Max M. Kampelman Papers

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United States Senate

COMMITTEE ON
GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

February 28, 1997

Ambassador Max Kampelman
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20004

Dear Ambassador Kampelman:

On behalf of Senator Thad Cochran, Chairman of the Senate Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services, I would like to invite you to participate as a witness at our upcoming hearing on March 13, 1997.

The hearing, entitled "National Missile Defense and Prospects for U.S.-Russia ABM Treaty Accommodation," will examine issues related to the recent U.S. Institute of Peace-sponsored study authored by Dr. Keith Payne, Dr. Andrei Kortunov, and others. Given your distinguished history as an arms control negotiator and in your capacity as the Vice Chairman of the U.S. Institute of Peace, we hope your testimony will focus on an assessment of the "pragmatic mutual accommodation" proposed in the study, and also address the following questions:

- Should the United States be interested in such a course as outlined?
- As suggested by the study, could ABM Treaty "multilateralization" jeopardize mutual accommodation even if the United States and Russian Federation are included?
- What is your view of S.7, the National Missile Defense Act of 1997?

You would testify on a panel with Dr. Keith Payne and Dr. Andrei Kortunov, both of whom have agreed to appear as witnesses.

The hearing will begin at 9:30 a.m. in room 342 of the Dirksen Senate Office Building. We would like to receive a copy of your written testimony by close of business on Monday, March 10. If you have any questions concerning this hearing, please feel free to call me at 202/224-2254.

Sincerely,

Mitchel B. Kugler
Staff Director
Subcommittee on International Security,
Proliferation, and Federal Services

NATIONAL INSTITUTE FOR PUBLIC POLICY

February 24, 1997

Amb. Max Kampelman
Fried, Frank et al.
1001 Pennsylvania Ave., NW
Suite 800
Washington, DC 20004

Dear Ambassador Kampelman:

Enclosed is an advance copy of the USIP-sponsored, U.S.-Russian study as it will appear in the forthcoming issue of *Comparative Strategy*. Its primary findings are:

- The U.S. will require a limited NMD at an unspecified future point to help address the missile proliferation threat.

- The current leadership in Moscow is hostile to U.S. NMD because it is viewed as one element in the "anti-Russian" design of U.S. policy. Other elements of this U.S. orchestrated "anti-Russian" set of policies include NATO expansion, START II, and the U.S. counterproliferation initiative.

- Unilateral U.S. movement on NMD, beyond that allowed by the Treaty, would be viewed as provocative and a confirmation of the Cold War attitudes dominant in Moscow.

- Accommodation by Moscow on the ABM Treaty to permit limited NMD will require a new "pragmatic" approach.

- This "pragmatic" approach could be based on a U.S. commitment to limited NMD (defined as capable against ≤50 warheads) and the maintenance of mutual deterrence expressed in a formal arms control agreement. These negotiations would integrate strategic offensive and defensive forces in a START III framework, and would accommodate maintenance of the ABM Treaty (with possible revisions). This framework would be accompanied by other cooperative BMD and counterproliferation activities such as, cooperation on early warning, joint TMD development, and the

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establishment of a joint center for nonproliferation. These "reassurance" measures would be considered in a new broad-based forum similar to the Ross-Mamedov Talks of 1992.

- This pragmatic mutual accommodation could be the first step toward a long-term goal of cooperatively moving away from MAD. This long-term goal, however, will require a very different political relationship than now exists.

Dr. Andrei Kortunov has taken steps to gather endorsements from Amb. Lukin and Alexi Arbatov (both prominent members of the Russian State Duma). I, in turn, will ask Congressman Weldon for his review and endorsement. My hope is that Sen. Lieberman might also find the report very helpful and sign on as a reviewer. Do you think this reasonable? Bob Bell was very complimentary and supportive when Dr. Shoumikhin and I briefed him on the study's findings.

In addition, Sen. Cochran and his sub-committee staff apparently are quite enthusiastic about the study's findings, and intend to schedule hearings on March 13th to showcase the study and its results (the study being an example of cooperation itself). My understanding is that Sen. Cochran would like to invite you, Dr. Kortunov, and me to participate in the hearing to discuss the study's findings and the value of ABM Treaty cooperation. I hope that you will be able to participate. We have completed a potentially important piece of work and the added visibility of a Senate hearing can only help. I will be pleased to discuss the study with you at length and at your convenience if you would find that helpful.

I believe you find the enclosed text of great interest, and look forward to hearing from you.

Sincerely,

Keith

Keith B. Payne
President

KBP:abj
Enclosure

NATIONAL INSTITUTE FOR PUBLIC POLICY

MEMORANDUM

March 10, 1997

TO: Amb. Max Kampelman

FROM: Keith Payne

SUBJ: March 13, 1997 Senate Testimony

Here are a few possible points for the hearing on the 13th. Also attached is a copy of S.7 per the final point listed here.

A brief background on the study's sponsor, the USIP, and its overall mandate. Of particular importance is the point that the USIP stipulated that the production of this study be exclusively "track two" (i.e., no government officials involved in writing the study). We have, nevertheless, received strong endorsement from the State Duma and Capitol Hill.

The study identifies a "pragmatic" approach to mutual accommodation that reconciles the U.S. need for limited NMD and possible ABM Treaty revision, and Russian opposition to both. This pragmatic approach is based on mutual recognition that a limited U.S. NMD system can be compatible with continued mutual deterrence.

The ABM Treaty is, and was designed to be a "living agreement," with specified procedures for amendment in Articles 13 and 14, and for withdrawal in Article 15. Engaging in discussions of amendments with the Russians for the purpose of permitting limited NMD is not a violation of the Treaty's letter or spirit.

The arms control framework proposed in the study would integrate offensive and defensive forces under a single ceiling, with a limited "freedom to mix." The goal of this integration would be to permit limited NMD deployment (per the U.S. interest) while limiting offensive counterforce (i.e., countersilo) capabilities to prohibit the combination of offensive and defensive capabilities capable of threatening the survivability of second strike forces (per the declared Russian interest). In principle, this arms control framework and set of goals is entirely consistent with both long-standing U.S. strategic arms control objectives—codifying mutual deterrence "stability"—and the more recent U.S. declared interest in limited NMD.

This study describes Russian opposition to limited NMD and related ABM Treaty revision as based largely on the view dominant in Moscow that U.S. BMD initiatives are "anti-Russian," and an element in a broader U.S. agenda

designed to undermine Russian security. NATO enlargement and a "disadvantageous" START II are presented by Russian "traditionalists" as evidence of this supposed "anti-Russian" agenda. This Russian view is mistaken. It also is understandable to a degree, and must be addressed if our relationship with Russia truly is to break free of Cold War limitations. This study points toward mutual accommodation and related confidence measures that could help to ameliorate the level of mistrust and anxiety in Moscow.

In this study Russian contributors state that the Russian motivation for mutual accommodation on NMD and the ABM Treaty is the expectation that U.S. NMD is inevitable, and that the "worst possible" development would be unilateral U.S. withdrawal, leaving no constraints on U.S. NMD programs. When U.S. NMD movement is seen as inevitable, Russian "pragmatists" understandably are motivated to seek mutual accommodation as a means to forestall unconstrained, unilateral U.S. NMD and to shape U.S. NMD programs in accordance with Russian interests. This is an understandable and even reasonable point of view. It should, nevertheless, be understood that the Russian "pragmatic" position is not driven by philanthropic motives any more than are U.S. positions, and that the dynamic behind the expressed Russian willingness to pursue mutual accommodation is the expectation that U.S. NMD deployment is "inevitable." Assuring the Russians of the contrary does not contribute to pragmatic mutual accommodation, just as moving ahead unilaterally now probably would needlessly provoke the Russians as described in the study. The proper course, as suggested, is to balance reassuring "carrots" with the "stick" of possible unilateral U.S. action (i.e., withdrawal under Article 15) in the event that good faith efforts to accommodate Russian interests do not bear fruit.

ABM Treaty "multilateralization," as discussed in this study, could render much more difficult and possibly even preclude mutual accommodation, even if the U.S. and Russia desire it. The addition of multiple parties to the Treaty threatens to complicate any negotiations to revise the Treaty as multiple, diverse interests and agendas would likely be brought to the negotiating table.

In 1992 the Yeltsin Administration proposed U.S.-Russian cooperation on a Global Protection System (GPS) involving joint development of a global early warning and missile defense capability. The U.S.-Russian Ross-Mamedov Talks were established in 1992 by Presidents Bush and Yeltsin to further cooperation on GPS. The Russians placed considerable significance on the GPS proposal and the Ross-Mamedov Talks as indicative of U.S. willingness to work with Russian on security problems in general, and on BMD in particular. Russian officials and defense industry personnel were greatly disappointed that the Talks were discontinued. The pragmatic approach identified in this study recommends establishing a new forum similar to the previous Ross-Mamedov Talk to further the possibility for mutual

accommodation as described in this study. Establishing such a forum could be very useful in reducing the distrust of U.S. motives now prevalent in Moscow—distrust unintentionally contributed to by the discontinuation of Ross-Mamedov.

The pragmatic approach presented in this Russian-American study is entirely consistent in principle with S. 7 (National Missile Defense Act of 1997). The most pertinent language of S-7 [Sec. 6 (a)] states that, "Congress urges the President to pursue, if necessary, high-level discussion with the Russian Federation to achieve an agreement to amend the ABM Treaty to allow deployment of the national missile defense system being developed for deployment under section 3." and, "If an agreement described in subsection (a) is not achieved in discussions described in that subsection within one year after the date of the enactment of this Act, the President and Congress, in consultation with each other, shall consider exercising the option of withdrawing the United States from the ABM Treaty in accordance with the provisions of Article XV of that treaty."

DRAFT
6/17/97

REMARKS BY
MAX M. KAMPELMAN

NATIONAL INSTITUTE FOR PUBLIC POLICY

562 Dirksen Office Building
United States Senate

June 18, 1997
Washington, D.C.

We have all just heard important presentations by Russian and American defense experts who have worked together to understand better the post-Cold War security environment as we prepare to enter the 21st Century. They are aware that during the Cold War our relations with each other primarily shaped our relations with other states. They are also aware that this is probably no longer the case, and we are challenged to face that reality.

The debate over missile defense, which is the subject of this morning's discussion, is a reflection of this new challenge. Its fundamental factual reality is that missile proliferation among regional rogue states threatens the stability each of us seeks to achieve in the next century. That realization is certainly a primary motive behind the increasing U.S. interest in deploying missile defenses. Jim Woolsey has this morning presented a clear picture of the proliferation threat. It is very difficult to come away from such a presentation without concluding that our own country should be moving with deliberate speed toward the deployment of both theater and national missile defenses.

It is important here to observe that this proliferation concern was not reflected in past arms control agreements between the United States and the Soviet Union. The ABM Treaty, for example, reflecting bi-lateral relationships alone, was based on the belief of the time, 1972, that missile defenses would be destabilizing to U.S.-Soviet relations — and that was the primary consideration. But we today cannot ignore the consequences, including our potential vulnerability, that flow from the growing threat from rogue missiles. Past agreements with the Soviet Union limiting defenses, therefore, take on the appearance for many in our country of being anachronistic. This seems clear and logical.

Yet, it is also appropriate to take note of the fact that movement by the U.S. toward missile defenses could well provoke Russia and derail further strategic arms reductions. Senior Russian officials, suspicious of U.S. motives, publicly and frequently emphasize the linkage between further offensive force reductions and maintenance of the ABM Treaty. It is encouraging to note this morning that the view is not universal in Russia.

The dilemma we face in making our way through this dilemma is new to the post-Cold War era. How do we balance new defense requirements generated by regional missile proliferation, such as the need for missile defense, with our desire to leave the baggage of the Cold War behind and improve our political relations with Russia? Should we seek to perpetuate the now-traditional strategic deterrence relationship based on the logic of mutual assured destruction ("MAD"), which apparently makes many Russian colleagues comfortable, as the basis for stability in U.S.-Russian relations? Is this particularly questionable at a time when no one doubts that missiles and weapons of mass destruction are proliferating?

We have learned this morning that a number of us in Washington and in Moscow have seriously begun the process of constructively assessing this dilemma. MAD is certainly not a suitable basis for our respective relations with regional rogue powers. Nor, do we believe, is it any longer a suitable basis for normalizing relations with Russia, much less for moving toward greater political cooperation and partnership between our two countries.

The U.S.-Russian study, a synopsis of which has been reported to you this morning, is an effort to present a roadmap for addressing both our vulnerability to potential rogue missiles in the near term and for moving away from MAD in the long term. This would accommodate an understandable desire for limited short-term deterrence, based on MAD; and for the far-term, coordinating a joint U.S.-Russian movement in accordance with agreed upon negotiated criteria, away from MAD as the basis for our mutual strategic relationship.

The basic U.S. and Russian interests expressed in this study are realistic. The United States and our allies and friends face a serious threat from the proliferation of weapons of mass destruction and ballistic missile delivery systems. In the United States, we have had a debate about precisely when a new long-range missile threat to the United States is likely to emerge. But that specific date may not be as important as the obvious trends providing us with danger signals. Those trends include increasing missile payloads, improving missile accuracy and greater missile range. The potential for new missile threats to our American territory and that of our friends is real. It cannot be responsibly ignored.

Similarly, Russian concerns prompting opposition to even a limited U.S. national missile defense cannot be ignored. As Dr. Shoumikhin has pointed out, Russia is very much a state in flux, and Russian policymakers face internal economic, social and political problems that dwarf the security threats to them posed by proliferation. In addition, we know that many in Russia's political and military circles see U.S. interest in missile defense through a Cold War lens. There is mistrust of U.S. military-technical intentions and fear that the real U.S. goal is to undermine Russian security, to deny Russia a deterrent.

Given the understandable disparity between U.S. and Russian perspectives, the chances for real progress on ABM Treaty and missile defense issues appear dim if we continue with "business as usual." The study findings presented by Dr. Shoumikhin and Dr. Payne identify a path that clearly is not "business as usual." For the near-term, the United States must clarify its commitment to limited national missile defense, while accepting an offensive-defensive relationship that preserves Russia's confidence in its deterrent. For its part, Russia must come to accept some form of ABM Treaty interpretation or modification to allow the United States a limited national missile defense adequate to address our potential national vulnerability to rogue missiles. Both sides should have the flexibility to move forward on these issues. Establishing a broadly based and high-level bilateral forum similar to the 1992 Ross-Mamedov talks, as the study suggests, seems to be a very reasonable starting point in this direction.

