator CORKER. Mr. Chairman, I see your eraser is on the button to turn me off, and I will wait until the—

The CHAIRMAN. Never to turn you off, Mr.—

Senator CORKER [continuing]. Until the next round. Yes, there you go.

The CHAIRMAN [continuing]. Senator Corker, but—

Senator CORKER [continuing]. I just—I hope—

The CHAIRMAN [continuing]. Will give another opportunity—

Senator CORKER. There may be another round, and maybe I will come back later. And I do thank you for the extra time now.

But, obviously, there have been concerns about Russian compliance with existing treaties, and we have had numbers of discussions in different kinds of settings regarding that, and I hope, at some point as you are answering other questions, you will talk about how that plays into future discussions, when we have issues, at present, with existing and preexisting treaties.

So, anyway, Mr. Chairman, I thank you, and I am going to step out for one moment and then step right back in. OK?

The CHAIRMAN. OK.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Well, Assistant Secretary Gottemoeller, hopefully I am going to give you an opportunity to respond to part of Senator Corker's question, because one area that I think was universally agreed on during the New START negotiations was the importance of getting our inspectors back into Russia so that we have a better understanding of what is happening with their facilities and their efforts on the ground in Russia to reduce their weapons. I know that one of the real benefits of the treaty that you were very involved in was

making that possible for us as we implement the treaty. So, could you give us an update on what is happening with getting those inspectors on the ground in Russia and how our understanding is being affected by having folks who are there who can see what is going on?

Ms. GOTTEMOELLER. Thank you, Senator. Under the New START Treaty, we are permitted to carry out 18 inspections in the Russian Federation at their strategic forces facilities, and we have been taking full advantage of those inspections every year the treaty has been in force. We are into year 3, at this point. We have done 18 inspections. And they are giving us a great deal of insight, not only the inspection regime, but the interplay of the inspection regime with the notification system, the database exchange, and other measures—of course, our own national technical means are important, as well—give us a very good day-to-day picture of what is going on in the strategic nuclear forces of Russia.

Same with us. They have the same rights, treaty rights. And that kind of reciprocal capability on both sides gives us a great deal of predictability and, really, strategic, I would say, stability on that account.

One thing I would like to say, in partial answer to Senator Corker's question, is that I recall, during our New START Treaty ratification debates, there were a number of concerns about START compliance that were brought up at that time. These were ongoing issues that were being discussing in the Joint Compliance and Inspection Commission. I remember one, in particular, which I will not discuss in detail in this setting, but it is a good example of what happens in the world of compliance investigations. In that case, what has unfurled since New START entered into force has, in fact, resolved some of those concerns that we had during the START Treaty ratification—or, START Treaty implementation.

So, it is a good example of how we like to handle these compliance issues. We do work on them constantly with the other countries that are involved, and we look for every way we can to resolve concerns. And, in this case, this concern was resolved. So, it is a good example of how we look to handle these compliance problems.

Senator SHAHEEN. Thank you.

One of the stories that has been in the news for the last couple of days is the Chinese effort to ban export to North Korea of some dual-use products that might be used in weapons of mass destruction. And I wonder if any of you could speak to what the significance of that might be. They have also called for the resumption of the six-party talks. Does this indicate a new involvement on the part of China and their growing concern over what is happening in North Korea?

Ms. GOTTEMOELLER. Senator Shaheen, I had the opportunity to go to Beijing in June. We have regular exchanges with them, at my level and at multiple levels above my head, and below me, as well. And I will say that, in recent months, we have seen an uptick in the cooperation with China on dealing with dual-use items and dealing with trade in such items. And so, they are improving as a partner; I will put it that way. And I think that that is a very, very positive step. More work to be done, of course, and they are obvi-

ously very keen to get back to the negotiating table with the North Koreans.

We have been clear, first of all, that we will not accept the nuclear status of the Korean Peninsula. The North Koreans have to take some real steps to prove that they are, indeed, ready to begin the process of denuclearization. We have to see some practical steps. And I think that it is important to continue to press them on that.

It was a good thing that they reopened the Kaesong industrial complex a few weeks ago, but it is high time to begin some real steps on denuclearization and to prove that they are really ready to get back to the negotiating table.

Senator SHAHEEN. Thank you.

I only have a few seconds left, but, Mr. Rose, one of the things you point out in your testimony is that the ABC Bureau will play a lead role in verifying the elimination of Syria's chemical weapons arsenal. So, can you talk about some of the challenges that the Bureau will face as you are looking at how to do that?

Mr. ROSE. Yes. Thank you, Senator. We will have three key jobs with regards to Syria.

One, we will have to provide all of the guidance to the U.S. Delegation to the OPCW. Now, luckily, we have a fantastic Ambassador in Robert Mikulak. So, all of the policy guidance to the OPCW will come from the ABC Bureau.

Second, we will be responsible for, in consultation with our inter-agency colleagues, a providing of support to the OPCW's verification mission in Syria. Syria has stated its intention to become a state's party; therefore, it will be the OPCW who be responsible for the verification of the destruction.

And then, finally—and this is an important part that we play here in the U.S. Government—is, we will make the unilateral U.S. decision, in the Compliance Report as well as other reports, as whether we, the United States Government, believe that Syria, as a party to the CWC, is compliant with its obligations. So, we will play a major role.

Senator SHAHEEN. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Murphy.

Senator MURPHY. Thank you, Mr. Chairman.

Welcome, to the panel.

One of the things that very quickly spirals conflicts, particularly as we have seen in the last few years in the Middle East, out of control is the ease of access to conventional and small weapons. Yesterday, the United States—Secretary Kerry—took a really important step toward controlling the flow of these weapons into civil wars to be used in mass atrocities by signing the Arms Trade Treaty.

Ms. Gottemoeller, I just wanted ask you a few questions about this treaty. I do not know what the schedule will be, in terms of when it gets presented to the United States Senate, but clearly we know that there is an enormous amount of misinformation out there about the treaty, as it stands today. I would note, I think—and you can correct me if I am wrong—but, that the three main

nations who are not party to that treaty are North Korea, Iran, and Syria. Tells you a little bit about—

Ms. GOTTEMOELLER. They did not sign it.

Senator MURPHY. Did not sign—right.

Ms. GOTTEMOELLER. Yes.

Senator MURPHY. Did not sign.

Ms. GOTTEMOELLER. They did not actually join the consensus. It was really major consensus in the U.N. General Assembly on this.

Senator MURPHY. Important to note that this was a consensus-based treaty.

So, I guess the first question is, Does this treaty—should we consent to, in the United States Senate, require the United States to change any of our existing laws with respect to the way we treat arms trade inside and outside of this country and the way that individuals in this country buy or purchase arms?

Ms. GOTTEMOELLER. Sir, there will be no impact whatsoever on our domestic trade in arms. This is an arms treaty for exports and imports. And, in fact, the treaty tracks very well with our own national laws for importing and exporting weaponry of this kind. In fact, it is important because it is focused, not only on guns, but also on larger pieces of equipment, such as tanks and that type of lethal equipment, as well. So, it is focused on trade in these weapons and does not affect anything to do with our own domestic arrangements.

I will further stress that it is important to note that the Arms Trade Treaty took advantage of the very high standards in the U.S. export and import laws with regard—and regulations—with regard to arms trade. And, in fact, we feel that it is—the treaty will have the effect of bringing other countries up to our standards, other countries who are seriously lagging and, in fact, have contributed to the bloodbaths in places like Africa, because of their more lax approach to the export of armaments.

So, we see that it is in our national security interest, as well as being in the interest of international security, because it will help to deal, I think, with some of the arms flows into these terrible civil wars abroad.

Senator MURPHY. What about this claim that is out there that this will lead to or require a gun registry in this country? There is a lot of commotion out there that there is a provision of the treaty that would require gun owners in this country, when they purchase a gun, to register them.

Ms. GOTTEMOELLER. No, sir, there is actually nothing in the treaty that touches on our domestic arrangements. It would not require the formation of a national gun registry, not in any way, shape, or form.

Senator MURPHY. I think we are going to have a lot of work to do to try to debunk this mythology about the treaty. I agree with you that it is central to the national security of this country. It is a preventative measure to try to stop some of these conflicts from getting to the degree of ferocity that they achieve by limiting the arms that flow in. Clearly, it is an attempt to try to stop some of these mass atrocities that have happened through the ease of arms. I hope that it does get presented to the United States Senate. I understand the impediments that it will be greeted with. But, the my-

thology and the lies being spread about the treaty are pretty easy to be back. I appreciate your work on it, and look forward to seeing it before the Senate.

Thank you, very much, Mr. Chairman.

Ms. GOTTEMOELLER. Thank you, sir.

The CHAIRMAN. Senator Markey.

Senator MARKEY. Thank you, Mr. Chairman, very much.

And, you know, thank all of you for being willing to serve our country in these very important roles. I think the President has given us an excellent group to take on these important tasks for our country.

Ms. Gottemoeller, the job that you have done is a tough act for Mr. Rose to follow, and—

Ms. GOTTEMOELLER. Thank you, sir.

Senator MARKEY [continuing]. And I am sure he is going to do an excellent job, as well.

And I want to commend you for the role you played as the chief negotiator of the New START Treaty. New START sends a clear signal that the United States will lead the way in the effort to reduce the global stockpile of nuclear weapons, a goal which I wholeheartedly support. In fact, at a time when the United States has formally agreed to reduce its nuclear arsenal, our nuclear weapons budget remains bloated and filled with outdated cold war radioactive relics of the past, and there is a strong consensus amongst defense experts and retired military officers that a far smaller nuclear force is required for an effective nuclear defense and deterrent, I think that we should be working toward smaller nuclear stockpiles here in America. We have many, many former generals and admirals who are now saying that is something that we can do, in a manner that is completely consistent with our national security. And I think that has to be a big part of our discussion, because it saves us money, here, domestically, as well, if we do not roll out a whole new generation of new nuclear weapons, which are on the plans right now, going out over the next 10 years or so. We can save money there while we enhance our own security.

So, let me ask you, if I may, about the Middle East and the United Arab Emirates and—

The CHAIRMAN. Would the Senator yield for a moment—

Senator MARKEY. Oh, sure, I will be glad to.

The CHAIRMAN [continuing]. Just to—and we will add time to his clock.

I am going to have to go to the White House for a meeting, so I am going to excuse myself. Senator Murphy has been gracious enough to assume the chair and conclude the hearing.

The hearing's record will remain open until 12 noon tomorrow. There will be questions for the record, as I know I will be submitting a series of them. I would ask the nominees to answer them as quickly as possible in order to consider the possibility of your nominations at the next business meeting.

The CHAIRMAN. And, with that, Senator Murphy, I appreciate you taking the chair.

And if the Ranking Member comes back and he is looking for additional time on this issue, I would ask you to entertain that, as well.

So, thank you, Senator Markey.

Senator MARKEY. Well, I appreciate it. Thank you, Mr. Chairman—

Ms. GOTTEMOELLER. Thank you, Mr. Chairman.

Senator MARKEY [continuing]. Very much.

So, I applaud the administration's insistence that the United Arab Emirates promised that it would not reprocess plutonium or enrich uranium as a condition of entering into a nuclear cooperation agreement with the United States in 2009. But, I am concerned, and maybe you could clarify this for me, when it seemed as though the United States might have decided that it would not insist on these and other nonproliferation commitments as part of future nuclear cooperation agreements. Could you talk about that a little bit?

Ms. GOTTEMOELLER. Yes, Senator, I would be happy to.

