

061113 AIR FORCE ASSOCIATION, RESERVE OFFICERS ASSOCIATION AND NATIONAL DEFENSE INDUSTRIAL ASSOCIATION CAPITOL HILL BREAKFAST FORUM WITH FORMER SENATOR JON KYL (R-AZ.) ON THE ENDURING REQUIREMENTS OF U.S. STRATEGIC REQUIREMENTS: NUCLEAR DETERRENCE, ARMS CONTROL, DEFENSE POLICY AND MISSILE DEFENSE.” (For additional information on NDIA/AFA/ROA seminars contact Peter Huessy at [phuessy@afa.org](mailto:phuessy@afa.org)).

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SEN. JON KYL: I want to thank you Peter for your invitation to speak to your group on these important issues. That is quite a line-up for the remainder of the week with General Kehler, Linton Brooks, John Harvey and General Welch. Perhaps some of the things I outline today can be fleshed out in their remarks.

You asked me to give an overview of where we are on both strategic modernization and missile defenses and its relationship to the New Start treaty and our security needs.

As part of the New Start ratification process, I thought it very important that we all agree on the substance of our future strategic modernization program, including platforms and warheads and the supportive infrastructure. As you reduce deployed weapons, there is less room for error. And although we are many years away from the Cold War, we have serious deterrent responsibilities, which include a world with a number of nuclear powers.

To do this job well, we promised to invest in future nuclear programs, but we are some \$1.6 billion short already. We have delayed at least two years on the replacement for the Ohio-class SSBN. And I've been told that that results in the out-years of not having enough boats on station to fulfill our requirements.

On the warheads themselves, the mainstay of our nuclear umbrella, the B-61, delayed at least two years, likely more. I'm talking about the life extension program for the warhead. The facilities themselves are a mess, as you know. The CMRR plutonium handling facility at Los Alamos is delayed, they say, five years, which most people in the know tell me is tantamount to killing the project and there is no real plan yet developed to handle the plutonium at Los Alamos.

The Y-12 uranium facility is more on track. We put that first, but it's way over budget. As a result, it's been de-scoped in terms of its capability. And I'm not sure how that's going to play out, but at least it's going to be modernized. And then the W-76 procurement has been cut by 20 percent. These are just some examples of where cuts have had to come from, and

bear in mind that these delays are against a backdrop of understanding that we can't afford any more delays.

One of the things I remember, and this has been publicly testified to so I'll use the phrase of one of the people who worked on these programs is we are now out of any more "work-arounds." For years there have been ways to work-around the problem, and very bright scientists and nuclear engineers and physicists working the problem. But, there aren't any more. Now they're just delaying more and more.

And this is not good for a stable world, as I'll discuss in just a moment. It's not just a matter of the United States having a bunch of nuclear weapons it wants to use. That's not the point. It affects our deterrent and our allies' belief about our commitment to our deterrent.

And I guess the last thing I'll mention is the NNSA itself and the Department of Energy. If anybody here thinks that they've got everything under control and we're back on track, raise your hand? I don't see – you have some very dedicated people, don't get me wrong, but you've got a system that's completely broken right now, and I don't see the political will to get it fixed.

But I just wanted to mention the effect of this and other policies with respect to proliferation and our nuclear deterrent capability. One of the recent reports, the Stockholm International Peace report, reports that three out of the world's nuclear powers: China, India and Pakistan, have been increasing their nuclear weapons. Bear in mind, as long as we don't test and we don't modernize, and we continue to reduce the number of our warheads, everybody else will follow suit. You all get that?

You know, during the most recent North Korean belligerence there was a poll taken in South Korea. South Koreans are now beginning to talk about developing their own nuclear deterrent. That's their degree of confidence in the American nuclear umbrella. And you've heard talk about this in Japan. Certainly the informal umbrella that may exist with respect to the Persian Gulf, you've heard the same kind of thing.

So, you've got a situation where other countries are proliferating and thus some of our allies are beginning to lack confidence in our own deterrent. This is not good for a stable world. And I don't care whether you're an ally like Japan, you're maybe not an ally but a friend like Russia or China; you do not want an unstable nuclear world. And that's what happens when the United States doesn't fulfill its commitments.

I understand Clark Murdock was here recently and talked about the CSIS report. Just to remind you, one of the conclusions that he reported on, and I'm quoting now, "The U.S. nuclear reductions have no impact on the calculus of Iran and North Korea." And you can expand on that. I think there's some other countries, too. This canard, that somehow if we don't do

anything to modernize our deterrent other countries are going to follow suit is exactly that, a canard.

You're going to hear a little bit more about our future commitment – I think when the president goes to Europe. He's going to be meeting with President Putin and he's going to be giving a major speech in Germany. And I know the administration says that it didn't make a deal with Russia with regard to the cancellation of phase four of the adaptive program that it had been touting as a replacement, by the way, of the GBI system. And I think that they're right. I don't think that they've made a deal with Russia on this. If they had, they would have gotten something in return. And so, I think probably they're correct about that!