It is here I believe relevant to repeat a conversation I had in Geneva ten years ago with one of the leaders of the Soviet Union, a Politburo member, who wanted to understand our American negotiating position. The irony of our respective positions on how to define the ABM Treaty became evident to him as I pointed out that the Soviet Union was now defining the Treaty just as we had interpreted the Treaty in 1972. And we were interpreting the Treaty as the Soviets had in 1972. We were both energetically defending our reversed positions with fervor. Didn't that seem a foolish way for grown adults to behave, I suggested? He smiled, agreed, and asked for my suggestion.

At first, I proposed he look at the Treaty's Agreed Statement "[D]", which clearly recognized that the state of our scientific knowledge in 1972, the date of the Treaty signing, would be surpassed by new knowledge. It, therefore, provided for new discussions and agreements in the event of "ABM systems based on other physical principles." In effect, it called for us to renegotiate the applicability of the ABM Treaty in the face of new technologies.

I went on to acknowledge that the Soviet Union was looking at the ABM Treaty as a "holy" document. There were many in the U.S. similarly oriented. How to treat a "holy" document? I pointed out to my Soviet colleague that if we want the ABM Treaty to continue as a "holy" document, we should stop the foolish debate of what was intended in 1972 and instead sit down and negotiate what is in our mutual best interest today. We could then assert, if we wish, that was the 1972 intent as well!

That remains my position today. That is also why I was disappointed that our government did not respond with alacrity and enthusiasm to President Yeltsin's proposal in 1992 to create a Global Protection System, an internationalizing of ballistic missile defenses with a global early warning and missile defense capability. The Bush Administration first delayed its response, but bi-lateral talks on the subject, the Ross-Mamedov talks, did begin and seemed to hold promise for joint understanding. The Russians, we were told, looked upon those talks as indicative of U.S. willingness to work closely with them on security problems and on missile defenses in particular. The Clinton Administration, regrettably, downgraded and then discontinued the talks. The study before you recommends that the talks be reconvened in a new forum.

The unofficial but effective talks which we have summarized for you should lead to high-level meaningful government to government talks on how best to cooperate as we both develop ballistic missile defenses. An effective national missile defense program is in our interest, particularly as we take into account the development of long-range missiles in other parts of the world. It is also in the long-range interest of the Russian Federation which may well find its existing defenses to be inadequate. It would, obviously, be best if our programs could be undertaken within an agreed-upon formula with the Russian Federation following negotiations provided for in the ABM Treaty.

There are, I believe, problems with the recent agreements announced in Helsinki. They seem to be captured by a "business as usual approach to U.S.-Russian strategic relations, at a time when breaking from Cold War patterns is needed. The approaches to the ABM Treaty appear designed to perpetuate MAD, without establishing any basis for change. How else can one read repeated commitments to the ABM Treaty, notably narrowly defined, as a "cornerstone of strategic stability." In addition, the "multilateralization" of the ABM Treaty, presented almost in passing at Helsinki, would make far more complex and difficult any future modification of the ABM Treaty, even if we and Russia could agree on the need for modification or re-interpretation.

In sum, the purposeful perpetuation of mutual vulnerability and MAD is not in the interest of either Russia or the United States. Unfortunately, an entire generation of defense thinkers in both Russia and the United States has been schooled in little else in

the strategic nuclear area. Whether the steps toward mutual accommodation we have heard about here this morning will prove practicable remains to be seen. What I am convinced of, however, is that this study represents the type of new thinking on both sides that we must have if we are to resolve the likely U.S.-Russian impasses on missile defense, on the ABM Treaty, and on potential series of security-related issues. Business as usual will not be good enough.

We intend to continue our informal U.S.-Russian dialogue and explorations in the hope that we can find the formula that will permit us both to enter the 21st century with confidence, stability, mutual respect and understanding.

(F)

HEARING
before the

SUBCOMMITTEE ON INTERNATIONAL SECURITY, PROLIFERATION, AND FEDERAL SERVICES

of the SENATE COMMITTEE ON GOVERNMENTAL AFFAIRS

on

National Missile Defense and Prospects for U.S. - Russia ABM Treaty Accommodation

Thursday, March 13, 1997
9:30 a.m.
SD-342 Dirksen Senate Office Building

WITNESS LIST

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Ambassador Max Kampelman
Vice Chairman
U.S. Institute of Peace

Dr. Keith Payne
President
National Institute for Public Policy

Dr. Andrei Kortunov
President
Moscow Public Science Foundation

***

Thad Cochran

UNITED STATES SENATOR • MISSISSIPPI

FOR IMMEDIATE RELEASE
March 10, 1997

CONTACT: Beth Day
(202) 224-6404

PRESS ALERT: Cochran Chairs Governmental Affairs Subcommittee Hearing on National Missile Defense and the ABM Treaty

Washington, D.C. – Senator Thad Cochran (R-MS) will chair a hearing on "National Missile Defense and Prospects for U.S.-Russia ABM Treaty Accommodation" Thursday, March 13, before the Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services. The hearing will begin at 9:30 a.m. in room 342 Dirksen Senate Office Building.

At the Subcommittee's first hearing on nuclear deterrence last month, questions were raised concerning U.S. deployment of a national ballistic missile defense system and Russian ratification of the START II Treaty.

This hearing will address these concerns by examining a recently published study sponsored by the U.S. Institute of Peace entitled, *"Cold Peace" or Cooperation: The Potential for U.S.-Russian Accommodation on Missile Defense and the ABM Treaty.*

"The United States must take Russian concerns into account before deploying a national missile defense system, though we cannot make our security dependent upon Russian willingness to cooperate. This study concludes that the deployment of a national missile defense by the United States and reductions to strategic offensive weapons in both the United States and Russia need not be mutually exclusive," said Cochran.

The following witnesses will testify before the Subcommittee: Ambassador Max Kampelman, Vice Chairman of the U.S. Institute of Peace; Dr. Keith Payne, President of the National Institute for Public Policy; and Dr. Andrei Kortunov, President of the Moscow Public Science Foundation.

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SENATOR THAD COCHRAN

Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services

"NATIONAL MISSILE DEFENSE AND PROSPECTS FOR U.S.-RUSSIA ABM TREATY ACCOMMODATION"

March 13, 1997

Opening Statement

I'd like to welcome everyone to today's hearing of the Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services. The topic of our hearing is "National Missile Defense and Prospects for U.S.-Russia ABM Treaty Accommodation."

At the subcommittee's first hearing on nuclear deterrence last month, there were questions about the relationship between U.S. deployment of a national missile defense and Russian ratification of the START II Treaty. During today's hearing we will have the opportunity to listen to and ask questions of the principal authors of a just-published U.S. Institute of Peace-sponsored study entitled, *Cold Peace or Cooperation? The Potential for U.S.-Russian Accommodation on Missile Defense and the ABM Treaty.* It is very important to note that the study, and its findings, have been endorsed by Vladimir Lukin, former ambassador to the United States and Chairman of the International Relations Committee of the Duma. The study, which has already been briefed to National Security Council officials, concludes that the deployment of a national missile defense by the United States and reductions to strategic offensive weapons in both the United States and Russia need not be mutually exclusive.

That being said, while the Senate provided advice and consent to ratification of START II more than one year ago, the treaty has not yet been ratified by Russia. While various Russians have included in their reluctance to ratify START II concern over U.S. plans for national missile defense, the fact of the matter is that there are many other more prominent reasons Russians -- in both the Yeltsin Administration and the Duma --

have given for their failure to ratify START II. In October Alexei Arbatov, deputy chairman of the Duma's defense committee, listed some of these reasons when he said, "First, there is no money for it. Secondly, the treaty is considered to be unfair on technical grounds. And thirdly, the general background -- the determination of NATO to expand to the east -- is very unfavorable to the treaty."

The United States must take Russian concerns into account before deploying a national missile defense system. And S.7, the National Missile Defense Act of 1997, seeks to take these concerns into account. S.7, in fact, specifically "urges the President to pursue, if necessary, high-level discussions with the Russian Federation to achieve agreement to amend the ABM Treaty to allow deployment of the national missile defense system...." Ultimately, though, we cannot make our security dependent upon Russian willingness to cooperate. The world has changed greatly in the quarter century since the ABM Treaty was negotiated. There now are many nations hostile to the United States working hard to acquire long-range missiles armed with weapons of mass destruction. My own bottom line on the ABM Treaty is very simple: We seek to cooperate with Russia, but ultimately the defense of our country is more important than the defense of a treaty that puts our country at risk. Indeed, this study proposes that, in the context of mutual accommodation, a new arms control agreement integrating strategic offensive and defensive forces could supersede the ABM Treaty.

Today's witnesses have addressed these issues in their fascinating study, and we are indebted to the U.S. Institute of Peace for funding their work. We will hear first from Ambassador Max Kampelman, a noted arms control negotiator in both Republican and Democratic administrations and the Vice Chairman of the U.S. Institute of Peace. Next, we will listen to Dr. Keith Payne, the principal American author of the study. Dr. Payne is the President of the National Institute for Public Policy and is also a member of the faculty of Georgetown University's National Security Studies Program in the School of Foreign Service. We will then hear from Dr. Andrei Kortunov, principal Russian author of the study and the President of the Moscow Public Science Foundation. Dr. Kortunov is the

former Head of the Department of Foreign Policy at the Institute of USA and Canada Studies of the Russian Academy of Sciences, and is a close advisor to the Russian Defense Ministry and senior members of the Duma.

TESTIMONY OF

MAX M. KAMPELMAN

U.S. SENATE COMMITTEE ON GOVERNMENTAL AFFAIRS

SUBCOMMITTEE ON INTERNATIONAL SECURITY

Washington, DC March 13, 1997

Thank you, Mr. Chairman. I was pleased to receive your invitation to participate in the Committee's session this morning. The missile defense issue, in my opinion, will increasingly come to the forefront of public discussion, particularly as the American people come to understand that our government has to this point not committed to the deployment of defenses against missiles that may reach us carrying nuclear, biological and chemical weapons. The desirability of exploring the potential for accommodation in this area between our country and Russia, the subject matter of the paper before you authored by Dr. Keith Payne, Dr. Andrei Kortunov and others, is self-evident.

At the very outset, let me say, as the Vice Chairman of the United States Institute of Peace (USIP), that we were pleased, through a grant, to help stimulate that study. In 1984, during the Administration of President Reagan and with his support, the Congress established the Institute as a non-partisan and bi-partisan one and charged it with the task of pursuing ideas, plans and studies that might open up intellectual and practical paths toward peace. We do that in association with experts, academicians, non-governmental organizations, government agencies and wherever we see opportunities, here and abroad, for creative thinking. The application by Dr. Keith Payne in cooperation with Dr. Kortunov, which led to this paper, met our criteria. The USIP takes no public policy positions. Our only condition for the grant was that the study and the

report be "track two," non-governmental, with no government officials involved in writing the study.

I appear before you this morning in a personal capacity. I support missile defenses, and I would like to elaborate on that within the context of the paper before you. In March 1985, President Reagan asked me to head the U.S. negotiating team for a renewed effort with the Soviet Union to reduce and eliminate nuclear arms. In addition, he asked me to concentrate on the issue of missile defenses as reflected in his Strategic Defense Initiative. This followed an article on the subject published in The New York Times Magazine and co-authored by Dr. Zbigniew Brzezinski, Dr. Robert Jastrow and me.

Critics of the President's SDI program, fortuitously from their point of view, labeled the SDI program as "star wars." This was inaccurate because its object was to avoid rather than project war in space. The existence of attack missiles traversing space was already a reality. The SDI program was designed to stop and destroy those weapons in space. The President instructed that the SDI research be non-nuclear, and he offered the prospect of US cooperation with the Soviets in the development of the defenses. The President's instruction also included the admonition that the research be undertaken within the confines of the ABM Treaty.

Reference to the Treaty leads me to share with you a conversation I had in Geneva at the time with one of the leaders of the Soviet Union, a Politburo member, who wanted to understand our American negotiating position. The irony of our respective positions on how to define the ABM Treaty became evident to him as I pointed out that the Soviet Union was now defining the Treaty just as we had interpreted the Treaty in 1972. And we were interpreting the Treaty as the Soviets had in 1972. We were both energetically defending

our reversed positions with fervor. Didn't that seem a foolish way for grown adults to behave, I suggested? He smiled, agreed, and asked for my suggestion.

At first, I suggested he look at the Treaty's Agreed Statement "[D]", which clearly recognized that the state of our scientific knowledge in 1972, the date of the Treaty signing, would be surpassed by new knowledge. It, therefore, provided for new discussions and agreements in the event of "ABM systems based on other physical principles." In effect, it called for us to renegotiate the applicability of the ABM Treaty in the face of new technologies.

I went on to acknowledge that the Soviet Union was looking at the ABM Treaty as a holy document. There were many in the U.S. similarly oriented. How to treat a holy document? The U.S. had another holy document, I pointed out, our Constitution, adopted in 1787. It has been amended. It has been interpreted and re-interpreted. Indeed, in many respects, it is barely recognizable as it has evolved. But it is still our holy document. (Parenthetically, Mr. Chairman, I am here reminded of the Yoga Bera type insight that if any of our revered founding fathers would be alive today, they would look at our Constitution and how it has been interpreted and turn over in their graves!)

In any event, I pointed out to my Soviet colleague that if we want the ABM Treaty to continue as a holy document, we should stop the foolish debate of what was intended in 1972 and instead sit down and negotiate what is in our mutual best interest today. We could then assert, if we wish, that was the 1972 intent as well!

That remains my position today, Mr. Chairman. That is why I am encouraged by the paper before you today. That is also why I was so disappointed that our government did not respond with alacrity and enthusiasm

to President Yeltsin's proposal in 1992 to create a Global Protection System, an internationalizing of ballistic missile defense with a global early warning and missile defense capability. The Bush Administration first delayed its response, but bi-lateral talks on the subject did begin and seemed to hold promise for joint understanding. The Russians, we were told, looked upon those talks as indicative of U.S. willingness to work closely with them on security problems and on missile defenses in particular. The Clinton Administration, regrettably, downgraded and then discontinued the talks. The paper before you recommends that the talks be reconvened in a new forum.

I welcome your hearings, Mr. Chairman, in the hope that the unofficial but effective talks which you will now learn about may lead to high-level meaningful government to government talks on how best to cooperate as we both develop ballistic missile defenses. An effective national missile defense program is in our interest, particularly as we take into account the development of long-range missiles in other parts of the world. It is also in the long-range interest of the Russian Federation which may well find its existing defenses to be inadequate. It would, obviously, be best if our programs could be undertaken within an agreed-upon formula with the Russian Federation following negotiations provided for in the ABM Treaty.