And this is with regard to a long discussion and debate that we have had about the so-called "gold standard." And one thing that I wanted to stress today, and also really commit to you concerning, is to sustain a nonproliferation policy that will, in its entirety, represent a gold standard. And so, that is what we are doing in moving forward on these 123 agreements. That is that we have many tools where, as a matter of high priority, the United States does everything it can to minimize indigenous reprocessing and enrichment, and we will continue to do everything that we can. This is a bipartisan policy that is stretched back three decades or more, and it is something to which the United States Government and its executive branch—and, I know, very much supported here on Capitol Hill—is very determined to continue to focus on finding every tool we can in our toolbox to minimize enrichment and reprocessing. I think, frankly, one of the most promising ways that we have to proceed, at this moment, is by continuing to develop the international fuel bank concept—and we have been working very closely with the IAEA on that—and to offer many approaches and options for countries not to even be tempted to develop their own indigenous ENR capability. So, that is the approach that we are taking.

Senator MARKEY. So, that is kind of my concern, that, as we look at North Korea or we look at Iran, we see two programs that kind of compromised a program—took a peaceful program, and turned it into a weapons program. And, as we look at South Korea, we look at Vietnam now, as we're going forward talking about nuclear cooperation agreements, I just want to make sure that we do have, truly, a gold standard in place, you know, so that we understand what the consequences are.

So, can I just ask you just a couple of questions? One, do you agree that all future nuclear cooperation agreements should include binding nonproliferation commitments?

Ms. GOTTEMOELLER. Well, sir, as I said, we have many tools in our toolbox to really encourage countries and ensure that countries are working with us on the development of peaceful nuclear power. And we are really looking for ways that will, in the best way possible, facilitate their continuing to eschew indigenous enrichment and reprocessing.

Senator MARKEY. And—fine—do you also agree that commitments not to reprocess plutonium or enrich uranium, commitments



to allow, through international inspections, and commitments about what nuclear technology can be resold, would be vital non-proliferation conditions to seek?

Ms. GOTTEMOELLER. Well, sir, we are always concerned that trade in these important items that are related to nuclear power and developing civil nuclear power programs, that trade be carefully regulated.

Senator MARKEY. Yes. So, I guess what I was saying, Mr. Chairman, is that my own belief is that our credibility with North Korea and Iran is tied to what are the new agreements, going forward in the future. And I would just, you know, say that, you know, I think the people who the President has nominated here are really top-notch, and I hope that they are confirmed.

And I yield back the balance. Thank you.

Senator MURPHY [presiding]. Thank you, Senator Markey.

Senator Rubio.

Senator RUBIO. Thank you.

Ms. Gottemoeller, I wanted to ask—I think you were asked this earlier, so I apologize; I was watching on TV, and I caught the tail end of it, but I just want to be clear, for the record—my understanding is—and I just want to reiterate it—you have stated definitively here today that if Russia does not agree to make further limitations on strategic nuclear weapons, the administration will not make unilateral reductions.

Ms. GOTTEMOELLER. Sir, as I said, the administration has committed, and the President also, in talking about how to pursue further reductions, has said that we will pursue a treaty with the Russian Federation. I correct myself; it was actually Secretary Kerry. And Senator Corker was quite correct to point out that he recently sent a letter in that regard. And further, I am able to say that unilateral reductions are simply not on the table.

Senator RUBIO. OK. So, not on the table now, but, just—the administration commits that it will not undertake unilateral reductions?

Ms. GOTTEMOELLER. Sir, what I can—

Senator RUBIO. Is that the position of the administration?

Ms. GOTTEMOELLER. Sir, what I can say is that they are not on the table.

Senator RUBIO. But “not on the table” signifies that it is not being considered today. You cannot—you—I understand that you are not the President, but you cannot state here today unequivocally that there will never be, under this administration, a unilateral reduction in our strategic nuclear capability?

Ms. GOTTEMOELLER. They have not come up. They are not being considered.

Senator RUBIO. At this time. But, you cannot rule them out. I mean, in essence—that is not a statement that has come from this White House, to say that will never happen, correct?

Ms. GOTTEMOELLER. Sir, I can say that unilateral reductions are simply not on the table. That is what I can say.

Senator RUBIO. Well, “unilateral reductions are not on the table” signifies, to me, that they are not being currently considered, but it leaves the door open to them potentially being considered. And again, I understand that you do not have the authority to make

that decision; you simply execute the policy of the administration. But, apparently it is not the policy of the administration to rule them out in the future; it is only the policy of the administration to say that they are not on the table today—is my perception of your answer.

Ms. GOTTEMOELLER. Senator, may I just add one comment—

Senator RUBIO. Yes. Of course.

Ms. GOTTEMOELLER [continuing]. There? You know, I think it is very important to bear in mind that there may be a number of reasons why we would undertake reductions—for example, in our ICBM force. The Air Force, for example, may determine that an ICBM, or a couple of ICBMs, are a safety danger and, you know, could explode. This is entirely a hypothetical. But, I am just saying that it is important to know that we may take reductions in a number of different ways, and we would not want to have to call up the Russians every time—

Senator RUBIO. Yes, let me be clear. I am talking about militarily significant reductions, not the need of three or four individual units that may be malfunctioning and need to be replaced. So, I am—what I am discussing here, and what I—to be clear, what I am talking about is significant—militarily significant reductions.

And the point I am trying to get at is, I do not support unilateral reductions by the United States as an effort of good will to the world. And you have stated to us here today that the policy of the administration is that it is not on the table. And that indicates, to me—and I do not mean to put words in your mouth, and I know it is not your policy; your job is to execute the policy of the administration—but that indicates to me, that, while it is not being considered today, it is something that could potentially be considered in the future. To me, that is not definitive.

I do not blame you for that statement; I just understand—but, it is important for me—in—to understand that the position of the administration is “unilateral reductions are not being considered at this time.” But, so far, I have not had anyone in the administration rule out future significantly reduction—or, significant—militarily significant reductions in the future if they feel it is appropriate. And that was important for me to get on the record. And if I am incorrect about that being the position of the administration, then I would hope to hear from somebody in the administration to clarify that.

I do not want to finish here today without asking you about compliance. And again, I think Senator Corker has asked you this, but my fundamental question is, Is our assessment that Russia is in compliance with its current arms control treaty obligations—with the current obligations? Are they in compliance?

Ms. GOTTEMOELLER. Sir, there are some areas where we have concerns about Russian compliance. The CFE Treaty, for example, Russia ceased implementing the treaty in 2007, and we have taken countermeasures—legal countermeasures to respond to that. So, there are some cases where we are concerned about Russian compliance, no question about it.

Senator RUBIO. What about the Intermediate-Range Nuclear Forces Treaty?

Ms. GOTTEMOELLER. Well, I think that it is important to note that we consider all of the treaties and agreements out there to have some issues associated with them, with many countries around the world. And that is why our compliance report is sent up every year in various versions—unclassified, secret, and top-secret—which gives you a full picture of what the compliance situation is with treaties and agreements for all countries where we have concerns.

So, sir, there are, I think, some great opportunities to sit down—I have welcomed the opportunity to brief you, always.

And, on your previous question, too, I wanted to say that we are always ready to consult and brief this committee and the Senate whenever you have any concerns or questions.

Senator RUBIO. Just on the issue of compliance, and I will wrap up. The reason why that is important—and again, I fully understand that your job is to execute the policy of the administration, so I do not blame you, individually, for any of this—but, I just wanted everyone to understand that the reason the compliance issue is so important, in particular to me, is because I think the American public, besides a Member of Congress, have a right to know. And here is why. Because compliance is critical, in terms of assessing future treaty possibilities with someone.

It is tough to enter into future treaties with people that are not complying with existing ones. It is tough to enter into future agreements that you can trust in with countries that have a history of trying to evade their previous and existing obligations. And for us, as policymakers who are ultimately asked to ratify these treaties, it is important that the public be aware of the administration's assessment on this.

So, we will have a further conversation in the appropriate settings about that, but I really personally believe, and I hope that you agree, that the public has a right to know whether or not the U.S. Government believes that Russia is in violation or of non-compliance of any of these treaties. And I hope we can talk about that further.

Thank you.

Ms. GOTTEMOELLER. Thank you, Senator. I will say that we absolutely agree with you on compliance and that it is very important for the public also to have a view as to what is going on with compliance with countries around the world.

I will also pledge to you that we continue to work assiduously on compliance issues. Again, we have had some good luck in certain cases. Mr. Rose was involved in a case a few years ago, where, through his diplomatic efforts, he was able to resolve some compliance concerns we had with the Chinese concerning their participation in the CWC. But, I think, we do not enter into these treaties as a favor to anybody, certainly not as a favor to the Russians. We enter into them because they are actually serving our national security interests, and they will continue to do so or we will not enter into them.

Senator MURPHY. Senator Corker, for second round.

Senator CORKER. So, I am just going to ask one question. And I appreciate your testimony, and we will probably follow up with some other questions, I know this is a pretty technical area.

I was curious. We have had a lot of discussions about what to do with the Syrian opposition. I know the committee passed, on a 15-3 vote, providing lethal assistance to the vetted opposition. And I know that, recently, President Obama waived the application of Section 40(a) of the Arms Export Control Act to do certain things within Syria. And I just wondered—I suppose that he could do the same thing, relative—or, the administration could do the same thing, relative to providing lethal assistance to the vetted opposition. And I am just wondering why that has not occurred. I know that, you know, it is an interesting place that we find ourselves, where we have—the administration has announced publicly that there are covert activities, relative to doing these things. I do not know that I remember that kind of situation existing. And part of the reason, I guess, that they have stated they want to do it in that fashion is some of the kind of things that I am talking about now. On the other hand, we just waived it to do—we just waived it to deal with Syria, in any ways.

So, can the administration waive that if they wanted to provide lethal assistance directly to the vetted Syrian opposition, as they have stated that they are doing covertly?

Ms. GOTTEMOELLER. Sir, I am simply—I am not a lawyer, and I am not up on this particular issue, so I would like to take it for the record, if I may.

I do know that the nonlethal assistance that we wish to provide to the Syrian—vetted Syrian opposition is—they are the types of things that will be very helpful, actually, to their ability to operate on the ground—communications and transportation capabilities, particularly. So, we are working hard to get that kind of assistance delivered. And the fact that the President has signed this waiver is very helpful in that regard.

But, I am simply not up on the other matter, so, if I may, I will take the question for the record.

Senator CORKER. I understand. And I would appreciate it. We will probably have numbers of others.

But, to all three of you, thank you for your willingness to serve in this capacity. The types of issues that you are going to be dealing with are some of the most important, let us face it, not only to our country, but, because of our country's role in the world, to the world. And I thank you for continued transparency as you move ahead, and openness in talking with us, and for your willingness to serve in this way.

Ms. GOTTEMOELLER. Thank you, sir.

Senator MURPHY. Thank you, Senator Corker.

To give Senator Barrasso a chance to breathe, I will just ask one question as part of a second round and then turn it over to Senator Barrasso. And I will direct it to Mr. Scheinman, to make sure you are part of this conversation, as well.

I just want to talk to you about the broad issue of how we provide countries access to peaceful nuclear energy technology while also trying to manage and pursue nonproliferation goals. There has been discussion—and I know the State Department has been considering what is referred to as the “gold standards,” essentially requiring our partner nations not to acquire enrichment or reprocessing technology as part of these bilateral nuclear cooperation agree-

ments. And so, I just wanted you to speak for a moment as to the future of that tension that is going to play out as more countries may come to us for these nuclear technology agreements, and whether or not that gold standard is something that we should apply in the future to these agreements.

Mr. SCHEINMAN. Well, thank you, Senator.

I would note that, in my position, if confirmed, I will not have a direct role—I do not expect to have a direct role in negotiating 123 agreements, so I cannot provide too much of an answer.

I would say, though, that the administration, of course, is very much focused on ensuring that the development of nuclear energy worldwide is done in a way that minimizes proliferation dangers. And, as Ms. Gottemoeller had said, there are a range of efforts underway to do that. And what I would do, if confirmed, is to ensure that all of those efforts find expression in the NPT process.