I have no problem looking at the ABM Treaty as a holy document. For it to so survive, however, its original hope that it be a "living agreement" must be respected. Articles 13 and 14 provide for amendments. Agreed Statement "D" provides for talks to deal with negotiations in the light of new technologies. Article 15 provides a procedure for withdrawal. I would personally not flaunt or threaten our withdrawal. Everyone knows we can do so should it become clear to us that the Treaty handcuffs us from defending ourselves against likely ballistic missile threats. It is not necessary publicly to emphasize withdrawal and

thereby subject ourselves to being perceived as a de-stabilizing influence, when, indeed, our intent and interest is the reverse.

The paper before you represents a good foundation for new high-level talks. Instead of threats and instead of arguments about what was intended by us in 1972, we should seriously explore what is now in our separate national interest and how we can harmonize these interests in a joint program which meets both of our interests. We can then find the words and agreement that will interpret the ABM Treaty accordingly. I must add, however, that I do not want these words to convey the impression that the negotiation will be easy or inevitably successful. The subject is serious and important for both of us and the talks may take time. But they are necessary.

To overcome the suspicion that now exists, our country must demonstrate that our intent and policy is not "anti-Russian." We want the people and government of the Russian Federation to be secure and prosperous and democratic. We expect the Russian Federation to demonstrate to us in return that they can be trusted to be a force for stability rather than a supporter of "rogue states" that threaten the stability of other peoples and states.

Your proposed legislation, Mr. Chairman, goes far in the direction which I am urging. For that I commend you and your colleagues. But I wish to close with an earnest appeal that this Committee produce a bi-partisan piece of legislation that can help create a national consensus behind an effective national missile defense program. Partisanship is a necessary part of the democratic process, but on issues of vital national interest, particularly on national security, we should make a serious effort to avoid the costly divisiveness which it produces. This past weekend, I had the occasion to read a commentary on George Washington's Farewell Address to the Nation. He warned of the "baneful effects of the Spirit of Party," which he said tended to stimulate the

"strongest passion of the human mind" and, therefore, presented a "constant danger of excess," which, he said, overpowers reason, distracts governments, and agitates the community. Let us make an effort to avoid that divisiveness and digression.

Thank you.

The United States Senate

Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services

Hearing On:
National Missile Defense and Prospects for U.S.-Russia ABM Treaty Accommodation

Testimony By:

Dr. Keith B. Payne

President, National Institute for Public Policy
Faculty, Georgetown University
School of Foreign Service
National Security Studies Program

The Potential for U.S.-Russian Mutual Accommodation on National Missile Defense and the ABM Treaty

Dirksen Senate Office Building
Room 342, 9:30 a.m.

March 13, 1997

3031 Javier Road, Suite 300 • Fairfax, Virginia 22031 • (703) 698-0563

The Potential for U.S.-Russian Mutual Accommodation on National Missile Defense and the ABM Treaty

Dr. Keith B. Payne

President, National Institute for Public Policy
Faculty, Georgetown University
School of Foreign Service
National Security Studies Program

It is an honor to be here today. I appreciate the opportunity to summarize the findings of the U.S.-Russian study Dr. Andrei Kortunov and I have co-directed over the past two years. This study has been complicated and occasionally difficult, and it is a great pleasure at long last to have findings well worth presenting.

Our goal was to examine a sensitive national security question on which the United States and Russia have sharply differing perspectives, that being the future of national missile defense (NMD) and the ABM Treaty. As we initiated this study we hoped to drop the Cold War blinders that still seem to burden most thinking on the subject and identify a route to mutual accommodation on NMD and the ABM Treaty.

I would like to outline the basic U.S. and Russian interests that need to be accommodated, and summarize briefly how this study reached its primary conclusion that mutual accommodation should, in principle, be feasible.

First, the U.S. interest in NMD is driven by the threats posed by the proliferation of missiles and weapons of mass destruction. A significant number of countries are seeking or have already acquired chemical, biological, and nuclear weapons, as well as advanced missile delivery systems. "Rogue" proliferant states (e.g., North Korea, Iran, Iraq, and Libya) seek these capabilities at least in part to deter and coerce the United States.

The Gulf War taught the mistake of challenging the United States at the conventional force level. The lesson for rogue military and political leaders is that U.S. conventional power must be trumped by the capability to deter and coerce the United States with weapons of mass destruction and the ability to deliver those weapons reliably. In at least one case, that of North Korea, there appears to be a missile in development, the *Taepo Dong II*, intended to threaten U.S. territory itself. Rogue states

themselves have declared that weapons of mass destruction and missiles offer them the potential necessary to deter and coerce the United States and its allies.

The U.S. answer to this emerging threat includes ballistic missile defense. The Bush and Clinton Administrations refocused U.S. missile defense efforts away from the large Soviet and now Russian missile capabilities and toward the emerging and far more limited missile threats from regional powers. The Clinton Administration has declared its willingness to pursue limited national missile defense (NMD), along with ABM Treaty modification if necessary, when it deems a new long-range threat to be emerging. This position, as stated, is not far different from the expressed Congressional position in favor of an immediate decision to deploy a limited NMD in anticipation of long-range rogue missiles. As former Secretary of Defense William Perry declared: "The only difference between us and the Congress is an issue of timing. . . . . There's not a philosophical or technical difference between us, it's a matter of judgment on the timing of how quickly we have to move to meet the threat."[1]

In general, however, Russia opposes U.S. NMD plans and programs. The dominant view in Moscow clearly is that U.S. intentions toward Russia are hostile, and correspondingly that U.S. missile defense initiatives are not for counterproliferation purposes. Rather, they are an element in a well-orchestrated plan to undermine Russian security while Russia is relatively weak. Russian officials and analysts point to NATO expansion, START II, and some U.S. counterproliferation activities as elements of this overall "anti-Russian" grand design.

Many, perhaps most in the Russian military and political establishment subscribe to this "pessimistic" view, as it is termed in our study. They conclude that even an initially limited U.S. NMD would be intended to weaken Russia. Once deployed, it would grow inevitably to threaten the Russian strategic nuclear deterrent vis-à-vis the United States. Concern in Moscow over Russia's nuclear deterrent is particularly high at this point as the deterioration of Russia's conventional forces has strengthened the role of nuclear weapons in Russian military strategy. Therefore, we see strong Russian opposition to U.S. NMD aspirations and support for preservation of the 1972 ABM Treaty severely limiting NMD.

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[1] Remarks by Secretary of Defense William Perry at the Regional Commerce and Growth Association of St. Louis, Missouri, September 28, 1995; Federal News Service Transcript, DIALOG File 660, item 00165224.

While this "pessimistic" school of thought dominates in Moscow, a more "pragmatic" approach to these issues maintains that Russia should pursue mutual accommodation with the United States. This more pragmatic position is not based on a philanthropic perspective or romantic expectations of U.S.-Russian strategic partnership. Rather, its starting point is that U.S. NMD is inevitable over time. Pragmatists consider the "worst" future course to be one wherein an inflexible Russian position on NMD leads the United States to withdraw from the ABM Treaty and move toward NMD without any constraints. In this context, mutual accommodation is judged to be a better alternative because it offers a means of protecting the basic Russian interest in maintaining its strategic nuclear retaliatory capability.

Our study presents a specific proposal for reaching a pragmatic mutual accommodation that safeguards Russia's fundamental interest in maintaining its strategic nuclear deterrent, while facilitating the U.S. initiative for limited NMD. The key to this mutual accommodation is U.S. willingness to commit in concrete ways to limiting its NMD capabilities, and Russian acceptance of U.S. NMD requirements and the potential need to modify or replace the ABM Treaty.

There is no necessary inconsistency between limited NMD capabilities and the preservation of mutual nuclear deterrence. Limited NMD designed to defend against "a few dozen warheads" (as former Secretary of Defense Perry stated) need not undermine the U.S.-Russian strategic deterrence relationship even at strategic offensive force levels below START II. This compatibility of limited NMD with mutual deterrence was outlined in 1969 by Harold Brown, who subsequently served as President Carter's Secretary of Defense. At a time when the two sides had fewer than 1700 strategic missile warheads,[2] about half of the START II ceiling, Dr. Brown proposed that the U.S. deploy "several hundred" NMD interceptors to deal with "third-country attacks" without upsetting the U.S.-Soviet deterrence balance.[3]

The mutual accommodation we identify in our study is based on striking this balance between limited NMD capabilities and continued mutual deterrence. The study suggests that such a balance could be based on a new strategic arms control framework that integrates offensive and defensive forces. In principle, an agreement could specify,

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[2]Robert Norris and Thomas Cochran, *US-USSR/Russian Strategic Offensive Nuclear Forces, 1945-1996* (Washington, D.C.: Natural Resources Defense Council, January 1997), table 10.

[3]Harold Brown, "Security through Limitations," *Foreign Affairs*, Vol 47, No. 3 (April 1969), p. 430.

for example, a single ceiling for offensive and defensive missiles, with each side having the prerogative of choosing its specific balance between offense and defense, i.e., a limited "freedom to mix."

The goal of this arms control framework would be to ensure that the limitations on offensive and defensive forces would combine to help protect each side's strategic retaliatory capabilities. Greater leeway for limited NMD, for example, would be complemented by restrictions on those offensive forces capable of threatening retaliatory forces, i.e., "counterforce systems" such as large MIRVed ICBMs. This new offensive-defensive arms control framework would supersede the ABM Treaty—although restrictions on NMD clearly would remain.

It is important to note here that this proposal is radical in form but not in substance. For decades the goal of U.S. strategic arms control policy has been to limit NMD and "counterforce" offensive systems so as to help preserve the survivability of strategic retaliatory forces. In the past, we severely limited NMD, but found it very difficult to gain Soviet agreement to offensive counterforce limitations. The mutual accommodation suggested here pursues the same objective of protecting retaliatory capabilities, while making room for limited NMD.

I also would like to note that my preference, and the preference of each contributor to this study, is that the United States and Russia move away from a strategic deterrence relationship based ultimately on mutual nuclear threats, i.e., "mutual assured destruction" or MAD. We are not satisfied with our outline for mutual accommodation that essentially revises MAD only to allow for limited NMD protection against rogue missiles. Nevertheless, it is obvious that the condition necessary for moving away from MAD is a level of political amity that does not yet exist. We are reduced to the hope that the mutual accommodation we outline can serve as a step toward the political relationship that ultimately will allow us to abandon MAD.

In our study we did not attempt to suggest the specific type of limited NMD the United States should pursue or the specific types of limitations to be placed on either offensive or defensive forces under this new arms control framework. The important details can be determined and negotiated only after the United States identifies the absolute level of limited NMD it deems necessary to address existing and anticipated third-party missile threats, and after Russia determines the type of strategic deterrent it

requires. These are two key factors that must be balanced if mutual accommodation is to be possible and they would drive the specific character of a new arms control regime.

I would like to conclude with two final points. First, the study points to a potential roadblock to mutual accommodation, even if Russia and the United States are so inclined. That roadblock is ABM Treaty "multilateralization." The Clinton Administration has expressed its commitment to recognize multiple new countries in addition to Russia as legitimate successors to the Treaty. Our concern is that any negotiations to revise the Treaty can only be complicated, slowed, and perhaps rendered impossible by the introduction of multiple new agendas and interests.

Finally, I have had the opportunity to read S-7, the *National Missile Defense Act of 1997*, and am encouraged to see that it is entirely compatible with the path toward mutual accommodation outlined in our study. In fact, it confirms the important points that: 1) the U.S. NMD goal is for the capability to protect against limited missile threats—it is not "anti-Russian"; 2) the expressed desire in Sec. 6 (a) is for a cooperative, negotiated approach to ABM Treaty revision, not unilateral Treaty withdrawal; however, (3) there is some prospect for unilateral U.S. movement if a good faith cooperative approach does not bear fruit. For reasons already discussed, each one of these points will be important if we are to pursue the pragmatic mutual accommodation presented in our study.

Thank you.

Missile Proliferation: Threat and U.S. Response

Testimony before the Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services

By:

Dr. Andrei Kortunov
President, Moscow Public Science Foundation

March 13, 1997

Missile Proliferation: Threat and U.S. Response

Dr. Andrei Kortunov
President, Moscow Public Science Foundation

It is an honor for me to be here today. I appreciate the privilege of presenting for your consideration the results of the Russian-American study that Dr. Keith Payne and I have worked on together cooperatively for almost two years. I am pleased to report that the study is receiving favorable attention in Moscow; most notably it has been reviewed and its findings endorsed by Amb. Vladimir Lukin, the chairman of the International Relations Committee of the Russian State Duma.

After the collapse of the Soviet Union, the Russian Federation finds itself in a unique position. Russia is a unique product of things new and old. It began by boldly rejecting most of the Communist legacy; yet the Soviet past continues to bear heavily on Russian thinking and the behavior of its political, military and other elites.

Russian positions on the array of issues related to countering proliferation and ballistic missile defense, and particularly to U.S. plans and activities aimed at creating and deploying NMD, give ample evidence of the contradictory influences on, as well as to the ambiguity of, Russian national goals.

At the current stage, the predominant official Russian position tends to be quite negative as far as the U.S. BMD agenda is concerned. Generally, it appears that Russia sees no pressing need for endorsing a move toward greater BMD activities because she (1) is concerned about and suspicious of U.S. BMD intentions and programs; (2) has a very different view from that of the United States on the nature and scope of threats emanating from WMD and ballistic missile proliferation, (3) lacks resources for any new large-scale military programs; and (4) considers her existing NMD and nuclear deterrent capabilities inherited from the former USSR sufficient to take care of current and future challenges, especially from Third World countries. On top of that comes considerable Russian confusion about U.S. NMD goals and the outcome of U.S. legislative-executive controversies on issues related to NMD deployment.

It may be assumed that unless prevailing Russian attitudes and positions change, Russia may pursue harsh, and perhaps disproportionate responses to any U.S. NMD deployment,

especially if it is accompanied by Washington's unilateral ABM Treaty withdrawal. To prevent these issues from becoming a major "bone of contention" in Russian-American relations, extra efforts at understanding each other's position on the entire range of BMD-related problems and a determined search for mutual accommodation should be undertaken.

Admittedly, since the collapse of the system of Soviet-American superpower competition, only a narrow minority of Russian politicians and experts actually fear that the two countries will become engaged in renewed hostilities.

At the same time, earlier idealistic hopes that Russia and America would be able to engage in a "strategic partnership" turned out to be patently unrealistic. In view of their country's current serious weaknesses, Russian leaders and public opinion tend to react in a most pained way to any U.S. moves that appear to be aimed either at isolating or taking advantage of Russia. Admittedly, many Russian fears and doubts vis-a-vis the West are based in a peculiar "psychology of the underdog," developed through previous periods of East-West adversarial relations. However, Western actions and attitudes, e.g., NATO expansion, START II, as well as U.S. activities in the BMD area, particularly including U.S. discontinuation of the Ross-Mamedov Talks, substantiate the position of those in Moscow expressing a fairly high level of acrimony and suspicion.

Russia does not have comfortable answers to many questions related to US BMD efforts. For example, would a limited U.S. NMD inevitably expand in the future, if Russia agreed to its deployment by revising the ABM Treaty as desired by the American side? And, why are attempts at increasing American defensive and power projection capabilities taking place at the time of Russia's greatest economic and military vulnerability?

Another serious problem for the Russian side is understanding—and believing—that "limited" U.S. NMD activities are indeed driven by the fear of 'rogue' states' ballistic missile potential. The notion that U.S. NMD plans are, in fact, directed against Russia seems much more plausible in Moscow, especially as the U.S. intelligence estimates themselves claim that there is no threat from so-called rogue states.

Additionally, the Russian side is alarmed that U.S. NMD would upset the mutual deterrence relationship between the two nations and is intended to do so. Russian suspicions were intensified in the light of the fact that further reductions of Russia's strategic offensive nuclear forces in accordance

with START-II provisions coincided with the stated U.S. goal of having an operational NMD system by 2003.

The question then of whether and how Russian-US accommodation may be reached is as difficult as it is important. The Russian willingness to accommodate will depend largely on how serious the United States is about NMD, and the evolution of the Russian internal political context and on the leadership's general orientation toward relations with the United States—which in turn will be influenced by U.S. behavior.

The current political reality in Moscow on the issues of missile defense, the ABM Treaty and proliferation includes the existence of a variety of often diametrically opposite views among elite groups. The following distinct "schools of thought" may be identified.

The "traditionalists" or "pessimists" currently enjoy the greatest prominence and influence on the Russian political scene, although as we all know the situation in Moscow is quite fluid. They demand that the ABM Treaty be left totally intact, and stipulate that any attempt by the United States to expand its current BMD potential should be met with resolute Russian countermeasures. There is obviously little room for accommodation on these issues from the traditionalist perspective.

Another "extreme" position in the spectrum of Russian views on these issues may be labeled the "revisionist" position. It is held by those who consider the ABM Treaty as largely an unnecessary "relic" of the Cold War, presenting nothing more than an impediment on the way to authentically different, cooperative Russian-American relations in the strategic area. This is a distinctly minority opinion; it enjoyed credibility during the early 1990s, but has since been eclipsed politically.

A third school of thought, the "realists" or "pragmatists," assumes that, under the circumstances of proliferation, deployment of a limited U.S. NMD is inevitable, and that Russia ultimately will be unable to prevent this deployment. Consequently, these pragmatists believe that Russia should be able to shape the future direction of U.S. NMD deployment in ways that promote Russian interests, particularly through the vehicle of the ABM Treaty. It is noteworthy that many Russian "realists" are to be found among military experts who tend to deal more with hard facts than with political intricacies and ideological dogma.

The pragmatists seem to occupy an intermediary position between the traditional pessimists and the revisionists. For pragmatists, it is apparent that accepting modifications to the ABM Treaty, as an important U.S. goal, is a much better choice and lesser "evil" than unilateral American withdrawal from the Treaty, leading to a serious disruption of overall U.S.-Russian relations at a time when Russia is unable to seriously compete with the United States in any area, particularly that of extensive military development.

A crucial question arises in this connection: what may help to move the pragmatist position to the center-stage of the Russian political spectrum without waiting for some autonomous and fundamental change in the mentality, principles and methods of the traditional Russian policy making elite?

It appears that several processes, especially if they evolve on parallel lines, may be of significant value. Movement toward the pragmatic school and mutual accommodation on outstanding BMD/ABM Treaty issues could be encouraged by the United States clearly and officially stating its goals on counterproliferation and especially that its NMD aspirations are limited. It also would be useful for the United States to specify the needed amendments/revisions to the specific limitations of the ABM Treaty.

The diverse, contradictory voices and positions on these issues coming from Washington clearly provide fodder for those Russians skeptical about any positive movement in Russian-American relations, and who, for their own political reasons, present U.S. counterproliferation and missile defense goals as being "anti-Russian."

A clearer and consistent U.S. voice will at least help remove lingering misunderstandings and intentional exaggerations of declared U.S. intentions.

Reconciling conflicting positions on missile defense/ABM Treaty issues may be possible at the background of a high-level political declaration of mutual interest in finding accommodation. In view of the unique Russian political culture and tradition, a top-down approach is essential for changing policy and the policy debate in Moscow. It would demonstrate for the Moscow elite that seeking mutual accommodation is an acceptable option for discussion and compatible with Russian interests. A proper venue for developing and making such a declaration may be a future summit between the Presidents of the two nations specifically devoted to addressing this issue.

Further search for accommodation could then be pursed within a framework similar to the discontinued Ross-Mamedov talks that were set in motion by President Yeltsin's January 1992 proposal for a Global Protection System (GPS) and the subsequent June 1992 summit of Presidents Yeltsin and Bush. We all remember that the purpose of the Ross-Mamedov Talks was to establish the basis for moving forward together on GPS. It must be acknowledged that the American refusal to continue the GPS dialogue after 1992 left an unfortunate "after-taste" with the Russians, indicating perhaps a lack of sufficient U.S. interest in cooperation on missile defense, as proposed by President Yeltsin.

The establishment of a new forum akin to Ross-Mamedov could be dedicated to integrating joint consideration of several issues related to proliferation and BMD, including: the ABM Treaty, early warning, strategic stability, export control restrictions, and offensive and defensive strategic arms control efforts after START II (whatever its disposition). In this fashion, the subject of accommodation on missile defense and the ABM Treaty would not be separated from the broader fabric of related issues, and it would not be vulnerable to Russian criticism that the U.S. agenda for accommodation and cooperation is limited to the lone case of missile defense and the ABM Treaty. Rather, accommodation and potential cooperation in this area would be part of a broader range of related issues in Russian-American relations.

Russian readiness to pursue joint ventures in the area of missile defense, embracing joint ABM, particularly TMD systems, cooperation in early warning, development of multilateral control regimes, etc., has been expressed in the past on different occasions. Indications of a similar U.S. readiness will be critical to alleviating current Russian doubts and fears about U.S. plans and intentions.

The pragmatists are convinced that dealing with arms control in a novel way—one that goes beyond merely "codifying" the current situation of mutual deterrence, and creates preconditions for substantive qualitative change in the foundations of the bilateral relationship—has clear long-term mutual advantages. Both sides must, however, find and demonstrate sufficient political will to effect needed changes in their perceptions and "modus operandi" in the strategic area.

In this connection, it may be critical to consider an approach to arms control that links the reduction of strategic offensive forces with greater license for limited NMD programs. As a means of achieving mutual accommodation on the issue of limited NMD and the ABM Treaty, a renewed

bilateral venue could be very useful for examining the potential for integrating offensive and defensive forces under a single arms control framework.

In conclusion it should be noted that establishing the necessary conditions for broad-based strategic cooperation—moving beyond the level of simple accommodation on particular issues—may ultimately be possible only by changing the politico-psychological environment of bilateral Russian-American relations; that is, moving away from reflexive Cold War suspicions and anxieties. However, getting outside past philosophies, e.g. Mutual Assured Destruction, etc., would be extremely beneficial for both societies. As is witnessed by some important processes currently developing in our relations—from summitry to interparliamentary dialogue—The appropriate tools and will-power to achieve this honorable goal is already in place, and have to be maximally expanded and strengthened. My colleagues and I hope that our cooperative bilateral study will contribute to that end.

Advance Reading Copy

Special Issue

"Cold Peace" or Cooperation? The Potential for U.S.-Russian Accommodation on Missile Defense and the ABM Treaty

Authored by

Dr. Keith Payne, Dr. Andrei Kortunov,
Dr. Andrei Shoumikhin, and Mr. Willis Stanley

Foreword by

Amb. Sidney Graybeal and Dr. Roald Sagdeev

In print: Spring 1997
Comparative Strategy, Vol 16(2)

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TRANSCRIPT OF PROCEEDINGS

UNITED STATES SENATE

* * *

Subcommittee on International Security,
Proliferation, and Federal Services
of the
COMMITTEE ON GOVERNMENTAL AFFAIRS

* * *

NATIONAL MISSILE DEFENSE AND PROSPECTS FOR
U.S.-RUSSIA ABM TREATY ACCOMMODATION

* * *

Washington, D. C.

March 13, 1997

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NATIONAL MISSILE DEFENSE AND PROSPECTS FOR U.S.-RUSSIA ABM TREATY ACCOMMODATION

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THURSDAY, MARCH 13, 1997

United States Senate,
Subcommittee on International Security,
Proliferation, and Federal Services,
of the Committee on Governmental Affairs,
Washington, D.C.

The Subcommittee met, pursuant to notice, at 9:36 a.m., in Room SD-342, Dirksen Senate Office Building, Hon. Thad Cochran, Chairman of the Subcommittee, presiding.

Present: Senators Cochran, Stevens, Collins, Levin, and Durbin.

OPENING STATEMENT OF SENATOR COCHRAN

Senator Cochran. The Subcommittee will please come to order.

I first want to welcome everyone to today's hearing of our Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services. The topic of our hearing today is "National Missile Defense and Prospects for U.S.-Russian ABM Treaty Accommodation."

At the Subcommittee's first hearing on nuclear deterrence last month, there were questions about the relationship between U.S. deployment of a national missile

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defense and Russian ratification of the START II treaty. During today's hearing, we will have the opportunity to listen to and ask questions of the principal authors of a just-published study sponsored by the U.S. Institute of Peace entitled "Cold Peace or Cooperation? The Potential for U.S.-Russian Accommodation on Missile Defense and the ABM Treaty".

It is important to note that the study and its findings have been endorsed by former Ambassador to the United States Vladimir Lukin, who is now Chairman of the International Relations Committee of the Russian Duma. The study, which has already been briefed to National Security Council officials, concludes that the deployment of a national missile defense by the United States and reductions to strategic offensive weapons in both the United States and Russia need not be mutually exclusive.

That being said, while the Senate provided advice and consent to the ratification of START II more than one year ago, the treaty has not yet been ratified by Russia. While various Russians have included in their reluctance to ratify START II concern over U.S. plans for national missile defense, the fact of the matter is that there are many other reasons Russians in both the Yeltsin administration and the Duma have given for their failure to ratify START II.

In October, for example, Alexi Arbatov, who is Deputy

Chairman of the Duma's Defense Committee, listed some of these reasons when he said, "First, there is no money for it. Secondly, the treaty is considered to be unfair on technical grounds. And thirdly, the general background--the determination of NATO to expand to the east--is very unfavorable to the treaty."

The United States must take Russian concerns into account before deploying a national missile defense system and S. 7, the National Missile Defense Act of 1997, seeks to take these concerns into account. S. 7, in fact, specifically "urges the President to pursue, if necessary, high-level discussions with the Russian Federation to achieve agreement to amend the ABM Treaty to allow deployment of the national missile defense system."

Ultimately, though, we cannot make our security dependent upon Russian willingness to cooperate. The world has changed greatly in the quarter century since the ABM Treaty was negotiated. There now are many nations who are hostile to the United States working hard to acquire long-range missiles armed with weapons of mass destruction.

My own bottom line on the ABM Treaty is very simple. We seek to cooperate with Russia, but ultimately, the defense of our country is more important than the defense of a treaty that puts our country at risk. Indeed, this study proposes that in the context of mutual accommodation, a new

arms control agreement integrating strategic offensive and defensive forces could supercede the ABM Treaty.

Today's witnesses have addressed these issues in their fascinating study and we are indebted to the U.S. Institute of Peace for funding their work. We will hear first from Ambassador Max Kampelman, a highly respected arms control negotiator in both Republican and Democratic administrations who is the Vice Chairman of the U.S. Institute of Peace.

Next, we will listen to Dr. Keith Payne, the principal American author of the study. Dr. Payne is the President of the National Institute for Public Policy and is also a member of the faculty of Georgetown University's National Security Studies Program in the School of Foreign Service.

Then we will hear from Dr. Andrei Kortunov, principal Russian author of the study, who is President of the Moscow Public Science Foundation. Dr. Kortunov is the former Head of the Department of Foreign Policy at the Institute of USA and Canada Studies of the Russian Academy of Sciences and is a close advisor to the Russian Defense Ministry and senior members of the Duma.

Before hearing from our witnesses, I will be happy to yield to the distinguished ranking member of the Subcommittee, Carl Levin, Senator from Michigan.

OPENING STATEMENT OF SENATOR LEVIN

Senator Levin. Thank you, Mr. Chairman. Let me add my

welcome to your welcome to our 3 witnesses today. It is a very important topic, this question of the future of U.S.-Russian cooperation in security affairs, particularly as it relates to nuclear weapons and ballistic missile defense and the ABM Treaty.

A prior commitment which had long been scheduled at the Armed Services Committee is going to take me away, I am afraid, and not allow me to come back, perhaps. We have the Commanders in Chief at the Armed Services Committee today who are responsible for our nuclear forces and our space command, so it is kind of the operational end of the issues which we are considering here today.

I think we all share the view that it is important for both the United States and Russia to try to understand and accommodate each other's legitimate security concerns. Cooperative U.S.-Soviet efforts on arms control were one of the positive constants of the Cold War. There were not too many positive parts to that, but at least on arms control, we had some cooperation, and those efforts helped to avert crises and they established predictability and understanding that served the nations and served the world well.

Those efforts, including the ABM Treaty, permitted both sides to reduce their nuclear arsenals in a manner which increases our mutual security. That is what the ABM Treaty is all about, at least partly about, which is the reduction

of nuclear weapons which it allowed.

So we have to treat very carefully the suggestions that we unilaterally withdraw from or violate the ABM Treaty because the consequences could include the end of nuclear arms reductions that we either have secured or that we are trying to secure, including START I and II. So precipitous or unilateral withdrawal or violation could jeopardize American security.

I agree with our Chairman, that it is America's security that we are responsible to protect and defend and achieve. It is not a treaty, it is what a treaty has permitted us to do, which is to have significant reductions in weapons, which is what this discussion, I believe, is all about.

We have made some important gains in cooperative security arrangements since the end of the Cold War and the collapse of the Soviet Union, including the Nunn-Lugar Cooperative Threat Reduction Program that has helped to completely denuclearize 3 nations that inherited nuclear weapons from the former Soviet Union. We have already moved away from the old days of mutual assured destruction and we have removed many of our nuclear forces from alert. Both nations have detargeted our nuclear missiles, which substantially eliminates the problem of an accidental missile launch, and these gains must be protected and

enhanced.

I understand that the study which our witnesses today are going to discuss concludes that it is desirable and possible that the U.S. and Russia reach a level of accommodation on these interrelated issues and that strikes me as a good common goal and I would hope that that is the alternative that we seek, which is a mutual level of accommodation between ourselves and Russia.