So, the idea of a nuclear fuel bank or fuel reserves that are made available to states as an alternative to pursuing national enrichment or reprocessing activities, that should be pursued. We have had—we have been able to tighten export controls, in the Nuclear Suppliers Group, on these technologies. We work with countries around the world to ensure that, if they are going in the direction of nuclear power, entering this sector, that they do so responsibly and fully respect all of the requirements for safeguards and security and safety and so forth.

And so, it is really that full effort of activity that we would pursue to ensure that we do not see another wave of proliferation as nuclear energy expands, if it expands.

Senator MURPHY. Let me put the question to you, then, as well, Ms. Gottemoeller, and also maybe in the context of the announcement in April with respect to the—I guess, to your extension of the 123 agreement with South Korea. We were unable, I suspect, to get a new agreement there. I would like you to speak to the reasons why we were not able to get a new agreement with the South Koreans, and then speak to the broader question of what the future of these agreements may look like, and any changes that the Department is looking into with respect to how we enter into these agreements in the future.

Ms. GOTTEMOELLER. Thank you very much, Senator Murphy.

In fact, I like the way you said “the future of these agreements,” because each of these agreements is designed for the particular circumstances of the country with which we are working. And, for that reason, we do take a number of different approaches.

The ROK negotiation that you referenced is going to be a complex one, because we have a big relationship with the ROK, not only as one of our most important allies in Asia, but also the fact that we have a big civil nuclear potential to work with them, and we have, historically, had a lot of cooperation with them on civil nuclear power. So, it is more of a complex negotiation than may be the case for some other countries, where we would enter into 123 agreements.

So, we have been appreciative of the willingness of the Congress, the Senate, and the House to look at our preferred approach of a clean extension of the existing agreement so that we will have time

to negotiate this longer and more complicated agreement. So, that is really the reason.

I would say that we are the country that leads the world, in terms of our approach to strong nonproliferation policy. We set the standard, worldwide, for export controls, for example. We were talking about the ATT, a while ago. Across the board, we set the standard for international nonproliferation goals and priorities.

So, I would only say that I think we need to use every single tool in our toolbox in order to ensure, as we enter into these agreements for nuclear cooperation, that these countries are embracing very high standards, themselves, and are willing to work with us to continue to avoid the proliferation of weapons of mass destruction, and particularly nuclear weapons, of course.

Senator MURPHY. Thank you.

Senator BARRASSO.

Senator BARRASSO. Well, thank you very much, Mr. Chairman. Congratulations, to each of you.

While the committee was starting to hold hearings, I was actually in a radio discussion with a station back in Wyoming, specifically about the Arms Trade Treaty. So, if I could ask you, Ms. Gottemoeller, specifically in your response to Senator Murphy, I think you stated that the Arms Trade Treaty does not require the formation of a national arms registry.

Ms. GOTTEMOELLER. That is correct, Senator Barrasso, it does not require the formation of a national arms registry.

Senator BARRASSO. You know, I have the treaty here, and Article 5, General Implementation, says, "Each state party shall establish and maintain a national control system, including a national control list, in order to implement the provisions of this treaty."

So, I guess I—you know, reading this to you, I ask, What does it mean if it does not require the establishment and maintenance of a national arms registry? Could you tell me how you interpret the words in the treaty?

Ms. GOTTEMOELLER. Yes, sir, absolutely.

I will say, as a blanket matter, the treaty does not require us, in any way, to change our national legislation, our national regulations or approaches. The reference in Article 5 is to the establishment of export control lists. And we do that all the time. In fact, we are, I think, the world leaders, in terms of our standards for export controls on armaments. So, this treaty is an arms—just what it says, it is an Arms Trade Treaty. It is for regulation of the trade of armaments on the international market. It has nothing to do with U.S. domestic policy or domestic constitutional rights.

Senator BARRASSO. Well, perhaps, then, I am confused on this, or—there is some confusion, because, even in Article 2, in terms of the scope, and on the same page, it does talk about small arms, light weapons, under cover—Section 2, covered there.

Ms. GOTTEMOELLER. Yes, sir, it does cover, not only small arms and light weapons, it also covers larger equipment, such as tanks and so forth. And the focus is, again, on trying to get countries who have not been responsible exporters of armaments to put in place more effective export control regimes. And, in fact, our export control regime is—we have been talking about "gold standards" today—it is the gold standard that was, I think, kind of a model

for what we are thinking about when we talk to other countries about improving their own handling of armaments exports.

So, it is focused on export on the international front.

Senator BARRASSO. As you are aware, Senate approval of a treaty requires two-third votes—we are talking 67 votes. Last year, 51 Senators—and some of those Senators have changed; there are some new ones, so on—but, last year, a majority of Senators sent a bipartisan letter to President Obama and to Secretary of State—then-Secretary of State Clinton expressing grave concern about the dangers posed by this U.N. Arms Trade Treaty. The treaty opens the door, I believe, to a U.N. gun registry on law-abiding U.S. citizens. And, as you know, Secretary Kerry, who talked—signed this, just yesterday.

So, would the administration ignore the concerns, I still believe, of a majority of the members of the United States Senate, when the administration would need two-thirds of the Senators to approve it? So, as Acting Under Secretary of State for Arms Control and International Security, I would ask what your involvement has been in the decision by Secretary Kerry to sign this treaty.

Ms. GOTTEMOELLER. Sir, this was an interagency decision that was fully agreed by all, including, of course, by the White House. So, I think we were all very keen to see the treaty signed—again, because it is an effort to really halt the flow of armaments into civil wars in places like Africa—to really help to halt the bloodbath that has ensued from poorly regulated exports in armaments. It is an Arms Trade Treaty and has absolutely nothing to do with our own domestic arrangements.

Senator BARRASSO. In the time I have left, I want to move to Russian compliance with arms control. And in the last START Treaty, I believe Russia violated verification provisions on the counting of ballistic missile warheads. I believe Russia is, essentially, a serial violator of arms control treaties. They have failed in the verification monitoring of mobile ballistic missiles telemetry. And when President Obama completed the New START Treaty, there were a number of compliance issues outstanding with the original START. So, can you talk about some of the violations of the verification and inspection procedures which have occurred by Russia under the New START Treaty?

Ms. GOTTEMOELLER. Sir, Russia is in compliance with the New START Treaty. And, as usual—and this goes, I think, for all parties to a treaty—there may be issues that arise in the course of implementing a treaty, and these are considered, in this case, in the Bilateral Consultative Commission. That's the implementation body of the New START Treaty. They will be meeting again in Geneva in October, and they will be working to resolve issues that have arisen. The Russians bring up issues that they have with our implementation, as well.

These are very complicated treaties to implement, often, with—you know, we're basically inside the Russian nuclear—strategic nuclear forces bases, and oftentimes there are questions that arise.

But, we have been working very well to resolve these questions. I see nothing on the horizon that would lead me to believe we won't be able to do so in the upcoming sessions of the BCC.

Senator BARRASSO. Mr. Chairman, will you indulge me to just two more questions?

Along this same line, has Russia attempted to conceal any weapon systems subject to verification and inspection, that you know of, yet under this New START Treaty?

Ms. GOTTEMOELLER. Not that I know of, sir.

Senator BARRASSO. And has Russia attempted to deter or change inspection procedures in what we would think would be the way that we should be inspecting these systems under the New START Treaty? Because as you said, these are very technical and complicated, and we may interpret things a little differently than what they may interpret them.

Ms. GOTTEMOELLER. Well, and that, again, is the purpose of the BCC, where we can get together and work out any issues that we have, and any questions that have arisen. As I said, I am not aware of any questions that have arisen with regard to either issue that you have raised now, but, if it is on the agenda for the BCC, it will be discussed there and, I hope, resolved. We have got a great record now—this is BCC-6 that is coming up—we have got a great record in the previous five sessions, of resolving issues that have arisen on both sides of the table, and I see no reason to expect that we would not be able to resolve concerns, going forward, whether it is in this session or in a future session, because the BCC, under the terms of the treaty, must meet twice a year, at least.

Senator BARRASSO. Thank you.

Mr. Chairman, with your permission, I will submit other questions for the record and for written answer.

Senator BARRASSO. Thank you, Mr. Chairman.

Senator MURPHY. Great, thank you very much, Senator Barrasso. I believe the chairman and the ranking member likely will have questions for the record, as well. It will remain open until noon tomorrow.

Thank you very much for your testimony, for your appearance. We look forward to working with you on swift confirmation.

With that, this hearing stands adjourned.

[Whereupon, at 11:45 a.m., the hearing was adjourned.]

#### ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

##### RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

*Question #1.* What is your assessment of the health of the nonproliferation regime? Have North Korean and Iranian actions fatally weakened it? What punishments are in place to prevent states from withdrawing from the NPT?

*Answer.* The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) regime is facing challenges but the basic bargain remains strong. The NPT provides the legal basis for holding States Parties accountable for their actions that are contrary to their obligations under the treaty. Iran and the DPRK pose nonproliferation regime challenges to which the international community must continue to respond. The international community has responded to the challenges of Iran and the DPRK through both diplomatic engagement and pressure, including through the imposition of United Nations Security Council (UNSC) sanctions, as well as other national and multilateral measures that extend beyond the UNSC-mandated measures. The international community must persist in making clear to any country the consequences of noncompliance.

We are working with a number of NPT Parties on recommended measures to address abuse of the treaty's withdrawal clause. Such measures should make clear



that states cannot violate the NPT and avoid the consequences by withdrawing. This could include actions by suppliers to cut off cooperation with a withdrawing state, to ensure that states cannot misuse materials and equipment that they have already received, and ensuring access by the IAEA to verify the state of compliance in the country that is withdrawing.

*Question #2.* The IAEA plays a pivotal role in global nonproliferation policy. Several prominent commissions have recently argued that the IAEA is underfunded and overtasked. What is your view on whether the IAEA needs additional resources? How will you work to support the mission of the IAEA, particularly in the realm of verification and nuclear security?

*Answer.* The IAEA, which has an annual budget (for 2013) of \$472 million, is properly tasked and makes an enormous contribution to peace, prosperity, and international security. The Agency performs a critical safeguards mission, particularly in its noncompliance investigations in Iran and Syria. The Agency also remains focused on the DPRK's nuclear file and maintains a readiness to play an essential role in the verifiable denuclearization of the Korean Peninsula. Working with member states, the IAEA also developed a comprehensive Action Plan on Nuclear Safety to guide its member states to strengthen nuclear safety worldwide in the wake of the Fukushima disaster, and plays a critical role in supporting the enhanced nuclear security agenda of the Nuclear Security summits to combat the danger of nuclear and radiological terrorism. In addition, the IAEA promotes the responsible development of nuclear energy and the knowledge and application of nuclear techniques in areas such as health care and nutrition, food security, the environment, and water resource management.

The United States is making every effort to ensure that the IAEA has appropriate resources needed to meet these critical needs. Working with the IAEA leadership and member states, we approved increases to the IAEA budget over the last several years. The increases are modest but noteworthy in light of fiscal constraints around the world and the U.S. policy of zero nominal growth funding for international organizations. In 2013, the U.S. assessment for the IAEA regular budget was about \$112 million. During this same year, we provided the IAEA with a voluntary contribution of about \$90 million, with the largest share of funds (about \$43 million) supporting the IAEA's safeguards mandate. These voluntary contributions were essential for the IAEA to carry out one of its most complex projects ever, to replace and expand its safeguards analytical laboratory capabilities and improve its capability to detect clandestine nuclear programs. Also during 2013, the United States provided \$9 million to the IAEA's nuclear security program, with a strong focus on supporting the IAEA's efforts to strengthen the physical protection of nuclear materials and facilities, strengthening security over nuclear and other radioactive materials that pose a terrorist concern, strengthening regulatory infrastructures and detection of malicious activities, and promoting related IAEA guidelines and international agreements. Whether through the regular budget or voluntary contributions, we will continue working with Director General Amano and major donor states to ensure the IAEA is sufficiently resourced to carry out its essential safeguards and security work.