If we cannot achieve something mutual, if it is in our interest to move unilaterally, then so be it. But if it is not in our interest to move unilaterally, to violate an agreement which has allowed us to achieve significant reductions in nuclear weapons, then it would not be in our interest to violate unilaterally or withdraw from that treaty.

I look forward to at least hearing part of our witnesses' testimony and I want to thank you, Mr. Chairman, for calling the hearing today, even though it is at a time when I am afraid I cannot attend most of it.

Senator Cochran. Thank you, Senator Levin.

Senator Stevens?

OPENING STATEMENT OF SENATOR STEVENS

Senator Stevens. Mr. Chairman, I will be brief. As a young Senator, I sat here on this Subcommittee with Senator Henry "Scoop" Jackson when he used the Subcommittee on

Internal Security for the purpose of exploring the relationships between the United States and the Soviet Union. I am delighted that you are proceeding now as Chairman of the Subcommittee to expand the concepts of the Subcommittee and you have a distinguished panel here this morning.

We have had the arms control observer group now since 1985 but we have not had the power to hold public hearings and one of the things that has been missing from the dialogue, I think, is the opportunity to explore in depth some of the new concepts that are really affecting our balance of power in terms of, really with Russia and the world, as far as our missile capability and as far as the development of our systems of protection against the threat of the use of such weapons against our country.

As I said, I am delighted. I join my friend, however, from Michigan. I have a dental appointment and I can only stay so long. I would rather stay here and listen to Max, I can tell you that.

[Laughter.]

Senator Cochran. Thank you very much, Senator Stevens.

Senator Collins?

OPENING STATEMENT OF SENATOR COLLINS

Senator Collins. Thank you very much, Mr. Chairman. I would like to thank you and commend you for calling this

very important hearing this morning.

The proliferation of weapons of mass destruction is a critical issue that demands the attention of this Subcommittee and, indeed, the entire Congress. The world today is very different than it was 25 years ago when the United States and the Union of Soviet Socialist Republics signed the treaty on the limitation of anti-ballistic missile systems. Today, rogue nations with fanatical leaders are freely pursuing ballistic missile delivery systems. It is imperative that today's issues and capabilities are reflected in a fully encompassing deterrence doctrine.

I would like to commend the authors of the study that we are going to be focusing on today for producing such a thorough and extensive work on this complex and critical issue. I look forward to hearing their witnesses and learning more about this critical issue. Thank you.

Senator Cochran. Thank you, Senator Collins.

Ambassador Kampelman, please proceed.

TESTIMONY OF AMBASSADOR MAX M. KAMPELMAN, VICE CHAIRMAN, UNITED STATES INSTITUTE OF PEACE

Ambassador Kampelman. Thank you, Mr. Chairman. I was pleased to receive your invitation to participate in the Committee's session this morning.

The missile defense issue, in my opinion, will increasingly come to the forefront of public discussions, particularly as the American people come to understand that our Government has, to this point, not committed to the deployment of defenses against missiles that may reach us carrying nuclear, biological, and chemical weapons. The desirability of exploring the potential for accommodation in this area between our country and Russia, the subject matter of the paper before you authored by Dr. Keith Payne, Dr. Andrei Kortunov, and others, is self-evident.

At the very outset, let me say as the Vice Chairman of the United States Institute of Peace that we were pleased through a grant to help stimulate that study. In 1984, during the administration of President Reagan and with his support, the Congress established the Institute of Peace as a nonpartisan and bipartisan one and charged it with the task of pursuing ideas, plans, and studies that might open up intellectual and practical paths toward peace. We do that in association with experts, academicians, nongovernmental organizations, Government agencies, and

wherever we see opportunities, here and abroad, for creative thinking.

The application for a grant by Dr. Keith Payne in cooperation with Dr. Kortunov which led to this paper met our criteria. The U.S. Institute of Peace takes no public policy positions. our only condition for this grant was that the study and the report be two nongovernmental, with no Government officials involved in writing this study.

I appear before you this morning, however, in a personal capacity, as well. I support missile defenses and I would like to elaborate on that within the context of the paper before you.

In March 1985, President Reagan asked me to head the U.S. negotiating team for a renewed effort with the Soviet Union to reduce and eliminate nuclear arms. In addition, he asked me to concentrate on the issue of missile defenses as reflected in his Strategic Defense Initiative. This followed an article on the subject published in the New York Times Magazine and coauthored by Dr. Brzezinski, Dr. Robert Jastrow, and me.

Critics of the President's SDI program, fortuitously from their point of view, labeled the SDI program as "Star Wars". This was inaccurate because its object was to avoid rather than project war in space. The existence of attack missiles traversing space was already a reality. The SDI

program was designed to stop and destroy those weapons in space.

The President instructed that the SDI research be non-nuclear and he offered the prospect of U.S. cooperation with the Soviets in the development of the defenses. The President's instruction also included the admonition that the research be undertaken within the confines of the ABM Treaty.

Reference to the treaty leads me to share with you a conversation I had in Geneva at the time with one of the leaders of the Soviet Union, a Politburo member who wanted to understand our American negotiating position. The irony of our respective positions on how to define the ABM Treaty became evident to him as well as to me as I pointed out that the Soviet Union was now defining the treaty just as we had interpreted it in 1972 and we were interpreting the treaty as the Soviets had in 1972. We were both energetically defending our reversed positions with fervor, and did that not seem a foolish way for grown adults to behave, I suggested to him. He smiled, agreed, and asked for my suggestion.

At first, I suggested that he look at the treaty's agreed statement D, which clearly recognized that the state of our scientific knowledge in 1972, the date of the treaty's signing, would be surpassed by new knowledge. It,

therefore, provided for new discussions and agreements in the event of ABM systems based on other physical principles. In effect, it called for us to renegotiate the applicability of the ABM Treaty in the face of new technologies.

I went on to acknowledge that the Soviet Union was looking at the ABM Treaty as a holy document. There were many in the United States similarly oriented. How to treat a holy document?

The U.S. had another holy document, I pointed out, our Constitution, adopted in 1787. It has been amended, it has been interpreted and reinterpreted. Indeed, in many respects, it is barely recognizable as it has evolved, but it is still our ~~hold~~ HOLY document. Parenthetically, Mr. Chairman, I am here reminded of the Yoga Berra-type insight that if any of our revered founding fathers would be alive today, they would look at our Constitution and how it has been interpreted and turn over in their graves.

In any event, I pointed out to my Soviet colleague that if we want the ABM Treaty to continue as a holy document, we should stop the foolish debate about what was intended in 1972 and instead sit down and negotiate what is in our mutual best interest today. We could then assert, if we wish, that was the 1972 intent, as well.

That remains my position today, Mr. Chairman, and that is why I am encouraged by the paper before you today. That

is also why I was so disappointed that our Government did not respond with alacrity and enthusiasm to President Yeltsin's proposal in 1992 to create a Global Protection System, an internationalizing of ballistic missile defense with a global early warning and missile defense capability.

The Bush administration first delayed its response, but bilateral talks on the subject did begin and seemed to hold promise for joint understanding. The Russians, we were told, looked upon those talks as indicative of U.S. willingness to work closely with them on security problems and on missile defense, in particular. The Clinton administration, regrettably, downgraded and then discontinued the talks. The paper before you recommends that the talks be reconvened in a new forum.

I welcome your hearings, Mr. Chairman, in the hope that the unofficial but effective talks which you will now learn about may lead to high-level, meaningful, government-to-government talks on how best to cooperate as we both develop ballistic missile defenses. An effective national missile defense program is in our interest, particularly as we take into account the development of long-range missiles in other parts of the world.

It is also in the long-range interest of the Russian Federation, which may well find its existing defenses to be inadequate. It would, obviously, be best if our programs

could be undertaken within an agreed-upon formula with the Russian Federation following negotiations provided for in the ABM Treaty.

I personally have no problem looking at the ABM Treaty as a holy document. For it to so survive, however, its original hope that it be a living agreement must be respected. Articles 13 and 14 provide for amendments. Agreed Statement D provides for talks to deal with negotiations in the light of new technologies. Article 15 provides a procedure for withdrawal.

I would personally not flaunt or threaten our withdrawal. Everyone knows we can do so, should it become clear to us that the treaty handcuffs us from defending ourselves against likely ballistic missile threats. It is not necessary publicly to emphasize withdrawal and thereby subject ourselves to being perceived as a destabilizing influence when, indeed, our intent and interest is in the reverse. It is, however, also clear that engaging in discussion of amendments or definitions with the Russians for the purpose of permitting limited national missile defense is not contrary to the treaty's letter or spirit.

The paper before you represents a good foundation for new high-level talks. Instead of threats and instead of arguments about what was intended by us in 1972, we should seriously explore what is now in our separate national

interests and how we can harmonize these interests in a joint program which meets both of our interests. We can then find the words and agreement that will interpret the ABM Treaty accordingly.

I must add, however, that I do not want my words to convey the impression that the negotiation will be easy or inevitably successful. The subject is serious and important for both of us and the talks may take time, but they are necessary.

To overcome the suspicion that now exists, our country must demonstrate that our intent and policy is not anti-Russian. We want the people and government of the Russian Federation to be secure and prosperous and democratic. We expect the Russian Federation to demonstrate to us, in return, that they can be trusted to be a force for stability rather than a supporter of rogue states that threaten the stability of other peoples and states.

Your proposed legislation, Mr. Chairman, goes far in the direction which I am urging. For that, I commend you and your colleagues. But I wish to close with an earnest appeal that this Committee produce a bipartisan piece of legislation that can help create a national consensus behind an effective national missile defense program. Partisanship is a necessary part of the democratic process, but on issues of vital national interest, particularly on national

security, we should make a serious effort to avoid the costly divisiveness which it produces.

This past weekend, I had the occasion to read a commentary on George Washington's farewell address to the nation. He warned of the baneful effects of the spirit of party, which he said tended to stimulate the strongest passion of the human mind and, therefore, presented a constant danger of excess, which, he said, overpowers reason, distracts governments, and agitates the community. Let us make an effort, Mr. Chairman, to avoid that divisiveness and digression. Thank you.

[The prepared statement of Ambassador Kampelman follows:]

Senator Cochran. Thank you very much, Ambassador Kampelman, for your excellent and thoughtful statement.

We will now hear from Dr. Keith Payne, President of the National Institute for Public Policy.

TESTIMONY OF KEITH B. PAYNE, PRESIDENT, NATIONAL INSTITUTE FOR PUBLIC POLICY

Mr. Payne. Thank you, Mr. Chairman. It is an honor to be here today and I thank you for the opportunity to summarize the findings of the U.S.-Russian study that the United States Institute of Peace generously sponsored, as Ambassador Kampelman has described.

This study has been complicated, it has been occasionally difficult, but it is a great pleasure at long last to have findings that are worth presenting.

Our goal was to examine a sensitive national security question on which the United States and Russia have sharply differing perspectives, that being the future of national missile defense and the ABM Treaty. As we initiated this study, we hoped to drop the Cold War blinders that still seem to burden most thinking on the subject and to identify a route to mutual accommodation on national missile defense and the ABM Treaty.

I would like to take a few minutes to outline the basic U.S. and Russian interests that need to be accommodated and summarize briefly how this study reached its primary conclusion that mutual accommodation should, in principle, be feasible.

First, the U.S. interest in national missile defense clearly is driven by the threats posed by proliferation. A

significant number of countries are seeking or already have acquired chemical, biological, and nuclear weapons as well as advanced missile delivery systems. Rogue proliferant states, such as North Korea, Iran, Iraq, and Libya, seek these capabilities, at least in part to deter and coerce the United States.

The Gulf War taught the mistake of challenging the United States at the conventional force level. The lesson, unfortunately, for rogue military and political leaders of the Gulf War is that U.S. conventional power can only be trumped by the capability to deter and coerce the United States with weapons of mass destruction and the ability to deliver those weapons reliably.

In at least one case, that of North Korea, there appears to be a missile in development, the Taepo Dong II, that is, in fact, intended to strike U.S. territory or threaten U.S. territory directly, and rogue states themselves have declared that weapons of mass destruction and missiles offer them the potential necessary to deter and coerce the United States.

The U.S. answer to this emerging threat includes ballistic missile defense. The Bush and Clinton administrations refocused the U.S. missile defense program away from the large Soviet and now Russian missile capabilities and toward the emerging, far more limited

missile threats from regional powers, the proliferant states.

The Clinton administration has declared its willingness to pursue limited national missile defense along with ABM Treaty modification, if necessary, when it deems a new long-range threat to be emerging. This position, as stated, is not far different from the expressed Congressional position in favor of an immediate decision to deploy a limited national missile defense in anticipation of long-range rogue missiles.

As former Secretary of Defense Perry declared on this subject, and I quote, "The only difference between us and Congress is an issue of timing. There is not a philosophical or technical difference between us. It is a matter of judgment on the timing of how quickly we have to move to meet the threat."

In general, however, Russia opposes U.S. national missile defense plans and programs. The dominant view in Moscow, as Dr. Kortunov will elaborate, I am sure, the dominant view in Moscow clearly is that U.S. intentions toward Russia are hostile and, correspondingly, that U.S. missile defense initiatives are not for counterproliferation purposes. Rather, they are an element in a well-orchestrated plan to undermine Russian security while Russia is relatively weak. Russian officials and analysts point to

NATO expansion, START II, and some U.S. counterproliferation activities as elements of this overall anti-Russian grand design.

Many, perhaps most, in the Russian military and political establishment subscribe to this pessimistic view, as it is termed in our study. They conclude that even an initially limited national missile defense would be intended to weaken Russia, and once deployed, it would grow inevitably to threaten the Russian strategic nuclear deterrent vis-a-vis the United States.

Concern in Moscow over Russia's nuclear deterrent is particularly high at this point as the deterioration of Russia's conventional forces has strengthened the role of nuclear weapons in Russian military strategy. Therefore, we see strong Russian opposition to U.S. NMD aspirations and support for preservation of the 1972 ABM Treaty.

While this pessimistic school dominates in Moscow, a more pragmatic approach to these issues maintains that Russia should, in fact, pursue mutual accommodation with the United States. This more pragmatic position is not based on a philanthropic perspective or romantic expectations of an immediate U.S.-Russian strategic partnership. Rather, its starting point is that U.S. national missile defense is inevitable over time.

Pragmatists consider the worst future course to be one

wherein an inflexible Russian position on national missile defense leads the United States to withdraw from the ABM Treaty and move towards national missile defense without any constraints. In this context, mutual accommodation is judged to be a better alternative because it offers a means of protecting the basic Russian interest in maintaining its strategic nuclear deterrent.

Our study presents a specific proposal for reaching a pragmatic mutual accommodation that safeguards Russia's fundamental interest in maintaining its strategic nuclear deterrent while at the same time facilitating the U.S. initiative for a limited national missile defense.