*Question #3.* What role do civilian nuclear cooperation ("123") Agreements have in promoting U.S. nonproliferation policy? Should these agreements require countries that do not have indigenous enrichment or reprocessing facilities to pledge not to build them on their territory? Why or why not?

*Answer.* U.S. nuclear cooperation agreements (123 Agreements) establish the nonproliferation conditions required by law for the conduct of supply of source and special fissionable material and equipment to the nuclear programs of States with which we have chosen to cooperate. Our 123 Agreements are the strongest such agreements in the world; no government requires more stringent nonproliferation conditions.

The United States has a longstanding policy that seeks to limit the further spread of enrichment technologies. We believe there are many ways to advance global nonproliferation efforts and international security and to achieve the lowest number of sensitive fuel cycle facilities throughout the world, including adherence to the Nuclear Suppliers Group Guidelines, implementation of an International Atomic Energy Agency's (IAEA) Additional Protocol to a state's safeguards agreement, and support for the IAEA Fuel Bank and other fuel assurance mechanisms. 123 Agreements are an additional tool to advance clear U.S. national security interests in achieving the lowest number of sensitive fuel cycle facilities and technologies.

*Question #4.* Despite the nuclear crisis at the Fukushima plant in Japan, many analysts predict nuclear energy will play a vital role in meeting the world's energy

needs during the 21st century. This will be especially true in Asia and Latin America with their growing economies and energy needs.

- ◆ How should the United States balance its goals of ensuring non-nuclear-weapon states' access to the peaceful use of nuclear energy with the nonproliferation goal of preventing the further spread of weapons technology?

Answer. The United States has a multitude of bilateral and multilateral activities that are aimed at assisting non-nuclear-weapon states in complying with their obligations under the NPT to obtain access to the peaceful uses of nuclear energy while at the same time achieving U.S. nonproliferation goals. We have worked with both existing and emerging nuclear programs in anticipation of a growth in civil nuclear power programs. We have been working for decades with the International Atomic Energy Agency and fellow member states to achieve those mutual objectives, supporting programs in safety, security, safety, and infrastructure development.

In addition, we, with our fellow partners in the G8 Nuclear Safety and Security Group, have worked toward similar goals. The Department of Energy, through its technical cooperation programs, not only provides technical assistance in the use of nuclear power, but promotes nonproliferation activities and actions. The Nuclear Regulatory Commission, through its bilateral programs, also strives to ensure that nations beginning or expanding civil nuclear power programs do so with an emphasis on safety and security of nuclear material and facilities technology.

The combination of these bilateral and multilateral efforts work to balance the goals of ensuring non-nuclear-weapon states' access to the peaceful use of nuclear energy with the nonproliferation goal of preventing the further spread of weapons technology.

*Question #5.* Does the Obama administration still plan to pursue further arms control negotiations with Russia? Does Russia support further negotiations and continued verifiable reductions in nuclear weapons? What is the current status of these negotiations?

Answer. The Obama administration is seeking further negotiated reductions with Russia in our nuclear arsenals so we can continue to move beyond cold war postures. Any specific discussions on nonstrategic nuclear weapons will take place in the context of continued close consultation with U.S. allies and partners.

At the recent "2+2" meeting with Russia, Secretary Kerry, Secretary Hagel, Russian Foreign Minister Sergey Lavrov, and Defense Minister Sergey Shoigu discussed strengthening strategic stability by implementing successfully the New START Treaty and exploring the possibilities of further nuclear reductions. These discussions are ongoing and taking place in other working groups, such as the U.S.-Russia Bilateral Presidential Commission Working Group on Arms Control and International Security, which I cochair with Russian Deputy Foreign Minister Sergey Ryabkov.

*Question #6.* Dismantling Syria's chemical stocks would be challenging in the best of circumstances, and Syria is anything but—amid the recent diplomatic negotiations with Russia, Syria's civil war has shown no signs of abating. Amy Smithson, a chemical weapons expert at the Monterey Institute of International Studies has said that "the known (chemical weapons) sites are actually in zones of conflict where the battle lines are changing literally on a day-to-day basis."

- ◆ Given the enormity of challenges associated with such an endeavor, how would you define success and how would you assess our prospects for achieving success? What responsibilities will the T-bureau have in efforts to eliminate Syria's chemical weapons and related facilities? What are the major technical challenges to the successful completion of the framework agreement? Have decisions been reached about whether the chemical weapons will be destroyed in Syria or outside the country?

Answer. The Framework for the elimination of Syrian chemical weapons calls for the internationally verified destruction of Syria's chemical weapons agents and munitions, as well as storage, production, research, and development facilities. The United States and Russia have agreed that the goal for completing the destruction of all chemical weapons production and mixing/filling equipment is by November 2013. The goal for the removal and destruction of Syrian chemical weapons is in the first half of 2014. There will be technical challenges along the way, but the United States and Russia believe that these target dates are achievable. The United States and Russia are assessing the modalities and logistical requirements of destruction activities, including whether the chemical weapons will be destroyed inside or outside of Syria.

The Arms Control, Verification and Compliance Bureau will play a role through its oversight of the U.S. Mission to the Organization for the Prohibition of Chemical

Weapons (OPCW) and will be tasked with assessing Syria's compliance with its obligations. The International Security and Nonproliferation Bureau will have the lead in the Department in assisting in the destruction efforts related to Syria's chemical weapons.

*Question #7.* Despite recent diplomatic overtures by Iran, it has continued to add enrichment capabilities including 300 second-generation centrifuges. How quickly do you estimate Iran could break out if it was determined to do so? What are the minimal requirements of any agreement with Iran? Is it the U.S. position that Iran needs to comply with the four U.N. Security Council resolutions? Should Iran close the Fordow facility? What locations do we need access to in order to verify the peaceful purpose of Iran's nuclear program? What more can the administration do to tighten the screws on Iran? How can we communicate that the use of force against Iran remains a credible option for bringing Iran into compliance with its international obligation?

*Answer.* The United States remains concerned about the Iranian nuclear program. We have made clear Iran must comply with its international nuclear obligations, including relevant resolutions of the United Nations Security Council and its International Atomic Energy Agency (IAEA) Safeguards Agreement. In addition, Iran must meet the requirements of the IAEA Board of Governors and cooperate fully and without delay with the IAEA on all outstanding issues, including by providing access to all sites, equipment, persons, and documents requested by the Agency.

The United States remains committed to the dual-track policy of engagement and pressure on Iran in pursuit of a diplomatic resolution to Iran's nuclear program. In his address before the United Nations General Assembly, President Obama again made clear "that America prefers to resolve our concerns over Iran's nuclear program peacefully, although we are determined to prevent Iran from developing a nuclear weapon." Following the P5+1 ministerial in New York on September 26, Secretary Kerry and Iranian Foreign Minister Zarif met briefly. In the meeting Secretary Kerry and FM Zarif agreed to try to continue the process and make concrete progress in answering the international community's questions about Iran's nuclear program. The President and his administration have been consistent in their message: the window to resolve this issue diplomatically will not remain open indefinitely, and all options are on the table.

We are confident that the international community would have sufficient time to respond to any Iranian breakout effort. We continue to monitor closely Iran's nuclear program for any signs that the regime has made an explicit decision to pursue a nuclear weapon or is operating secret facilities for the covert production of enriched uranium.

Thanks to the efforts of Congress and President Obama's administration, international sanctions have been instrumental in bringing Iran back to the negotiating table, and Iran must continue to face pressure until it takes concrete actions to comply with its international nuclear obligations. The economy was a central issue in Iran's recent Presidential elections and President Rouhani received from the Iranian people a mandate to pursue a more moderate course.

The P5+1 meets with Iran in October and we will continue our efforts and determine Iran's willingness to engage substantially and seriously, and hope we can get concrete results that will address the international community's concerns.

RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED  
BY SENATOR BOB CORKER

*Question #1.* There are a number of significant concerns with regards to the Russian track record of compliance with their current arms control obligations. Why should the United States engage in negotiations on yet another arms control agreement while the Russians are less than sincere about their compliance with current commitments?

*Answer.* Noncompliance with treaty obligations is a very serious issue and I believe that consequences related to noncompliance should be appropriate to the specific circumstances. When specific questions arise about a country's treaty implementation, decisions about whether those issues constitute noncompliance require a careful process, which can include diplomatic engagement with the country concerned and an interagency process to assess the facts and circumstances. Whether and how those issues do or should affect future agreements is best evaluated on a case-by-case basis, taking into account the national security benefit of the proposed agreement and the assessed likelihood and risks of noncompliance. Treaty compliance is essential for creating the stability and predictability that aids international

security efforts. Our national security interests have been, and will continue to be, the primary consideration in any future arms control negotiations and in deciding whether to become a party to any future agreement. We do not negotiate such agreements as "a favor" to other countries.

*Question #2.* Do you support the vision of a world free of nuclear weapons? Is this vision a realistic goal, or is it a tool to spur further negotiations on arms control measures and further reductions in nuclear forces? Have any of the nuclear weapons states endorsed this goal?

Answer. America's commitment to seek the peace and security of a world without nuclear weapons is not only a long-term policy goal of the Obama administration, but a goal shared by the 189 signatories of the Treaty on the Non-Proliferation of Nuclear Weapons (the NPT), including all of the treaty-recognized nuclear-weapon states. Article VI of the NPT commits all parties to pursue good faith negotiations on measures leading to an end to the nuclear arms race and to nuclear disarmament.

This goal will not be reached quickly, and as long as nuclear weapons exist, we will maintain a safe, secure, and effective arsenal to deter any adversary and guarantee that defense to our allies.

The administration continues its efforts to advance this policy goal.

In addition to our bilateral efforts with Russia, the United States is engaged with the other NPT nuclear-weapon states, or the P5, to review their progress toward fulfilling NPT Article VI obligations and 2010 NPT Action Plan commitments to accelerate steps leading to nuclear disarmament. The P5 are engaging in regularized dialogue on nuclear weapons-related issues to an extent unseen in prior years. Through this process, the P5 have reaffirmed their commitment to nuclear disarmament. P5 engagement is a long-term investment designed to build trust and create a stronger foundation for concrete progress on nuclear disarmament and for the work that lies ahead of us to realize a world without nuclear weapons.

*Question #3.* Ms. Gottomoeller, the U.N. Security Council will approve a resolution to oblige the Syrians to dismantle their chemical weapons stockpile without an enforcement mechanism built in. How does the administration intend to hold Syria accountable in the case of noncompliance with the agreement, recognizing further UNSC resolutions are likely to be vetoed by the Russians? What specific contingency plans does the administration have ready to be utilized to compel Syrian compliance or respond to noncompliance?

Answer. On September 27, the Security Council will consider a binding, enforceable, and verifiable resolution, reinforcing an expected decision of the Executive Council of the Organization for the Prohibition of Chemical Weapons, regarding the elimination of Syria's chemical weapons program, and building on the U.S.-Russia Framework reached in Geneva on September 14. The resolution would impose a legally binding obligation on the Syrian regime to eliminate its chemical weapons program. It includes a strong verification mechanism, and makes clear that in the event of Syrian noncompliance, or subsequent chemical weapons use, the Security Council will impose measures under Chapter VII of the U.N. Charter.

*Question #4.* President Obama recently waived the application of the section 40(a) of the Arms Export Control Act in order to provide support to the Syrian opposition to counter the effects of any future chemical weapons attack.

◆ Can this waiver also be used to provide lethal assistance to the opposition? Why or why not?

◆ Does the administration intend to submit additional waivers in order to provide training and lethal equipment to the Syrian opposition? Why or why not?