The key to this mutual accommodation is U.S. willingness to commit in concrete ways to limiting its national missile defense capabilities and Russian acceptance of the U.S. NMD deployment and the potential need to modify or replace the ABM Treaty.

There is no necessary inconsistency between limited national missile defense and the preservation of mutual nuclear deterrence. Limited national missile defense designed to defend against a few dozen warheads, to use former Secretary of Defense Perry's statement, need not undermine U.S.-Russian strategic deterrence, even at offensive force levels below START II.

This compatibility of limited national missile defense

with mutual deterrence was outlined as early as 1969 by Harold Brown, who subsequently served as Jimmy Carter's Secretary of Defense. At that time, in 1969, when the 2 sides had fewer than 1,700 strategic missile warheads, about half of the START II ceiling that we are looking forward to, Dr. Brown proposed that the U.S. deploy several hundred national missile defense interceptors to deal with third country attacks without upsetting the U.S.-Soviet deterrence balance.

The mutual accommodation that we identify in our study is based on striking this balance between limited national missile defense capabilities and continued mutual deterrence. The study suggests that such a balance could be based on a new strategic arms control framework that integrates offensive and defensive forces.

In principle, an agreement could specify, for example, a single ceiling for offensive and defensive missiles with each side having the prerogative of choosing its specific balance between offense and defense. In the terms of the trade, that is referred to as a freedom to mix.

The goal of this arms control framework would be to ensure that the limitations on offensive and defensive forces would combine to help protect each side's strategic retaliatory capabilities. Greater leeway for national missile defense, for example, would be complimented by

restrictions on those offensive forces capable of threatening retaliatory forces, called counterforce systems. These include, for example, large MIRVed ICBMs. This new offensive/defensive arms control framework would supercede the ABM Treaty, although restrictions on NMD clearly would remain.

It is important to note here that this proposal is radical in form, but it is not radical in substance. For decades, the goal of the U.S. strategic arms control policy has been to limit national missile defense and counterforce offensive systems so as to help preserve the survivability of strategic retaliatory forces.

In the past, we severely limited national missile defense but found it exceedingly difficult to gain Soviet agreement to limit offensive counterforce systems. The mutual accommodation suggested in our study pursues the same objective of protecting retaliatory capabilities while this time making room for limited national missile defense.

I would also like to note that my preference and the preference of each contributor to our study, both on the U.S. side and the Russian side, is that the United States and Russia move away from a strategic deterrence relationship based ultimately on mutual nuclear threat, mutual assured destruction, frequently referred to as MAD. We are not satisfied with our own outline for mutual

accommodation that essentially revises MAD only to allow for limited national missile defense protection against rogue missiles.

Nevertheless, and I believe unfortunately, it is obvious that the condition necessary for moving away from MAD is a level of political amity that does not yet exist, and we will reduce to the hope that the mutual accommodation we outline can serve as a step toward the political relationship that ultimately will allow us to abandon MAD.

In our study, we did not attempt to suggest the specific type of limited national missile defense the United States should pursue or the specific types of limitations to be placed on either offensive or defensive forces under this new arms control framework. The important details can be determined and negotiated only after the United States identifies the level of NMD it deems necessary to address the existing and anticipated third party missile threat and after Russia determines the type of strategic offensive deterrent that it seeks to maintain. These are the 2 key factors that must be balanced if mutual accommodation is to be possible and they would drive the specific character of a new arms control regime.

I would like to conclude with 2 final points. First, our study points to a potential roadblock to mutual accommodation, even if Russia and the United States are

inclined towards mutual accommodation, and that roadblock is ABM Treaty multilateralization. The Clinton administration has expressed its commitment to recognize multiple new countries in addition to Russia as the legitimate successors to the ABM Treaty. Our concern is that any negotiations to revise the treaty can only be complicated, slowed, and perhaps rendered impossible by the introduction of many new agendas and interests.

Finally, I have had the opportunity to read S. 7, the National Missile Defense Act of 1997, and I am encouraged to see that it is entirely compatible with the path towards mutual accommodation outlined in our study. In fact, it confirms the important points that, one, the United States' national missile defense goal is for the capability to protect against limited missile threats, it is not anti-Russian; two, the expressed desire in section 6(a) is for a cooperative, negotiated approach to ABM Treaty revision, not unilateral treaty withdrawal or violation; and however, three, there is some prospect for unilateral U.S. movement if a good faith cooperative approach does not bear fruit.

For reasons already discussed, each one of these points will be important if we are to pursue the pragmatic mutual accommodation presented in our study. Thank you, Mr. Chairman.

[The prepared statement of Mr. Payne follows:]

Senator Cochran. Thank you very much, Dr. Payne, for your excellent contribution to the hearing and particularly for your leadership in the drafting of this impressive paper that is the subject of our hearing today.

Dr. Andrei Kortunov, you may proceed. Welcome.

TESTIMONY OF ANDREI KORTUNOV, PRESIDENT, MOSCOW PUBLIC SCIENCE FOUNDATION

Mr. Kortunov. Thank you, Mr. Chairman. It is really an honor for me to be here today. I appreciate the privilege of presenting for your consideration the results of the Russian-American study that Dr. Keith Payne and I have worked on together cooperatively for almost 2 years.

I am pleased to report that the study is receiving favorable attention in Moscow, most notably that it has been reviewed and its findings endorsed by Ambassador Vladimir Lukin, the Chairman of the International Relations Committee of the Russian State Duma.

After the collapse of the former Soviet Union, the Russian Federation finds itself in a quite unique position. Russia is a unique product of things new and old. It began by bolding rejecting most of the Communist legacy, yet the Soviet past continues to bear heavily on Russian thinking and the behavior of its political, military, and other elites.

Russian positions on the array of issues related to countering proliferation and ballistic missile defense, and particularly to the U.S. plans and activities aimed at creating and deploying NMD, give ample evidence of the contradictory influences on, as well as to the ambiguity of, Russian national goals.

At the current stage, the predominant official Russian position tends to be quite negative as far as the U.S. BMD agenda is concerned. Generally, it appears that Russia sees no pressing need for endorsing a move toward greater BMD activities because of a couple of reasons. First of all, it is concerned about and suspicions of U.S. BMD intentions and programs.

Second, it has a very different view from that of the United States on the nature and scope of threats emanating from WMD and ballistic missile proliferation.

Third, it lacks resources for any major new large-scale military programs.

And finally, it considers her existing NMD and nuclear deterrent capabilities inherited from the former USSR sufficient to take care of current and future challenges, especially from third world countries. On top of that comes considerable Russian confusion about U.S. NMD goals and the outcome of U.S. legislative-executive controversies on issues related to NMD deployment.

It might be assumed that unless prevailing Russian attitudes and positions change, Russia may pursue harsh and perhaps disproportionate responses to any U.S. NMD deployment, especially if it is accompanied by Washington's unilateral ABM Treaty withdrawal. To prevent these issues from becoming a major bone of contention in Russian-American

relations, extra efforts at understanding each other's position on the entire range of BMD-related problems and a determined search for mutual accommodation should be undertaken.

Admittedly, since the collapse of the system of Soviet-American superpower competition, only a very narrow minority of Russian politicians and experts actually fear that the 2 countries will become engaged in renewed hostilities. At the same time, earlier idealistic hopes that Russia and America would be able to engage in a strategic partnership turned out to be unrealistic.

In view of their country's current serious weaknesses, Russian leaders and public opinion tend to react in a most pained way to any U.S. moves that appear to be aimed either at isolating or taking advantage of Russia. Admittedly, many Russian fears and doubts vis-a-vis the West are based in a peculiar psychology of the underdog developed through previous periods of East-West adversarial relations. However, some Western actions and attitudes, for example, the NATO expansion, START II, as well as U.S. activities in the BMD area, particularly including U.S. discontinuation of the Ross-Mamedov talks, substantiate the position of those in Moscow expressing a fairly high level of acrimony and suspicion.

Russia does not have comfortable answers to many

questions related to U.S. BMD efforts. For example, would a limited U.S. NMD inevitably expand in the future if Russia agrees to its deployment by revising the ABM Treaty as desired by the American side? And why are the attempts at increasing American defensive and power projection capabilities taking place at the time of Russia's greatest economic and military vulnerability?

Another serious problem for the Russian side is understanding and believing that limited U.S. NMD activities are, indeed, driven by the fear of rogue states' ballistic missile potential. The notion that U.S. NMD plans are, in fact, directed against Russia seems to be much more plausible in Moscow, especially as the U.S. intelligence estimates themselves claim that there is no immediate threat from so-called rogue states.

Additionally, the Russian side is alarmed that U.S. NMD would upset the mutual deterrence relationship between the 2 nations and is intended to do so. Russian suspicions were intensified in the light of the fact that future reductions of Russia's strategic offensive nuclear forces in accordance with START II provisions coincided with the stated U.S. goal of having an operational NMD system by the year 2003.

The question, then, of whether and how a Russian-U.S. accommodation may be reached is as difficult as it is important. The Russian willingness to accommodate will

depend largely on how serious the United States is about NMD and the evolution of the Russian internal political context and of the leadership's general orientation toward relations with the United States, which in turn will be greatly influenced by U.S. behavior.

The current political reality in Moscow on the issues of missile defense, the ABM Treaty, and proliferation includes the existence of a variety of often diametrically opposite views among elite groups. The following distinct schools of thought may be identified.

The traditionalists or pessimists currently enjoy the greatest prominence and influence on the Russian political scene, although, as we all know, the situation in Moscow is quite fluid. They demand that the ABM Treaty should be left totally intact and stipulate that any attempt by the United States to expand its current BMD potential should be met with resolute Russian countermeasures. There is obviously very little room for accommodation on this issue from the traditionalist perspective.

Another extreme position in the spectrum of Russian views on these issues may be labeled as the revisionist position. It is held by those who consider the ABM Treaty as largely an unnecessary relic of the Cold War, presenting nothing more than an impediment on the way to authentically different, cooperative Russian-American relations in the

strategic area. This is a distinctly minority opinion. It enjoyed credibility during the early 1990s but has since then been eclipsed politically.

A third school of thought, the realists or pragmatists, assumes that under the circumstances of proliferation, deployment of a limited U.S. NMD is practically inevitable, and that Russia ultimately will not be able to prevent such a deployment. Consequently, these pragmatists believe that Russia should be able to shape the future direction of U.S. NMD development and deployment in ways that promote Russian interests, particularly through the vehicle of the ABM Treaty. It is noteworthy that many Russian realists are to be found among military experts who tend to deal more with hard facts than with political intricacies and ideological dogma.

The pragmatists seem to occupy an intermediary position between the traditional pessimists and revisionists. For pragmatists, it is apparent that accepting modifications to the ABM Treaty as an important U.S. goal is a much better choice and lesser evil than unilateral American withdrawal from the treaty, leading to a serious disruption of overall U.S.-Russian relations at a time when Russia is unable to seriously compete with the United States in any area, particularly that of extensive military development.

A crucial question arises in this connection. What may

help to move the pragmatist position to the center stage of the Russian political spectrum without waiting for some autonomous and fundamental change in the mentality, principles, and methods of the traditional Russian policy-making elite?

It appears that several processes, especially if they evolve on parallel lines, may be of significant value. Movement toward the pragmatic school and mutual accommodation on outstanding BMD/ABM Treaty issues could be encouraged by the United States if the United States clearly and officially states its goals on counterproliferation and especially that its NMD aspirations are limited. It also would be useful for the United States to specify the needed amendments or revisions to the specific limitations of the ABM Treaty.

The diverse and sometimes even contradictory voices and positions on these issues coming from Washington clearly provide fodder for those Russians skeptical about any positive movement in Russian-American relations, and who, for their own political reasons, present U.S. counterproliferation and missile defense goals as being anti-Russian.

A clearer and consistent U.S. voice will at least help remove lingering misunderstandings and intentional exaggerations of declared U.S. intentions.

Reconciling conflicting positions on missile defense and ABM Treaty issues may be possible at the background of a high-level political declaration of mutual interest in finding accommodation. In view of the unique Russian political culture and tradition, a top-down approach is essential for changing policy and the policy debate in Moscow. It would demonstrate for the Moscow elite that seeking mutual accommodation is an acceptable option for discussion and compatible with Russian interests. A proper venue for developing and making such a declaration may be a future summit between the Presidents of the 2 nations specifically devoted to addressing this issue.

Further search for accommodation could then be pursued within a framework similar to the discontinued Ross-Mamedov talks that were set in motion by President Yeltsin's January 1992 proposal for a Global Protection System, GPS, and the subsequent June 1992 summit of Presidents Yeltsin and Bush. We all remember that the purpose of the Ross-Mamedov talks was to establish the basis for moving forward together on GPS. It must be acknowledged that the American refusal to continue the GPS dialogue after 1992 left quite an unfortunate aftertaste with the Russians, indicating perhaps a lack of sufficient U.S. interest in cooperation on missile defense, as proposed by President Yeltsin.

The establishment of a new forum akin to Ross-Mamedov

could be dedicated to integrating joint consideration of several issues related to proliferation and BMD, including the ABM Treaty, early warning, strategic stability, export control restrictions, and offensive and defensive strategic arms control efforts after START II, whatever its disposition.

In this fashion, the subject of accommodation on missile defense and the ABM Treaty would not be separated from the broader fabric of related issues and it would not be vulnerable to Russian criticism that the United States agenda for accommodation and cooperation is limited to the lone case of missile defense and the ABM Treaty. Rather, accommodation and potential cooperation in this area would be part of a broader range of related issues in Russian-American relations.

Russian readiness to pursue joint ventures in the area of missile defense, embracing joint ABM, particularly TMD systems, cooperation in early warning, development of multilateral control regimes, et cetera, has been expressed in the past on different occasions. Indications of a similar United States readiness will be crucial to alleviating current Russian doubts and fears about U.S. plans and intentions.

The pragmatists are convinced that dealing with arms control in a novel way, one that goes beyond merely

codifying the current situation of mutual deterrence, and creates preconditions for substantive qualitative changes in the foundations of bilateral relations, has clear long-term mutual advantages. Both sides must, however, find and demonstrate sufficient political will to effect needed changes in their perceptions and modus operandi in the strategic area.

In this connection, it may be crucial to consider an approach to arms control that links the reduction of strategic offensive forces with greater license for limited NMD programs. As a means of achieving mutual accommodation on the issue of limited NMD and the ABM Treaty, a renewed bilateral venue could be very useful for examining the potential for integrating offensive and defensive forces under a single arms control framework.

In conclusion, let me note that establishing the necessary conditions for broad-based strategic cooperation, moving beyond the level of simple accommodation on particular issues, may ultimately be possible only by changing the political and psychological environment of bilateral Russian-American relations, that is, moving away from reflexive Cold War suspicions and anxieties.