Answer. The Presidential Determination to waive restrictions in sections 40 and 40A of the Arms Export Control Act briefed to Congress on September 20 does not change our current policy regarding lethal assistance to the Syrian opposition. The waiver allows us to overcome certain restrictions under the Arms Export Control Act and is intended to allow the State Department to approve a license or other authorization or transfer of defense articles and services to vetted members of the Syrian opposition forces, organizations implementing U.S. Government programs inside or related to Syria, and international organizations.

This waiver would allow assistance that, while preventing the preparation, use, or proliferation of chemical weapons, would provide protection, training, and equipment to aid in the inspection and securing of Syria's chemical weapons sites. On September 27, we intend to provide two reports to Congress describing proposed licenses for the export of CW-related personal protective equipment and training to international and nongovernmental organizations. We will continue to report future

transactions to Congress as we work together with the international community to facilitate the elimination of Syria's CW stockpiles and counter the threat that CW poses to the Syrian people.

The waiver would cover the types of nonlethal assistance described in the memorandum of justification provided to Congress along with the Presidential Determination. At this time, the State Department is providing only nonlethal assistance the Syrian opposition and the Supreme Military Council. This includes support that the Supreme Military Council has requested, such as food, medical equipment, communications gear, and vehicles that are essential to enhancing their capabilities to themselves against a repressive regime. The success of their efforts is critical to convincing the Assad regime to negotiate a move to a transitional government that represents all Syrians, impartially delivers government services, and marginalizes actors associated with violent extremist ideologies.

We recognize fully the enormous challenge of identifying and sorting multiple armed actors in such a complex environment. We will continue to use every resource at our disposal to prevent our assistance from going to persons or organizations that threaten the United States, our interests, our partners, or international security.

*Question #5.* The administration has recently responded to overtures from the Iranian Government to enter into new negotiations on the Iranian nuclear program. News sources indicate the Iranians presented some initial proposals. What proposals did the Iranians make?

*Answer.* President Obama and Secretary Kerry have long supported engaging Iran whether through bilateral discussion or in coordination with the P5+1 countries—and both believe it is worth testing the potential for a diplomatic resolution to the international community's concerns over Iran's nuclear program. While we do not anticipate that any substantive issues will be resolved later this week during the P5+1 ministerial meeting in New York, we are hopeful that we can continue to chart a path forward. We are looking forward to having the political directors of the P5+1 meet in October for substantive discussions with Iran. It would be premature to comment on the Iranian proposals before we have had a chance to review them in detail.

*Question #6.* If the P5+1 is to agree to another round of negotiations with the Iranians on their nuclear program should the United States enter such negotiations with hard outcomes on the front end that are backed by consequences if they are not reached? What is an appropriate timeline for allowing a new round of negotiations to bear fruit?

*Answer.* President Obama and Secretary Kerry have long supported engaging Iran whether through bilateral discussion or in coordination with the P5+1 countries—and both believe it is worth testing the potential for a diplomatic resolution to the international community's concerns over Iran's nuclear program. While we do not anticipate that any substantive issues will be resolved later this week during the P5+1 ministerial meeting in New York, we are hopeful that we can continue to chart a path forward. We are looking forward to having the political directors of the P5+1 meet in October for substantive discussions with Iran. It would be premature to comment on the Iranian proposals before we have had a chance to review them in detail. The steps taken by the Iranians in the weeks ahead will show how serious they are, and they will determine how successful these efforts will be and how long the process will take.

*Question #7.* What is the latest assessment of the earliest time at which the Iranians could build a nuclear weapon? A deployable nuclear weapon?

*Answer.* The intelligence community maintains a number of assessments regarding the potential timeframes by which Iran can build a nuclear device, or a deployable nuclear weapon, and provides briefings on those assessments.

Iran does continue to develop technical expertise in uranium enrichment, nuclear reactors, and other elements of the nuclear fuel cycle. However, we are confident that the international community would have sufficient time to respond to any Iranian breakout effort. We continue to monitor closely Iran's nuclear program for any signs that the regime has made an explicit decision to pursue a nuclear weapon or is operating secret facilities for the covert production of enriched uranium.

*Question #8.* What interim steps to addressing the Iranian nuclear program would the United States Government agree to accept as good faith gestures that would lead to a rollback or suspension of certain sanctions?

*Answer.* President Obama and Secretary Kerry have long supported engaging Iran whether through bilateral discussion or in coordination with the P5+1 countries—and both believe it is worth testing the potential for a diplomatic resolution

to the international community's concerns over Iran's nuclear program. While we do not anticipate that any substantive issues will be resolved later this week during the P5+1 ministerial meeting in New York, we are hopeful that we can continue to chart a path forward. We are looking forward to having the political directors of the P5+1 meet in October for substantive discussions with Iran. At this point, it would be premature to comment on what sanctions relief would be appropriate for various confidence building measures, and we cannot prematurely consider lifting sanctions on Iran.

*Question #9.* More than 2 years have passed since the Italian Government requested a license to purchase missiles and other requirements for arming the Italian predator unmanned systems. Since that time, the administration's interagency policymaking process has been engaged in building a policy that will clarify when, to whom, and under what conditions the United States may consider exporting systems controlled under the Missile Technology Control Regime categories 1 and 2, particularly armed systems. What is the status of the development of such a policy? What is the current timeline for completing this policy?

*Answer.* The State Department carefully scrutinizes potential exports of UAVs on a case-by-case basis, particularly armed UAVs, as well as the technology that could contribute to UAV development. Our consideration takes into account the full spectrum of U.S. interests, including development of our partners' capacity to contribute to international security, multilateral commitments such as the Missile Technology Control Regime (MTCR), and human rights.

A broad review of UAV export policy is under way; while no date is set for its conclusion, I want to be clear that this is not an open-ended review. We are working with the Department of Defense and others to complete the review promptly, and will brief the committee when we finalize our review.

*Question #10.* Countries emerging from conflict, such as Iraq and Libya, may demonstrate great need in modernizing their military forces and aligning their capabilities with U.S. security interests. Under what circumstances should we export U.S. defense technology to such countries when we have significant policy disputes?

*Answer.* Defense transfers are a means to an end: they enable us to work with partner nations to build their capacity to defend their own borders and conduct security operations of mutual interest, such as counterterrorism, while also providing an opening for us to enter into a far wider range of policy discussions. The export of U.S. defense technology—to any country, not just those with whom we have significant policy disputes—should therefore be made only through a case-by-case consideration of the full spectrum of U.S. national security interests, including the legitimate defense needs of our allies and partners, nonproliferation, counterterrorism issues, and human rights are given detailed consideration. This is the crux of the U.S. Conventional Arms Transfer Policy, which the State Department has the lead in implementing. If I am confirmed, I will ensure that such consideration to all transfers continues.

*Question #11.* What is the administration's position on granting advanced programmatic consent to reprocess spent fuel and enrich uranium to South Korea in ongoing negotiations on a new nuclear cooperation agreement?

*Answer.* We are negotiating a successor agreement for nuclear cooperation with the Republic of Korea. While we do not comment on the details of ongoing negotiations, we are not contemplating granting advance programmatic consent to reprocess spent fuel or enrich uranium to the Republic of Korea. Pursuant to the requirements of the Atomic Energy Act of 1954, as amended, all U.S. peaceful nuclear cooperation agreements require partner countries to provide to the United States rights to consent to enrichment or reprocessing of nuclear material transferred from the United States or produced by equipment or through nuclear material transferred from the United States.

*Question #12.* Broadly speaking, is the administration committed to pursuing only those 123 Agreements that adhere to the "gold standard"? Under what circumstances might the administration entertain requests for enrichment and reprocessing technology?

*Answer.* U.S. nuclear cooperation agreements (123 Agreements) establish the nonproliferation conditions required by law for the conduct of supply of source and special fissionable material and equipment to the nuclear programs of States with which we have chosen to cooperate. Our 123 Agreements are the strongest such agreements in the world; no government requires more stringent nonproliferation conditions.

The United States has a longstanding policy that seeks to limit the further spread of enrichment technologies. We believe there are many ways to advance global non-proliferation efforts and international security and to achieve the lowest number of sensitive fuel cycle facilities throughout the world, including adherence to the Nuclear Supplier Group Guidelines, implementation of an International Atomic Energy Agency's (IAEA) Additional Protocol to a state's safeguards agreement and support for the IAEA Fuel Bank and other fuel assurance mechanisms. 123 Agreements are an additional tool to advance clear U.S. national security interests in achieving the lowest number of sensitive fuel cycle facilities and technologies.

RESPONSES OF FRANK ROSE TO QUESTIONS SUBMITTED BY SENATOR BOB CORKER

*Question.* There are a number of significant concerns with regards to the Russian track record of compliance with their current arms control obligations. Why should the United States engage in negotiations on yet another arms control agreement while the Russians are less than sincere about their compliance with current commitments?

*Answer.* Noncompliance with treaty obligations is a very serious issue and I believe that consequences related to noncompliance should be appropriate to the specific circumstances. When specific questions arise about a country's treaty implementation, decisions about whether those issues constitute noncompliance require a careful process, which can include diplomatic engagement with the country concerned and an interagency process to assess the facts and circumstances. Whether and how those issues do or should affect future agreements is best evaluated on a case-by-case basis, taking into account the national security benefit of the proposed agreement and the assessed likelihood and risks of noncompliance. Treaty compliance is essential for creating the stability and predictability that aids international security efforts. Our national security interests have been and will continue to be the primary consideration in any future arms control negotiations and in deciding whether to become a party to any future agreement. We do not negotiate such agreements as "a favor" to other countries.

*Question.* Do you support the vision of a world free of nuclear weapons? Is this vision a realistic goal, or is it a tool to spur further negotiations on arms control measures and further reductions in nuclear forces? Have any of the nuclear weapons states endorsed this goal?

*Answer.* America's commitment to seek the peace and security of a world without nuclear weapons is not only a long-term policy goal of the administration, but a goal shared by the 189 signatories of the Treaty on the Non-Proliferation of Nuclear Weapons (the NPT), including all of the treaty-recognized nuclear-weapon states. Article VI of the NPT commits all parties to pursue good faith negotiations on measures leading to an end to the nuclear arms race and to nuclear disarmament.

This goal will not be reached quickly, and as long as nuclear weapons exist, we will maintain a safe, secure, and effective arsenal to deter any adversary and guarantee that defense to our allies.

The administration continues its efforts to advance this policy goal.

In addition to our bilateral efforts with Russia, the United States is engaged with the other NPT nuclear-weapon states, or the P5, to review their progress toward fulfilling NPT Article VI obligations and 2010 NPT Action Plan commitments to accelerate steps leading to nuclear disarmament. The P5 are engaging in regularized dialogue on nuclear weapons-related issues to an extent unseen in prior years. Through this process, the P5 have reaffirmed their commitment to nuclear disarmament. P5 engagement is a long-term investment designed to build trust and create a stronger foundation for concrete progress on nuclear disarmament and for the work that lies ahead of us to realize a world without nuclear weapons.

*Question.* The administration recently concluded a framework agreement with Russia to achieve the dismantlement of the Syrian chemical weapons stockpile and supporting infrastructure. What is the status of the review of the initial declaration by the Organization for the Prohibition of Chemical Weapons (OPCW) and when can we expect the Executive Council to conclude an agreement with the Syrian Government to engage in a program of dismantlement?

*Answer.* We understand from the OPCW that Syria has provided an initial document to the OPCW regarding its chemical weapons stockpile and sites. The United States, along with other CWC State Parties, will be making a careful and thorough review of this initial document. The United States and other CWC State Parties will want to clarify any discrepancies we note with the Syrians. Once we have more

information, the Department of State will be pleased to brief the committee. An accurate list is vital to ensure the effective implementation of the Geneva Framework. Syria is required to provide a plan of destruction within 30 days after adoption of the Executive Council decision, and that plan will have to be evaluated carefully by the OPCW and CWC States Parties.