However, getting outside past philosophies, like mutual assured destruction, et cetera, would be extremely beneficial for both societies. As is witnessed by some

important processes currently developing in our relations, from summitry to interparliamentary dialogue, the appropriate tools and willpower to achieve this honorable goal is already in place and have to be maximally expanded and strengthened. My colleagues and I hope that our cooperative bilateral study will contribute to that end.

[The prepared statement of Mr. Kortunov follows:]

[The study by Mr. Payne and Mr. Kortunov follows:]

Senator Cochran. Thank you very much for your excellent contribution to our hearing, Dr. Kortunov. We appreciate your being here.

Ambassador Kampelman, in your statement on page 5, you refer to legislation which has been proposed that you say goes far in the direction of establishing a national consensus or helping to create a national consensus behind an effective missile defense program. I wonder whether you have had an opportunity to analyze this National Missile Defense Act to the extent that you can say whether you think it is compatible with the conclusions of the Payne-Kortunov paper. Is it the kind of balance between the maintenance of deterrence and the development of missile defense that you think can be achieved with a renewed discussion and dialogue between our 2 countries?

Ambassador Kampelman. I do think, Mr. Chairman, that it is compatible with the paper and the objectives of the paper. I would suggest, however, that the specific reference in the legislation to withdrawal after a year, assuming no results come from the talks during the course of that year, would, in my view, certainly not be welcome by the Russian ~~part that injected itself into~~ co-authors of this paper, and in my opinion, as you could tell from my own testimony, is not necessarily in our national interest, as I see it.

I do not personally believe in exclamations of

aggression. I would rather have the strength, have the capacity to do it, and we have the capacity to withdraw and everybody knows we have the capacity to withdraw.

~~So I would, myself, not be that specific,~~ in addition ~~to which~~ the kind of talks that are necessary, I think, might be talks that would be extended far beyond the year. ~~It is~~ a very complicated issue and require, as Mr. Kortunov points out, require not only technical understandings but breakthroughs psychologically with respect to attitudes. We are also dealing with a long history through the Cold War of mistrusts and these are not the kinds of ~~things~~ that ~~you~~ can ~~say, well, by January 3, I want this talk to be completed.~~

SENATOR COCHRAN: I notice also on that same page in your prepared statement you caution that you do not want your testimony to convey the impression that the negotiations between Russia and the U.S. would be easy or inevitably successful. The subject is serious and important for both of us and the talks may take time but they are necessary.

There is almost a pessimistic ring to that, as I read it. Is it intended to be?

Ambassador Kampelman. That is a very perceptive comment, Mr. Chairman. What is clearly intended by me is for both sides in the negotiation to understand that there ~~are always~~ results from a negotiation that are worse than having no agreement at all. I have certainly, in my role as

the negotiator for the United States in the arms field, have attempted always to convey that ~~this is~~ OUR ARMS not ~~a question of~~ AN agreement at any price, that the issues are complicated, they have to meet our standards, they have to meet our needs and our security interests, and I am sure the other side feels the same way about it.

What ~~that~~ MY sentence was intended to convey ~~is not~~ it is certainly to convey to negotiators and to the public, there is nothing certain about getting a result out of ~~this~~ A NEGOTIATION ~~because~~ if the other side feels you are obligated to get a result, it interferes adversely with your negotiating position and your negotiating strength and also conveys the wrong message to the body politic.

As a lawyer, for example, I frequently would advise our younger lawyers in our firm that sometimes arriving at no agreement is better than arriving at an agreement that is not in your client's interest, and that is really primarily what I am attempting to convey. This is tough, no inevitability about it, but if we are serious about it and genuine about it, I think we can come to an agreement.

Senator Cochran. The fact that the Clinton administration broke off the discussions that had begun in the Bush administration on this global proliferation system, is that also the kind of action or decision that makes it more difficult in our relationship with the Soviet Union to

reach some accommodation on this subject?

Ambassador Kampelman. I think we made a mistake in breaking off those talks. On the other hand, I do not believe it is the kind of a mistake that cannot be retrieved. There are, obviously, in the last couple of years, renewed talks and exchanges between the Vice President and the Prime Minister, between the Presidents. I think our administration today understands the need for talks and I think the Russians are beginning to understand the utility of these talks, as well.

So I do not think that it is a kind of irreconcilable problem that was created by the withdrawal. I think we lost valuable time. I think we also strengthened some negative influences in Russia by the withdrawing from those talks, which is going to make it a little bit tougher for us, but I would hope that we could get started and it is not too late.

Senator Cochran. Dr. Payne, in your study, you talk about multilateralizing the ABM Treaty and that it could seriously impair the potential for achieving mutual accommodation with Russia on the ABM Treaty. Why is that a potential problem, just because you get other nations involved in the ABM Treaty? How does that undermine the potential to achieve accommodation with Russia?

Mr. Payne. That is a good question, Senator. By and large, our experience in the past, and perhaps Ambassador

Kampelman would be the best to comment on this, but our experience in the past has been as you add parties to negotiations, particularly 2, 3, or 4, possibly 5 additional parties, those parties obviously bring their own agendas to the table. They bring their own goals to the table.

And trying to address an issue as sensitive, as complicated as the ABM Treaty and possible revisions to the ABM Treaty, there's just no doubt in my mind that as you load up the various agendas that countries would bring to the table and the various goals that they might have in any sort of negotiations, that even if the United States in that context, but even if the United States and Russia were inclined towards mutual accommodation, and that would be quite an achievement in itself, that that mutual accommodation could be prevented simply because so many agendas would have to be negotiated, so many interests would have to be protected that we might never be able to reach that goal of accommodation. That is my major concern with multilateralization.

Senator Cochran. Dr. Kortunov, could you describe for us the Yeltsin proposal for a Global Protection System? I think I called it a proliferation system a while ago. I misspoke when I did. And let us have your perspective as to the impact of the breakdown in the talks. What were the talks achieving, or were they making progress in the talks

from the Russian point of view to help develop some kind of understanding for a Global Protection System?

Mr. Kortunov. Well, first of all, let me say that at the time and when Mr. Yeltsin made this proposal was a unique period in Russian history. It had to revise all the heritage that it got from the former Soviet Union, including that in the field of arms control.

What these new people, new leaders who came to power in Moscow tried to do was to break out from the old pattern of strategic relations with the United States to prove that to their own constituency and to the Americans that the situation of mutual assured destruction, mutual vulnerability, is not something that we would have to live with forever. As you probably remember, it was also the time when Russia even tried to get into the NATO Alliance as a full member.

So the idea behind the talks was to look for some different, more positive basis for strategic interaction between the United States and Russia, to change the principles of strategic stability on the assumption that Russia and America are allies rather than adversaries. Therefore, the initial idea was to work jointly in the field of early warning, but if the United States were ready to go further on that, it might include a global defense system against accidental launches or launches from rogue states.

To the best of my knowledge, during that period, there was a serious consideration in Russia to use the system of raiders of the former Soviet Union to protect not just the Russian Federation but countries interested in such a protection against launches from rogue states. I think that it was a very important interaction between the 2 countries because it opened an avenue for an entirely different pattern of relations in the strategic area.

When the talks were terminated, it was interpreted in Russia, at least by many, as a sign that the United States would prefer to stick to the traditional pattern of relations, that mutual assured destruction was, is, and will be the name of the game between the 2 countries. Therefore, it consolidated positions of those who opposed any revisions of the ABM Treaty because it brought them back to their traditional track.

Senator Cochran. Senator Durbin, you have been very patient during my questioning. I am happy to recognize you at this time for any comments or questions that you might have.

Senator Durbin. Senator, it has been a learning experience. Thank you. And if I could ask a few questions of the panel, I would appreciate it.

First, since President Reagan announced the concept of a Strategic Defense Initiative, I believe that was 12 or 13

years ago, how much money have we spent on this concept in the United States?

Mr. Payne. The figure that is usually mentioned is around $30 billion.

Senator Durbin. Total expenditure? And does anyone give an estimate as to how much more will need to be spent before we have achieved the creation of a system that we can fairly characterize as an NMD or a national missile defense system?

Mr. Payne. Well, the CBO, I believe, last year came out with several estimates. For a very limited national missile defense system, the estimates ranged from, I believe, $4 to $14 billion. For a thicker, more robust system, the estimate went up to, I believe, $50 to $60 billion.

Senator Durbin. Over what period of time?

Mr. Payne. I believe it was 5 to 7 years, something in that area.

Senator Durbin. Ambassador Kampelman, does my memory serve me correctly? When President Reagan announced this concept, did he not suggest that we would reach a point where we would share this technology with the Soviet Union?

Ambassador Kampelman. Exactly, and as a matter of fact, that was part of the proposal. As I indicated in my testimony earlier, another part of the proposal was that our

defense system would be totally non-nuclear. The third part of the proposal was that the research that is to be underway be within the context of the ABM Treaty.

Senator Durbin. Can you tell me, in this debate with Russia concerning the status of the ABM Treaty and any need to change it to pursue the national missile defense system, has there been an ongoing discussion about our actually sharing this technology with Russia once we have put it in place and confident that it would defend the United States?

Ambassador Kampelman. To the best of my knowledge, there has been no such discussion by this administration with the Russian Federation on this question. I do know, having personally heard this, that President Reagan and Mr. Gorbachev, President Gorbachev, did talk about this. There was an initial skepticism, a deep skepticism on the part of the Soviet Union at the time that we were genuine about sharing this know-how. President Reagan on one occasion that I can think of energetically attempted to persuade President Gorbachev that he was quite genuine about the suggestion, and in private conversations, I know President Reagan indicated that there are no secrets here.

Senator Durbin. As proof positive of the defensive nature of this system, do you think it is advisable for us to share this technology with Russia?

Ambassador Kampelman. I think it is advisable for us,

strongly advisable for us to sit down and figure out how we can develop joint approaches, sharing of information, see what our needs are. Yes, I do.

Senator Durbin. Dr. Kortunov, if the debate moves to that level, would this allay some of the fears of the Russian government that, in fact, our national missile defense system is not totally defensive in nature?

Mr. Kortunov. Absolutely. I can tell you that it is a matter of very heated discussions, and even at the highest levels, there are doubts that the United States might be sincere in any kind of benevolent approach on this matter. If there is a sincere desire from the United States to cooperate even on a limited scale, for example, on the issue of TMD, I think it would make a major breakthrough and it might even have a very important effect on other aspects of the relationship, including, for example, the issue of the NATO enlargement.

Senator Durbin. So, Dr. Payne, if we were to pursue this, and I am going to ask you for your reaction to these questions that I have asked, if we were to pursue this concept of sharing technology with the Russians to assure them that this is a defensive effort by the United States and not to put them in jeopardy, could you see this as a way to really build toward a new thinking on this issue? What I am suggesting is sharing information on missile defense

while at the same time asking of those nations who share this information that they aggressively pursue counterproliferation.

Mr. Payne. Yes, Senator. In fact, if you go back and look at the results of the Ross-Mamedov talks, which Ambassador Kampelman referred to and Dr. Kortunov referred to, there are unclassified summaries of what was actually--the ground that was covered in those talks and it included, for example, U.S. willingness to share processed early warning information with the Russian side and a U.S. willingness to share the results of ballistic missile defense capabilities.

So in some ways, what you proposed or described in this concept was ground covered in during the Ross-Mamedov talks and that is why I believe and I believe my colleagues at the table believe that that was a very fruitful venture and would have gone a long way towards ameliorating the skepticism on the Russian side that we know exists.

Senator Durbin. It has been a long time since I took courses at the School of Foreign Service and I do not know if anything I have suggested today is along the lines that might put us back to the table in a more positive frame of mind. We have large questions to resolve with the Russians and Russian leadership in terms of the future of NATO and the future of national missile defense, but I do go back to

President Reagan's promise, and I will concede that I was skeptical then and I am skeptical today as to whether this can be achieved. But I thought the one promising statement that he made was that if we achieved it, we would share it in a show of faith that it is defensive in nature.

I continue to believe that we have threats, even nuclear threats, to this country that are far greater that do not involve missiles and that we should be looking to protect the American citizenry as aggressively on those fronts as we do when it comes to missile defense.

I thank you for your testimony and for your hard work on this study, and Mr. Chairman, thank you for allowing me to ask questions.

Senator Cochran. Thank you, Senator, for your contribution to the hearing.

In connection with the status of effort to develop jointly with the 2 governments, the U.S. and Russia, a Global Protection System, I think it is worth noting for the record that there was at the June 17 summit here in Washington between Boris Yeltsin and President George Bush a statement issued on that subject and it confirms the commitment of both countries to work together to develop such a system and to share the technology. I am going to ask that that be printed in the record at this point to reflect the understanding that was reached at that time.

I think, appropriately, the wording, in part, is as follows. "The 2 Presidents agreed it is necessary to start work without delay to develop the concept of the GPS," the Global Protection System. "For this purpose, they agreed to establish a high-level group to explore on a priority basis the following practical steps: The potential for sharing of early warning information through the establishment of an early warning center; the potential for cooperation with participating states in developing ballistic missile defense capabilities and technologies; the development of a legal basis for cooperation, including new treaties and agreements and possible changes to existing treaties and agreements necessary to implement a Global Protection System. For the United States of America, George Bush. For the Russian Federation, Boris Yeltsin."

Without objection, this statement will be printed in the record.

3A [The Joint U.S.-Russian Statement on a Global Protection System follows:]

Senator Cochran. Just to confirm the outlook, is it the consensus of our panel that this can still be the basis for the establishment of a new round of talks and the beginning of a new dialogue between the 2 countries to achieve the goal of a Global Protection System? Let us start with Dr. Kortunov.

Mr. Kortunov. Senator, I think that right now, it will probably be a little bit more difficult than it was back in 1992. However, I think that we should try to make such an attempt and I think that it would be probably the best way to resolve the problem related to the ABM Treaty.

Senator Cochran. Dr. Payne?

Mr. Payne. I agree that there has been some water under the bridge since 1992. Nevertheless, we would like to see a new forum, at least similar to the Ross-Mamedov talks initiated so that we could perhaps get back to that political situation where we were able to consider a Global Protection System.

Senator Cochran. Mr. Ambassador?

Ambassador Kampelman. I do not believe it is too late. I think we should do that.

Senator Cochran. One question that I have, Dr. Kortunov, is on the subject of the attitude in Russia today about the mutual assured destruction doctrine. You talked about the fact that it was the impression in Russia that the

U.S., because of the break-off of these discussions, had reverted to this old doctrine. There are many of us who want to disavow it and are working to try to change it and to try to explore ways to do that that would be compatible with a stable relationship and a mutually trustworthy relationship between Russia and the U.S.