*Question.* What role will the State Department play in implementing and monitoring the agreement on the Syrian chemical weapons stockpile? Does the OPCW have the resources necessary to assist the Syrian regime in consolidating and eliminating its stockpile on the timeline envisioned by the United States and Russia?

*Answer.* The Bureaus of Arms Control, Verification and Compliance (AVC) and International Security and Nonproliferation (ISN) in the Department of State will play critical roles in implementing the framework in Syria. AVC will ensure the effective implementation of the framework, along with verification and compliance of Syria with the Chemical Weapons Convention (CWC). ISN, working with inter-agency colleagues, will ensure that the OPCW has sufficient resources for the mission and will work with foreign partners to ensure the verified destruction of Syria's chemical weapons.

In addition, the United States is actively working with international partners to ensure that the OPCW has sufficient voluntary funds to carry out its vital inspection and verification functions. And we are working with the international community to provide resources and support to achieve the ultimate goal of eliminating Syria's chemical weapons program on the timeline envisioned by the United States and Russia.

Syria is not a normal situation, and we are utilizing the capacities of both the United Nations and the OPCW to address its unique circumstances. CWC implementation in Syria will be put into effect by a binding, enforceable, and verifiable United Nations Security Council resolution reinforcing the OPCW Executive Council (EC) decision regarding the elimination of Syria's CW program and the U.S.-Russia Framework reached in Geneva. In general, we intend to have a robust program of CW destruction and verification on an accelerated schedule, and the role of the Syrian Government in this exercise will be monitored closely—we continue to work out the details with Russia, the United Nations, and the OPCW.

*Question.* Mr. Rose, you indicated that the Bureau of Arms Control, Verification and Compliance would be responsible for assessing Syria's compliance with the Chemical Weapons Convention. When your Bureau assesses Syria's compliance, will it be based on the timelines outlined within the Chemical Weapons Convention or the U.S.-Russia Framework Agreement?

*Answer.* Yes. We will assess Syrian compliance with the OPCW Executive Council (EC) decision and the accompanying United Nations Security Council resolution, which give effect to the procedures and timelines outlined in the Geneva Framework. And, of course, we will assess Syria's compliance with its obligations under the Chemical Weapons Convention (CWC), as Syria will be a State Party as of October 14, 2013.

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RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED  
BY SENATOR JAMES E. RISCH

*Question.* We have had a number of classified briefings on Russian compliance with international agreements. How would you characterize Russian attitudes toward the INF Treaty (both in their press statements and through diplomatic channels)? Do you believe that we should call compliance issues like we see them, both publically and in classified settings?

*Answer.* This year both countries marked the INF Treaty's 25th year of implementation. I believe this milestone reflects a recognition by both countries of the positive contribution of the treaty to international security. At the same time, Russia's concerns about other countries developing INF-range missiles has led it to propose at the United Nations the concept of a new multilateral treaty that, if adopted, could result in a global ban on this class of weapons.

I do believe we should call compliance issues "like we see them," as we do in the compliance report we send to Congress every year in both unclassified and classified versions. These reports provide a full picture, within the constraints of their security classification, of what the compliance situation is with respect to agreements and commitments to which the United States is a participating state. The administration also has briefed Members of Congress in response to specific inquiries, and I am available to provide briefings on any particular concerns.



*Question.* Then Chairman Kerry told members of the SFRC that, "If we're going to have treaties with people, we've got to adhere to them. We're not going to pass another treaty in the U.S. Senate if our colleagues are sitting around up here knowing that somebody is cheating." Ms. Gottemoeller, is that still the policy of the administration?

*Answer.* It is the policy of the administration to take compliance issues very seriously and to seek to resolve them where possible. Consequences of noncompliance with treaty obligations should be appropriate to the specific circumstances. When specific questions arise about a country's treaty implementation, decisions can only be made about whether those issues constitute noncompliance after a careful process, which includes diplomatic work and serious interagency consideration. It is appropriate to consider whether those issues do or should affect future agreements. It is U.S. policy to only enter into treaties and agreements that are in our national security interest.

*Question.* Are both Russia and China adhering to the CTBT as we define those obligations?

*Answer.* The Comprehensive Nuclear Test-Ban Treaty has not yet entered into force. The only obligation on China, as a signatory, and Russia, as a State Party, to the treaty prior to entry into force is to refrain from acts which would defeat the object and purpose of the treaty. However, the full treaty regime, including its verification and onsite inspection provisions, will be implemented only if the treaty is in force. Regarding specific assessments of compliance, I refer you to the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments.

*Question.* Some believe the administration should circumvent the Senate and pursue arms control reductions outside of the normal treaty route and often point to the Presidential Nuclear Initiatives (or PNIs) of the early 1990s. They say, "If Bush could do it that way why shouldn't Obama be able to do the same thing?" Isn't it true that Russia has never really lived up to many of its PNI commitments?

*Answer.* For issues relating to Russia's compliance with treaties, agreements, and commitments such as the PNIs, I refer you to the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments.

*Question.* Executive agreements by their nature do not have stringent verification and compliance mechanisms like treaties. How does Russian adherence to its PNI commitments impact the administration's decisionmaking when it comes to negotiating Arms Control Agreements with the Russian Federation?

*Answer.* Many factors go into the consideration of what form of agreement is both legally available and best serves U.S. national security interests when it comes to pursuing an agreement with another country. With respect to undertaking a mutual obligation to reduce nuclear forces, verification is a very important consideration. Our national security interests have been, and will continue to be, the primary consideration in any future arms control negotiations.

*Question.* President Obama came to the Congress for an AUMF on Syria because, according to him, having congressional buy-in gives an action in the international arena more legitimacy and strengthens our hand in that arena. Does he feel the same about Arms Control Agreements? If so, why won't he commit to us to go the treaty route and not the Executive agreement route?

*Answer.* The Obama administration is seeking further negotiated reductions with Russia in our nuclear arsenals so we can continue to move beyond cold war postures. As Secretary Kerry stated in his September 18 letter to Senator Corker, we will pursue a treaty on nuclear reductions with the Russian Federation.

*Question.* According to the State Department's most recent CWC compliance report, the State Department cannot certify that Russia is in compliance with its CWC commitments. How can we trust Russia to help bring Syria into full compliance with the CWC, when Russia itself is not in full compliance with the CWC?

*Answer.* While we expect Russia to do its part in keeping Syria on track, holding Syria to its international obligations—including under the CWC and the decisions by the Organization for the Prohibition of Chemical Weapons Executive Council and the United Nations Security Council—is not solely a Russian responsibility but one the international community shares. Syria is not a normal situation, this effort is unique and it will take the international community, not just Russia, to bring about the elimination of Syria's CW so the regime can never again use chemical weapons against the Syrian people.

*Question.* What is the administration's policy for sharing intelligence with NATO on Arms Control Compliance, specifically vis-a-vis the INF Treaty? Can you assure the committee we have fully and completely briefed the alliance and not just a few NATO partners?

*Answer.* The sharing of intelligence, not only with NATO but also with other allies and friends, is dependent on the sensitivity of the intelligence, as well as the sources and methods used in gaining that intelligence. Accordingly, determining what intelligence can be shared, when it can be shared, and with whom, is dependent on many factors that are considered on a case-by-case basis.

*Question.* On June 14, 2013, SSCI members (including Senator Rubio and myself) sent a classified letter to then NSA Donilon on a Pakistan issue. The subject matter of this letter addresses an issue that falls within your portfolio. Will you engage with your colleagues at the NSS to determine when we will receive an answer to our letter? What actions will you take and what actions will you advise Secretary Kerry to take on the subject of this issue? I understand that the answer to this question may require a classified response.

*Answer.* The NSS offered a briefing to Vice Chairman Chambliss and the SSCI in response to the letter. The Department of State stands ready to lead an inter-agency team to brief interested committee members.

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RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED  
BY SENATOR MARCO RUBIO

*Question.* If Russia does not agree to further limitations on strategic nuclear weapons does the administration pledge to not make militarily significant unilateral reductions? Is there any other option for such reductions to be made other than through a treaty subject to the advice and consent of the U.S. Senate?

*Answer.* As Secretary Kerry stated in his September 18 letter to Senator Corker, we will pursue a treaty on nuclear reductions with the Russian Federation. I have the utmost respect for the Senate's role in the treaty process. I am mindful of the language in the Arms Control and Disarmament Act, and similar language in other legislation. As always, the administration will follow the Constitution and laws of the United States. If confirmed, I will continue to consult with the Congress on arms control-related issues.

*Question.* Would a one-third reduction in our strategic nuclear weapons be considered militarily significant?

*Answer.* Yes, I believe such a reduction would be considered to be "militarily significant" as that term is used in the Arms Control and Disarmament Act.

*Question.* Is Russia currently in compliance with the Intermediate-Range Nuclear Forces (INF) Treaty?

*Answer.* Treaty compliance assessments are provided in the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments. For further specific information on individual compliance assessments, I am available to provide you with a briefing.

*Question.* Do you believe the public has a right to know whether or not the U.S. Government believes Russia is in violation of or noncompliance with the Intermediate Range Nuclear Forces Treaty? If so, at what point will you be definitively able to publicly state whether Russia is in compliance?

*Answer.* The public has the right to be informed of matters relating to compliance with arms control treaties and agreements. That is a primary reason for the production of an unclassified version of the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments. This administration has produced and made publicly available an unclassified Compliance Report every year since taking office. These reports provide the public with an understanding, within the constraints of security classifications, of U.S. assessments of the compliance of our treaty partners with arms control treaties and agreements to which the United States is a party.

In addition to the information provided in the unclassified and classified compliance reports, we are always prepared to brief Members of Congress to ensure that you are able to execute your oversight responsibilities on behalf of the American people.

*Question.* What indication, if any, do we have that Russia is interested in further nuclear reductions or in a follow-on agreement to New START for reasons other than limiting U.S. capabilities?

*Answer.* At the August 9, 2013, "2+2" meeting with Russia, Secretary Kerry, Secretary Hagel, Russian Foreign Minister Sergey Lavrov, and Defense Minister Sergey Shoygu discussed strengthening strategic stability by implementing successfully the New START Treaty and exploring the possibilities of further nuclear reductions. These discussions are ongoing and taking place in other working groups, such as the U.S.-Russia Bilateral Presidential Commission Working Group on Arms Control and International Security, which I cochair with Russian Deputy Foreign Minister Sergey Ryabkov.

*Question.* Has Russia shown any willingness to discuss limits on nonstrategic nuclear weapons?

*Answer.* The administration is conducting a bilateral dialogue with Russia on strategic stability and consulting with NATO allies to lay the groundwork for future negotiations to address nonstrategic nuclear weapons. We are pursuing discussions in the U.S.-Russia Bilateral Presidential Commission Working Group on Arms Control and International Security, which I cochair with Russian Deputy Foreign Minister Sergey Ryabkov. With NATO allies, we are developing concepts for transparency on Russian and U.S. nonstrategic nuclear weapons in Europe as an important first step toward reductions in those weapons.

Pursuant to Condition 12(B) of the New Start Resolution of Ratification, the State Department reports annually on our efforts to seek to initiate negotiations on NSNW with the Russian Federation. The latest report was delivered to the Senate on February 1, 2013.

*Question.* What are the factors the United States should consider before concluding civilian nuclear cooperation ("123") agreements that do not include commitments to limit indigenous enrichment or reprocessing capabilities similar to those contained in the agreement with the United Arab Emirates?

*Answer.* U.S. nuclear cooperation agreements (123 Agreements) establish the nonproliferation conditions required by law for the conduct of supply of source and special fissionable material and equipment to the nuclear programs of States with which we have chosen to cooperate. Our 123 Agreements are the strongest such agreements in the world; no government requires more stringent nonproliferation conditions.

The United States has a longstanding policy that seeks to limit the further spread of enrichment and reprocessing technologies. We believe that there are many ways to advance global nonproliferation efforts and international security and to achieve the lowest number of sensitive fuel cycle facilities throughout the world, including adherence to the Nuclear Suppliers Group Guidelines, implementation of an International Atomic Energy Agency's (IAEA) Additional Protocol to a state's safeguards agreement, and support for the IAEA Fuel Bank and other fuel assurance mechanisms. 123 Agreements are an additional tool to advance clear U.S. national security interests in achieving the lowest number of sensitive fuel cycle facilities and technologies.

*Question.* What is the status of discussions with Vietnam regarding a nuclear cooperation agreement? Will this agreement secure Vietnam's promise not to make nuclear fuel on their soil? Do you pledge to consult with Congress before you initial any agreement with Vietnam to make sure it does not undermine negotiations to renew nuclear cooperation with South Korea?

*Answer.* The 123 Agreement negotiation process with Vietnam is well advanced. Throughout these negotiations, we have consistently stressed to Vietnamese officials the longstanding U.S. policy that seeks to limit the further spread of enrichment and reprocessing technologies and the importance of continuing its strong record of nonproliferation commitments. Vietnam has brought into force recently its Additional Protocol to its International Atomic Energy Agency (IAEA) safeguards agreement and ratified the 2005 amendment to the Convention on the Physical Protection of Nuclear Material. We also have discussed supplemental nonproliferation commitments with Vietnam.

The administration intends to comply fully with the requirement for consultation with Congress contained in the Atomic Energy Act of 1954, as amended.

*Question.* Nuclear analysts and Japanese nuclear experts argue that the United States-Japanese nuclear cooperation agreement, which is to terminate in 2015, can be interpreted to read in a manner that would make it unnecessary for the United

States and Japan ever to have to renew the agreement. Does the State Department share this view?

*Answer.* The Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Peaceful Uses of Nuclear Energy entered into force on July 17, 1988. The terms of the agreement provide that it shall remain in force for a period of 30 years, and shall continue in force thereafter until terminated. Either party may terminate the agreement at the end of the initial 30-year period or at any time thereafter by giving 6 months written notice to the other party. Accordingly, in the absence of any action by either party to terminate the agreement, it remains in force indefinitely.

*Question.* President Obama recently said to the U.N. General Assembly that "we respect the right of the Iranian people to access peaceful nuclear energy." Does this include the right to uranium enrichment or plutonium reprocessing technology?

*Answer.* States parties in compliance with their Nuclear Non-Proliferation Treaty obligations have the right to pursue nuclear energy for peaceful purposes under the treaty, but with that right come responsibilities. As President Obama stated in his address to the U.N. General Assembly, "We insist that the Iranian Government meet its responsibilities under the Nuclear Non-Proliferation Treaty and U.N. Security Council resolutions."

The onus is on Iran to demonstrate to the international community that its nuclear program is exclusively peaceful and to comply with the resolutions of the United Nations Security Council and the International Atomic Energy Agency Board of Governors. Iran must take concrete actions to address the legitimate concerns of the international community about its nuclear program. It also is critical to note that the United Nations Security Council, in multiple resolutions, calls upon Iran to suspend all uranium enrichment activities and refrain from any plutonium reprocessing activities because of the questions raised over the peaceful nature of Iran's nuclear program.

*Question.* Should the United States accept a uranium enrichment capability in Iran under international safeguards? How would an Iranian uranium enrichment or reprocessing capability be perceived by other states in the region and would you be concerned that such a capability could contribute to a cascade of proliferation of these sensitive technologies?

*Answer.* As President Obama stated recently, "We should be able to achieve a resolution that respects the rights of the Iranian people, while giving the world confidence that the Iranian program is peaceful." Iran remains in noncompliance with its international nuclear obligations and has failed to demonstrate to the international community that its nuclear program is exclusively peaceful. Until Iran makes clear that it is prepared to address the legitimate concerns of the international community about Iran's nuclear program, it would be premature to speculate about the acceptable outcome of the negotiations. We share your concerns regarding limiting the spread of enrichment and reprocessing (ENR) technologies. The United States maintains its longstanding policy of limiting the spread of ENR technologies.

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RESPONSES OF FRANK ROSE TO QUESTIONS SUBMITTED BY SENATOR MARCO RUBIO

*Question.* Can you state definitively that in any arms control discussions with Russia for which you are responsible the United States will never agree to any limitations on U.S. missile defense programs?

*Answer.* While we seek missile defense cooperation and transparency with Russia, the United States will not agree to any obligations that will constrain or limit U.S. or NATO ballistic missile defenses.

*Question.* What has the administration done to reassure Russia that U.S. missile defenses are not directed against them? Does the Obama administration intend to provide Russia with classified information (including data declassified for this purpose) about our missile defense capabilities to make this case to Russia?

*Answer.* During both the Bush and Obama administrations, the United States has provided policy and technical briefings to Russia to demonstrate that U.S. ballistic missile defense plans, programs, and deployments are not designed to degrade, nor are they capable of degrading, Russia's strategic deterrent.

The United States will not provide Russia with information about our missile defense systems that would in any way compromise our national security. For

example, hit-to-kill technology and interceptor telemetry will under no circumstances be provided to Russia.

*Question.* What lessons are to be learned from U.S. efforts to secure chemical and advanced conventional weapons in Iraq and Libya that could be applied to Syria?

*Answer.* Chemical weapons (CW) and advanced conventional weapons elimination efforts in Russia, Albania, Libya, and elsewhere have helped U.S. Government agencies to identify key capabilities, authorities, and coordination mechanisms that will assist in efficiently securing, verifying, and eliminating Syria's CW program. Additionally, we are seeking support from other governments that have capabilities to provide financial or technical assistance for the elimination of Syria's CW program. We recognize that implementing the Framework for Syria CW Elimination is an unprecedented task, and we are examining all of these tools as we work to support the United Nations, the Organization for the Prohibition of Chemical Weapons, and the international community to successfully implement this framework.

Valuable lessons from our experience in Libya are informing the Department's ongoing planning to counter advanced conventional weapons proliferation from Syria, including coordination with international and regional partners; coordination with implementers of related activities, such as border security assistance; possible action to prevent weapons sites from becoming insecure; and the need to act as soon as possible if sites become insecure.

*Question.* Do you believe that the United States-Russia framework for the elimination of Syrian chemical weapons is effectively verifiable? How can we be confident that, as in the case of Libya, the Assad regime will not retain at least some of its chemical weapons capabilities?

*Answer.* Syria is in the process of acceding to the Chemical Weapons Convention (CWC). Upon accession, it is obligated to destroy all of its chemical weapons under international verification by the Organization for the Prohibition of Chemical Weapons (OPCW). To date, the OPCW has verified the global elimination of over 57,000 metric tons of chemical weapons. The United States and Russia are focused very closely on ensuring that Syria complies with its CWC obligations. We are seeking additional verification rights for the United Nations and OPCW in this instance to ensure that inspectors have the right to inspect any and all sites in Syria, not just those declared by Syria. These provisions will provide the OPCW with enhanced tools to verify Syria's compliance.

Syria is not a normal situation, and we are utilizing the capacities of both the United Nations and the OPCW to address its unique circumstances. CWC implementation in Syria will be reinforced by the U.S.-Russia Geneva Framework Agreement, and the OPCW Executive Council decision and the UN Security Council resolution. In general, we intend to have a more robust program of CW destruction and verification on an accelerated schedule, and the role of the Syrian Government in this exercise will be looked at closely—we continue to work out the details with Russia, the United Nations, and the OPCW.

As CWC implementation proceeds in Syria, I would be happy to keep you apprised of developments.

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RESPONSES OF ADAM SCHEINMAN TO QUESTIONS SUBMITTED  
BY SENATOR MARCO RUBIO

*Question.* If confirmed, what would your strategy be for ensuring that Israel's interests are protected in the 2015 Nuclear Non-Proliferation Treaty (NPT) Review Conference and preceding meetings?

*Answer.* The United States has long supported universal adherence to the NPT. However, we believe that a comprehensive and durable peace in the region and full compliance by all regional states with their arms control and nonproliferation obligations are essential precursors for realizing universality of the NPT in the Middle East. Our government consults frequently with Israel on issues related to the NPT process, and in particular the proposal to convene a conference to discuss a Middle East zone free of weapons of mass destruction.

As the United States has made clear, it will only support a conference in which all countries feel comfortable they can attend and that we will oppose initiatives designed to pressure Israel or single it out for criticism. We also will continue our longstanding practice to work closely with Israel to ensure that regional arms control proposals do not detract from Israel's security and support our common interest in strengthening international peace and stability.

*Question.* How does the administration intend to handle the ongoing demands of some countries for establishment of a Middle East zone free of nuclear weapons and all other WMD?

*Answer.* It is longstanding U.S. policy to support the establishment of a Middle East zone free of all weapons of mass destruction. However, as we have made clear, this is a long-term undertaking and will require that essential conditions be in place, to include a comprehensive and durable peace in the region and full compliance by all regional states with their arms control and nonproliferation obligations.

As a near-term measure, we continue to support the goal of convening a conference to discuss aspects of a regional WMD free zone, as called for in the final document of the 2010 NPT Review Conference. In keeping with the principle that a regional WMD free zone can only be established on the basis of arrangements freely arrived at by the relevant parties, it should be clear that this conference can proceed only on the basis of consensus and with Israel having an equal seat at the table. Working with the other conveners (the United Kingdom, Russia, and the United Nations), and the appointed facilitator (Ambassador Jaakko Laajava of Finland), we continue to encourage direct engagement of the regional parties in order to reach agreement on an agenda for a successful conference.

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RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED  
BY SENATOR JOHN BARRASSO

*Question.* As the current Assistant Secretary of State for Arms Control, Verification and Compliance, can you certify Russia is complying or otherwise not acting inconsistent with all its arms control obligations (as opposed to just its strategic arms control obligations)?

*Answer.* As I noted at my confirmation hearing, there are some areas where we have concerns about Russian compliance. Complete compliance assessments are provided in the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments. For specific information on individual compliance assessments, the Department of State is available to provide you with a briefing.

*Question.* Do you think it is important to be able to certify that Russia is currently complying with all its arms control obligations prior to negotiating future arms control agreements with Russia?

*Answer.* Noncompliance with treaty obligations is a very serious issue and I believe that consequences related to noncompliance should be appropriate to the specific circumstances. When specific questions arise about a country's treaty implementation, decisions about whether those issues constitute noncompliance require a careful process, which can include diplomatic engagement with the country concerned and an interagency process to assess the facts and circumstances. Whether and how those issues do or should affect future agreements is best evaluated on a case-by-case basis, taking into account the national security benefit of the proposed agreement and the assessed likelihood and risks of noncompliance. Treaty compliance is essential for creating the stability and predictability that aids international security efforts. Our national security interests have been and will continue to be the primary consideration in any future arms control negotiations and in deciding whether to become a party to any future agreement. We do not negotiate such agreements as "a favor" to other countries.

*Question.* Is Russia abiding by Comprehensive Test-Ban Treaty (CTBT) obligations as we define those obligations?

*Answer.* The Comprehensive Nuclear Test-Ban Treaty has not yet entered into force. As a State Party to the treaty prior to its entry into force, Russia has an obligation to refrain from acts which would defeat the object and purpose of the treaty. However, the full treaty regime, including its verification and onsite inspection provisions, will be implemented only if the treaty is in force. Regarding specific assessments of compliance, I refer you to the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments.