Does Russia continue to embrace the mutual assured destruction doctrine? Does it see the U.S. as the primary focus of its nuclear deterrence threat?

Mr. Kortunov. Well, in terms of the Russian public opinion and the political relations between the 2 countries, the answer is no. I do not think that the Russian populace considers the United States to be the prime opponent and that it feels that Russia needs a deterrent capacity against the United States.

However, at the level of operational planning, I think the concept of mutual assured destruction is still the fundamental principle for defense planning, though I repeat that the Russian public, like the public in this country, has never been comfortable about the concept of mutual assured destruction and it is less comfortable with it right now since it perceives the United States as a friendly country.

Senator Cochran. Dr. Payne, I know that Secretary Perry has expressed a desire to change the U.S.-Russian

strategic relationship from one that is based on mutual assured destruction to one based on mutual assured security. Would you tell us what you think Secretary Perry has in mind with this mutual assured security suggestion and how does it fit in with your study and the comments that you have made today?

Mr. Payne. I never heard or read of any follow-up or a definition of what mutual assured security was meant to imply. What I assume was suggested there would be a continuing reduction of offensive forces, strategic nuclear offensive forces to a point where both sides' defensive forces then could, in fact, provide each side with mutual assured security vis-a-vis one another, although both sides still would retain presumably a nuclear deterrent vis-a-vis third states, providing security for Russia and the United States and providing both sides with a continuing deterrent against other parties that they might be concerned about.

Senator Cochran. You have indicated that you think there is broad support in Congress to change the ABM Treaty to reflect the modern dangers emerging in the security environment in which we are in. Ambassador Kampelman pointed out we need to have a bipartisan effort here and national security is not a partisan issue.

Do you see any evidence of support on both sides of the aisle? Obviously, there is support on the Republican side

since this legislation that has been introduced is primarily a Republican initiative. How likely do you see the development of bipartisan support for modifying the ABM Treaty to be?

Mr. Payne. Sir, I simply look at the votes going back to the Missile Defense Act of 1995, the Missile Defense Act of 1996, and the Defend America Act of 1996, and the votes in support of those seemed to be overwhelming and bipartisan, so I take great encouragement in that.

Senator Cochran. Senator Levin, we welcome you back to the hearing. I apologize for having this conflict develop on your account because I know you are keenly interested in these issues and you have been very active in the Senate on these issues. I am happy to yield to you for any comments or questions you might have of the witnesses.

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

I do not know that we ever had a vote on the National Missile Defense Act, by the way, but we recently in the Senate, at least, did have a vote on the adoption of an approach to this which Senators Warner, Cohen, Nunn, and myself had agreed upon. Are you familiar with that agreement, that language?

Mr. Payne. If you are referring to, for example, the Cohen Amendment to, I believe it was to the Missile Defense Act of 1995 or 1996, surely.

Senator Levin. It was the 4 of us that agreed on language which was offered as an amendment which basically said that we will continue to develop to be in a position where we can deploy a system but not commit ourselves at this time to such a deployment and leave that instead to a determination after we have developed such a system, when we know what the technology is, know what the threats are, know what the cost is, know what the other threats are in terms of cruise missiles and other kinds of threats to us, so we can weigh all the conditions and circumstances at that time. So continue to develop but not commit to deploy, since such a commitment, regardless of the ABM Treaty, would be a threatening statement that we are going to deploy regardless of what the circumstances are and regardless of what the impacts are on nuclear arms reduction.

Is your conclusion consistent with the Nunn-Warner-Cohen-Levin approach?

Mr. Payne. In some ways, it is not. The findings of the study, simply because one of the points that our Russian colleagues made to us consistently was that the dynamic behind the Russian willingness to engage in mutual accommodation is a level of seriousness that the U.S. displays with regard to its intent to deploy. And, in fact, it is written in the study by the Russian authors that the motivation on their side for mutual accommodation does not

come from some romantic hope for an immediate strategic partnership but from the view that NMD deployment by the U.S. is inevitable and, therefore, mutual accommodation is the better alternative.

As a result of that, it seems to me that anything that suggests that the United States is serious about this and intends to go in this direction actually contributes to the potential for mutual accommodation as long as we on the other side do not overstep that and become highly provocative.

Senator Levin. Well, that is the question, is where that line is. Now, Ambassador Kampelman has suggested that we not talk about withdrawing from the treaty. If you say now that regardless of the impact on nuclear arms reduction, regardless of what the Duma is going to do in terms of ratification of START II, regardless of circumstances that exist 2 years from now and what other threats are, we are going to deploy a system, you have stepped over that line. You are saying, we are going to pull out of ABM. That is what you are saying if you take the position that we are deciding right now we are going to deploy rather than we are going to put ourselves into a position where we can decide whether or not to deploy.

I would like to ask Ambassador Kampelman this question, and then I will get to Dr. Kortunov. Should we decide today

that we are going to withdraw from the ABM Treaty if we cannot get a modification of it that would allow us to deploy a system?

Ambassador Kampelman. My own view is that the Russians have to be made to understand that should our national interest require it, we will withdraw from that treaty. I welcome the kind of legislation you talked about because we are not then delayed in our research, in our preparation, in our capacity to deploy. The will to deploy in the event it is in our national interest, I think, is universal.

There is always a question as to what is in our national interest, when do we face that point. The thrust of my comment was that we not necessarily waive ~~this~~ THE WITHDRAWAL ALTERNATIVE ~~business~~ about, ~~well, we are about to deploy or deploy itself.~~

In other words, what I am saying is that the concern that Keith Payne is expressing, which is that the pragmatists in Moscow have to be made to understand that we may very well deploy, that is something which I think we can communicate without the necessity for making statements about it or making decisions now to deploy.

Senator Levin. Well, you have put your finger right on it. They should understand that we may, indeed, deploy, but that is very different from a decision now to deploy, would you agree?

Ambassador Kampelman. I do.

Senator Levin. Dr. Kortunov, on that question, do you wish to add a comment on that question?

Mr. Kortunov. Well, first of all, let me say that those in Moscow who are trying to follow events on the Hill cannot fail to notice that there are some positive dynamics, at least in the wording used in legislation, and if you compare the National Missile Defense Act of 1997 with previous documents, I think that we, the Russians, can record some positive changes which open more ways for accommodation.

Second, I think that for Russians, it is really important to get a realistic picture of U.S. threat perceptions because we do have conflicting messages coming out from Washington about to what extent the threat from the so-called rogue states is considered to be a serious threat in the United States and there are very different assessments made by the official Washington on this score.

So the perception in Moscow is that though there might be a serious threat in 10 or 15 years to the U.S. mainland, the threat is not as immediate as it would require the United States to withdraw from the ABM Treaty right now, and if such a decision were taken tomorrow, I think that it would be interpreted in Russia as an unfriendly act by the United States. So a clear definition of threat and threat

perception might give Russians some time to accommodate their position to the strategic requirements and problems of the United States.

Senator Levin. Ambassador, it seems to me you are basically where the 4 of us that I mentioned were when we said, let us put ourselves in a position as quickly as we can to make a decision based on whatever technology is the best and what the threats are at that time. I want to make sure, then, that I have heard you right.

We all would agree, I think, that we will act in the national interest, whatever that national interest appears to be when we act. If it is in our national interest to withdraw from the ABM Treaty, we would do so, and if it is not in our national interest to withdraw, we would not do so.

I think some of us have already decided whether it would be in our national interest. Others are saying, let us wait until we are in a position to make the decision and let us in the meantime try to negotiate a modification which would allow us to move mutually towards defenses which would make us more secure. Hopefully, we can modify the treaty in such a way that limited national missile defenses are possible if the technologies are there and the threats are there and the funding makes sense relative to other threats. But to make a decision now to deploy a limited national

missile defense goes beyond what I just said.

Would you, Ambassador, just so I get you clearly on the record, do you think we should now decide to deploy a national missile defense or should we now continue our development stage and indicate a determination that we are going to act in the national interest and that may well indeed involve a deployment, but that that decision should be made later and not now?

Ambassador Kampelman. I think you have stated my view, but I would like to add an explanation ~~about it~~, which is I am not in favor of now withdrawing from the ABM Treaty. The act of deployment would, in effect, be a withdrawal from the ABM Treaty and it is for that reason, since I do not wish us now to withdraw from the ABM Treaty, but indeed see damaging consequences from that, without an actual requirement that we do that. ~~I do not want to be put into that~~ I do not want our country to be put into that ~~kind of a~~ AGGRESSIVE position.

I do, however, want to start the talks with the Russian Federation as quickly as possible and as seriously as we can based on the assumption and understanding that we may very well be withdrawing once it is in our national interest to do so. ~~and do not think that this~~ THE FACT THAT ABM IS CONSIDERED A HOLY DOCUMENT FOR THE RUSSIANS ~~of yours is going to~~ WOULD NOT keep us from doing so. ~~It will not keep us from doing so at that point,~~ if our national interest requires it.

Senator Levin. Okay. That is helpful.

Am I out of time?

Senator Cochran. No. You go ahead.

Senator Levin. Just one final comment, and that is the executive summary of this study has a statement that there is a Congressional position in favor of an immediate decision to deploy a limited NMD and I do not think that that is accurate if it implies that Congress has decided to deploy. Congress has decided to proceed to develop but has left open the deployment decision, basically. But I do not think that statement in your executive summary is accurate, if I read it correctly. I may not be reading it correctly, but I think I am. It is the fourth paragraph on page 123.

Mr. Payne. The pagination on the copy I have is different from yours, sir, but we will be a happy to take a look at it and if it is incorrect, we will revise it.

Senator Levin. I think there is obviously not an action that Congress has yet taken, other than to put in significant development money, which we are doing and will continue to do so we can be in a position to make the right decision at the time.

But I think I agree with the thrust, that we should continue to negotiate, to look for ways that we can act in our mutual defense and that if we can find a way to do so, to deploy a limited national missile defense with the

Russians, that we would both be in a stronger position, whether or not it is worth the money, whether or not the technology is good enough, whether or not the threats are real enough compared to a cruise missile threat, which I just heard about in a hearing room in another building where the head of our strategic command says the threat of a cruise missile is, at least, I think he said this, is greater than the threat of a ballistic missile. I think most people would agree to that. Both are limited and remote in the eyes of the intelligence community but one is a little less remote than the other and the cruise missile threat is a little less remote than the ballistic missile threat.

So, yes. Would we be safer if we could do it mutually without messing up our START I and START II agreement? Yes. Is it worth the money? Maybe, when we know the costs and know what the technology is. But again, I believe that the right time to do that would be after we do the development, assess the cost, assess the capability, assess the threat, and try to work out something mutual with our Russian friends. That, to me, is the way to do it.

But then I would agree with what I think you are saying. If at some point it is in our national interest to deploy a system, we will deploy that system. But until then, to make a commitment which could drive the arms

reductions in exactly the wrong direction and tear at a friendship which is growing between ourselves and the Russians and to do so needlessly because we have not gotten to the point where we need to make that decision, it seems to me would be the wrong way to go.

But being an optimist, I view what I just said as being basically consistent with the thrust of what you are trying to do in this paper, and if I am giving it more optimism from my perspective than it deserves, then ship it over to me and I will rewrite it.

Mr. Payne. Senator Levin--

Ambassador Kampelman. I would like to suggest, if I may--Mr. Chairman, may I make a comment--

Senator Cochran. Certainly, Mr. Ambassador.

Ambassador Kampelman. --that the mutuality should not only be a mutuality between the United States and Russia, it ought to be also a mutuality within the Congress itself rather than a partisan issue as a way to develop a national consensus behind this increasingly serious problem.

Senator Cochran. Thank you. Dr. Payne?

Mr. Payne. I just wanted to make the comment with regard to the language suggesting Congressional intent behind the decision to deploy as opposed to a decision to develop, I mean, I am thinking back, for example, to the Missile Defense Act of 1991, the Missile Defense Act of

1995. I do not have that language here in front of me, but I believe each of those Acts included Congressional language calling for the deployment of national missile defense, at least of some variety. Perhaps that is what the executive summary sentence that you are referring to, Senator Levin, was referring to, because I believe there is language on the record from the Congress calling for the deployment of national missile defense.

Senator Levin. Relative to that, on page 2 of your testimony, you make that same statement, that there is express Congressional position in favor of an immediate decision to deploy. I think if you read all of what Congress has done, you may want to modify that because it is a little more complicated than that.

Mr. Payne. Fair enough.

Senator Cochran. But is it not true, Dr. Payne, on that subject that a single missile defense site is permitted by the ABM Treaty?

Mr. Payne. Yes, sir.

Senator Cochran. Is it a suggestion that the deployment is somehow directly flying in the face of the ABM Treaty is just wrong?

Ambassador Kampelman. Good point.

Mr. Payne. Yes, sir.

Senator Levin. I think that is accurate.

Senator Cochran. So in S. 7, that is one reason why I think the Secretary of Defense is given the latitude to determine if a national missile defense system is necessary to defend all of the United States from a limited attack and if the NMD system selected by the Secretary is outside the bounds of the ABM Treaty, he is urged under the terms of the legislation to pursue the necessary discussions with the Russian Federation to achieve an agreement, if it is necessary, to amend the treaty, to allow deployment of such an NMD system.

Mr. Payne. Mr. Chairman, the reason why I mentioned in my prepared statement that it seems to me that S. 7 is consistent with our findings is specifically because the language with regard to the ABM Treaty does not call for the withdrawal from the ABM Treaty. It does not call for the violation of the ABM Treaty. It says that if the negotiations suggested do not bear fruit within a year, the Congress and the President could consider that option--

Senator Cochran. Right.

Mr. Payne. --and that is a self-evidently true statement and I think it is useful to put that marker down but to put it down in the gentle way that it is, it says we will consult on the issue. It does not say we will withdraw from the treaty, and that is why, in my opinion, it threads the needle nicely.

Senator Cochran. Thank you very much. Let me say, I think this has been an outstanding hearing in every way. It has been helpful to our better understanding the issues that are currently involved in the dialogue between Russia and the U.S. on these subjects.

We have had, I think, a much better understanding developed among the members of our Committee who will, I am sure, benefit from the testimony and the contribution of the witnesses that have been made today, and for that we are very grateful, Dr. Kortunov, for your presence here and your contribution to this paper with Dr. Payne. I think your collaboration on it has been one of the important contributions to the understanding of the importance of this issue and of further talks.

Ambassador Kampelman, your perspective from your involvement in negotiations in the past and your following the issues today as you continue to has been a high point for all of us to consider.

Let me say that this Subcommittee will continue to explore these issues as we convene another hearing on April 10. At that time, we will consider proliferation, Chinese case studies. Until then, the Subcommittee is in adjournment.

[Whereupon, at 11:22 a.m., the Subcommittee was adjourned.]