*Question.* During your testimony before the committee, you said, "Russia is in compliance with the New START Treaty" and that you were "not aware of any questions that have arisen" to concealment or Russian efforts to deter our inspection teams and capabilities.

- ◆ How involved are you with the issues raised at the Bilateral Consultative Commission?
- ◆ Is anyone in the State Department aware of concealment issues or Russian efforts to deter our inspection teams?

Answer. As Assistant Secretary of State for Arms Control, Verification and Compliance, I have responsibilities in a number of areas, including the activities of the New START Treaty's Bilateral Consultative Commission (BCC). In addition to working with the U.S. delegation to the BCC to develop U.S. Government positions prior to a BCC session, I am regularly apprised of the day-to-day implementation of the treaty. To date, the BCC has been an effective forum for resolving issues related to treaty implementation.

With respect to specific concerns related to particular treaties, the Department of State is available to provide Congress with briefings on any particular concerns.

*Question.* Secretary of Defense Panetta assured Congress that arms reductions would take place in the Obama administration only as a result of an arms control treaty process, saying: "reductions that have been made, at least in this administration, have only been made as part of the START process and not outside of that process; and I would expect that that would be the same in the future."

- ◆ Can you assure the Senate that President Obama's negotiated cuts to our nuclear arsenal will be presented to the Senate in treaty form?

Answer. As Secretary Kerry stated in his September 18 letter to Senator Corker, we will pursue a treaty on nuclear reductions with the Russian Federation.

*Question.* Are you currently engaged in negotiations with the Russians on further reductions of strategic nuclear weapons or nuclear delivery vehicles? What is the status of those negotiations?

Answer. No.

However, at the August 9, 2013, "2+2" meeting with Russia, Secretary Kerry, Secretary Hagel, Russian Foreign Minister Sergey Lavrov, and Defense Minister Sergey Shoygu discussed strengthening strategic stability by implementing successfully the New START Treaty and exploring the possibilities of further negotiated nuclear reductions. These discussions are ongoing and are also taking place in other working groups, such as the U.S.-Russia Bilateral Presidential Commission Working Group on Arms Control and International Security, which I cochair with Russian Deputy Foreign Minister Sergey Ryabkov.

*Question.* During the New START debate, there was a lot of concern raised about the inclusion of provisions on missile defense. You were the lead negotiator of New START. In a treaty about strategic offensive arms, why is there a direct limitation on U.S. missile defense deployments in article 5, paragraph 3 of the treaty?

Answer. The New START Treaty has no operational impact on U.S. missile defense efforts.

Paragraph 3 of article V of the treaty prohibits the conversion of ICBM or SLBM launchers to launchers for missile defense interceptors and the conversion of missile defense interceptor launchers to launch ICBMs or SLBMs. The paragraph resolves a longstanding ambiguity that arose during implementation of the START Treaty. Specifically, it ensures that our five previously converted ICBM silo launchers at Vandenberg that are used now for missile defense interceptors will not count against the New START Treaty's limits on nondeployed ICBM launchers and will not be a continuing subject of dispute with Russia.

With regard to the conversion of SLBM launchers into missile defense interceptor launchers, the Missile Defense Agency had examined earlier the concept of launching missile defense interceptors from submarines and found it operationally an unattractive and extremely expensive option. The United States already has a very good and significantly growing capability for sea-based missile defense on Aegis-capable surface ships, which are not constrained by the New START Treaty.

Furthermore, the New START Treaty does not limit the United States in any way from building and deploying new land-based interceptors or silos.

*Question.* It is irrelevant that the United States currently has no plan to engage in the missile defense action prohibited by the treaty, when the Senate unanimously counseled that the treaty should not contain any limitations on our missile defense systems. Therefore, what did the United States get in return for this concession to Russia during the negotiation of the treaty?

Answer. The New START Treaty has no operational impact on U.S. missile defense efforts. Additionally, the treaty does not constrain the United States from deploying the most effective missile defenses possible.

*Question.* New START requires the United States and Russia to reduce their deployed nuclear warheads to 1,550 and their deployed nuclear delivery vehicles to 700. According to the last data exchange, Russia is already well below those limits, while we still need to make significant reductions to get below those limits.

◆ In future arms control negotiations with Russia, how can we avoid a treaty where the United States is the only Party required to actually make reductions?

*Answer.* The New START Treaty establishes legally binding and verifiable limits on the number of Russian and U.S. strategic nuclear forces that are mutually beneficial and stabilizing. The value of the New START Treaty goes beyond these limits and reductions. The treaty also provides transparency and predictability with regard to Russian strategic forces that the United States would otherwise lack. For example, the United States and Russia have exchanged more than 4,900 notifications on the numbers, locations, and movements of their strategic forces.

Onsite inspections and other verification measures also are going well, enabling each side to maintain confidence in the validity of that data.

Without this treaty, there would be no limit on the size of each Party's respective strategic nuclear arsenals in the face of modernization programs, and no insight into the other Party's forces. As was the case with the New START Treaty, any future arms control negotiations should be considered in light of all potential benefits.

*Question.* President Obama recently said at the U.N. General Assembly that "we respect the right of the Iranian people to access peaceful nuclear energy." Does the administration believe this includes the right to uranium enrichment or plutonium reprocessing technology?

*Answer.* States Parties in compliance with their Nuclear Non-Proliferation Treaty obligations have the right to pursue nuclear energy for peaceful purposes under the treaty, but with that right comes responsibilities. As President Obama stated in his address to the U.N. General Assembly, "We insist that the Iranian Government meet its responsibilities under the Nuclear Non-Proliferation Treaty and U.N. Security Council resolutions."

The onus is on Iran to demonstrate to the international community that its nuclear program is exclusively peaceful and to comply with the resolutions of the United Nations Security Council and the International Atomic Energy Agency Board of Governors. We have been consistent in our message that Iran must take concrete actions to address the legitimate concerns of the international community about its nuclear program. It also is critical to note that the United Nations Security Council, in multiple resolutions, calls upon Iran to suspend all uranium enrichment activities and refrain from any plutonium reprocessing activities because of the questions raised over the peaceful nature of Iran's nuclear program.

*Question.* Do you believe the current Iranian or North Korean regimes can be talked out of their nuclear programs?

*Answer.* The United States remains committed to the dual-track policy of engagement and pressure on Iran in pursuit of a diplomatic resolution to Iran's nuclear program. In his address before the United Nations General Assembly, President Obama again made clear "that America prefers to resolve our concerns over Iran's nuclear program peacefully, although we are determined to prevent Iran from developing a nuclear weapon."

However, the President and his administration have been consistent in their message: the window to resolve this issue diplomatically will not remain open indefinitely, and all options are on the table.

Thanks to the efforts of Congress and President Obama's administration, international sanctions have been instrumental in bringing Iran back to the negotiating table, and Iran must continue to face pressure until it takes concrete actions to comply with its international nuclear obligations.

Regarding North Korea, the paramount focus of U.S. policy remains the verifiable denuclearization of the Korean Peninsula.

We will not accept North Korea as a nuclear-armed state. North Korea has committed in the Joint Statement of the Six-Party Talks, and is obligated under the relevant United Nations Security Council resolutions to abandon all its nuclear weapons and existing nuclear programs.

We continue to hold North Korea to its commitments and obligations. We continue to work with our partners and the international community to implement the United Nations Security Council sanctions on the DPRK in order to impede its ability to sustain and enhance its proscribed nuclear and missile programs.

At the same time, we remain open to credible and authentic negotiations to bring North Korea into compliance with its international obligations and commitments through irreversible steps toward denuclearization. But the onus remains on North



Korea to take concrete and meaningful action to demonstrate its serious will and commitment to denuclearization.

*Question.* During the New START debates, former Secretary James R. Schlesinger testified before this committee that the Russians have consistently resisted efforts to deal with the imbalance of tactical weapons. He stated that, "The likelihood of their being willing to do so in light of New START is sharply diminished, for we have now forfeited substantial leverage."

◆ As lead negotiator, what was the rationale for the United States to forfeit substantial leverage on this issue?

*Answer.* In 2009, our priority objective was to negotiate a new strategic arms control agreement with Russia that would supersede the expiring START Treaty to ensure the continuation of mutual limits and verification on Russian and U.S. strategic nuclear forces. A treaty that addressed tactical nuclear weapons would have taken much longer to complete, adding significantly to the time before a successor agreement, including verification measures, could enter into force following START's expiration in December 2009. Because of their limited range and different roles, tactical nuclear weapons do not directly influence the strategic balance between the United States and Russia. That said, we agree with the Senate regarding the importance of addressing the disparity between U.S. and Russian nonstrategic nuclear weapons, and will work with our NATO allies to seek bold reductions in U.S. and Russian nonstrategic nuclear weapons in Europe.

*Question.* Throughout the debate, we were told that we must ratify this treaty in order to begin the conversation of reducing tactical weapons. On December 16, 2010, then-Senator Kerry stated on the floor of the U.S. Senate that, "I hope our colleagues will stand with our allies and stand with common sense and ratify this treaty so we can get to the issue of tactical nuclear weapons."

◆ What commitments has the administration received from Russia to reduce tactical nuclear weapons?

◆ Will you push for further reductions in strategic nuclear weapons or take on the real issue of tactical nuclear weapons?

(Note: The original question misstated the referenced date as December 16, 2012.)

*Answer.* As the President has said, we are seeking reductions in all categories of nuclear weapons, including strategic and nonstrategic.

Pursuant to Condition 12(B) of the New Start Resolution of Ratification, the State Department reports annually on our efforts to seek to initiate negotiations on NSNW with the Russian Federation. The latest report was delivered to the Senate on February 1, 2013.

*Question.* As our country continues to face threats from around the world, we should not take any action that will hinder our missile defense options. The United States must always remain in charge of our missile defense, not Russia or any other country. I have concerns about the efforts of Russia to limit our missile defense and actions the administration may be taking on this issue.

◆ Does President Obama plan to include any limits on missile defense in a broader agreement to limit offensive nuclear weapons?

◆ Can you commit to me that, in any arms control discussions with Russia for which you are responsible, the United States will never agree to any limitation on our missile defense programs?

*Answer.* The United States will not agree to any obligations that will constrain or limit U.S. or NATO ballistic missile defenses.

*Question.* Article 12 of the United Nations Arms Trade Treaty requires signatories to maintain records for 10 years on all firearm imports transferred to its territory. These records include the quantity of firearms, value, model/type and the end users. Signatories will be required to submit this information to the United Nations on an annual basis. During your testimony, you stated that the treaty "does not require the formation of national arms registry."

◆ How can this administration claim that this treaty does not require a United Nations gun registry when article 12 specifically requires the collection of the quantity of firearms, value, model/type and the end users?

*Answer.* The ATT is a treaty that deals with international trade and it does not in any way impact domestic gun rights, including those protected by the second amendment.

Current U.S. recordkeeping practices for arms exports and imports already meet the legal requirements of article 12. Article 12 requires States Parties (not the U.N.) to maintain national records of export authorizations or actual exports of the cov-

ered conventional arms for a minimum of 10 years. The United States already does this as part of our existing export control system. Article 12 does not require, but only encourages, States Parties to maintain records on imports, transits, and transshipments under its jurisdiction. Similarly, it does not require, but only encourages, States Parties to include in their national records the information specified in article 12(3). States Parties are permitted to decide for themselves whether all such information is necessary or relevant for their recordkeeping. As a result, the ATT would not require us to maintain any national records on arms exports or imports beyond what we already do under existing U.S. law and practice.

*Question.* As the administration pursues efforts on arms control and nuclear non-proliferation, it is vital that Congress is informed and consulted. Will you commit to me to provide Members of the Congress with all the information, resources, and materials requested in a timely manner?

*Answer.* Yes, if confirmed, I will commit to provide Members of Congress with requested information, resources, and material that fall under my purview as appropriate and in a timely manner.