The idea that if the United States reduces the number of nuclear weapons in our arsenal it will save us money, and that's the way out of the dilemma, is also palpably false. And whether you're for reducing our weapons or not, I think the experts all agree with that. In fact, a precondition to being able to reduce the number in our stockpile is the full implementation of the modernization program as laid out in the 1251 report. If you don't do that, you don't have the production capacity that replaces the stockpile, which right now is our hedge.

The other countries, countries like Russia and China, as well as Pakistan and some of these other countries, as well as France and Great Britain for that matter, have production capability, which the United States does not have, so we have to rely upon the hedge. If you want to get rid of a lot of those warheads, pursuant to either New START or a follow-on to New START, which I suspect will not be submitted to the U.S. Senate by the way – it'll be attempted through administrative action by the president, at some peril I would argue – then you're going to have to follow through with the program that gives us the capacity to at least replace what needs to be replaced and be able to deal with a breakout should that occur. And so you're not going to save money by just committing yourself to a reduced number of warheads.

As I said, I suspect we'll learn a little bit more about the president's plans when he speaks at the Brandenburg Gate on June 19<sup>th</sup>. We'll see if he makes an announcement there about reduced numbers of warheads. My understanding is that he's had the plan – if not on his desk – at least for about a year, that would provide the justification for the numbers that he predetermined. And we'll see whether he makes some kind of an announcement about that at that time.

Just to conclude for a moment about missile defense. Peter and I were talking just a moment ago about folks who have come to understand the importance of missile defense and be supporters of the program, and I'm glad for that. But, I would also note the reaction to the North Korean belligerence was nothing more than the re-establishment of the original plan of the Bush administration for the Ground Based Interceptor program.

I shouldn't say it's nothing to cheer about. I'm glad that they recognized that they needed these additional interceptors in a place where they could be effective against a potential North Korean launch. But the reality is, all this does is catch us up with the planning of about 15 years ago. It doesn't do anything with respect to the modernization of the program.

You remember, the original idea was a very robust GBI system. And the original Bush plan was kind of the first phase of that, with modernization following along. And the modernization funding has totally gone away. There's no more.

We've cancelled the boost phase programs that we had, both the kinetic energy interceptor and the airborne laser. We haven't done anything to improve the GBI, which is part of the commitment. And the planned deployed numbers are just back up to the first phase of the Bush administration plan.

So yes, I'm glad it happened, but it is not some great development in the missile defense program of the United States. And when you add to that what's been done in the phase four, the adaptive approach, it is a retrogression, I would say. If you just want to look at them in terms of budget numbers, since the fiscal year 2009, in other words the beginning of the Obama administration, the Missile Defense Agency has been slashed about 25 percent.

Now you cannot have a robust program with that kind of cut. The first budget request was an almost \$1.6 billion cut. And cumulatively now, it stands at about 16 percent below the Bush administration, or about \$6 billion. That's a huge cut in a program that was supposed to be growing because of the research requirements.

So I cannot conclude with regard to our missile defense program anymore than our modernization program or the current status of our deterrent and the proliferation conditions of the world, that we've been making progress in the last few years. At best, I think this administration's policy is let's hope for the best and not spend any money, live off of what was done before. And I always think about what Dick Cheney said when he thanked Ronald Reagan for being able to prevail in the first Persian Gulf War. He said, if you had not built up during the '80s the capability that we had to then use against the Iraqis, we wouldn't have been able to do what we did.

That's the way it is. You all know that these are long term projects that require a huge amount of research and development. And then procurement cycles can be very long, and the training up and getting a system operational – maybe they shouldn't take that long, but they do. And if you're not constantly preparing for the day after tomorrow, when that time comes it's going to be a potentially very dire situation. And so it's possible for this administration, which advocates a very light footprint in the world anyway, to potentially skate through for a

while longer. But eventually it catches up with our country, and I am very, very concerned about that.

Again, you're going to hear later this week from experts who can give you a lot more detail and granularity to all of these subjects, but Peter did ask me to at least give a sort of quick update to what I had said last year. Let me now turn to this other project which is part and parcel of this same subject. Why has the support for a robust American foreign policy and strong military presence been slipping away in recent years? Why have both liberals and conservatives, Democrats and Republicans, begun to accept as a fact the deterioration of our military capability, and the desirability of a lighter footprint in the world?

That's the phrase, by the way, -- I think it's a smaller footprint -- in the 2012 U.S. defense strategic guidance report of the administration talks about a small footprint to achieve our security objectives. People like Senator Rand Paul say, what the United States needs now is a foreign policy that is "reluctant." No, it does not need a reluctant foreign policy. You can decide at one point or another that you're not going to engage in a particular situation, either economically or diplomatically or potentially militarily, but you shouldn't be reluctant about what your goals are, what your objectives are, and your willingness to commit whatever power, soft or hard, that you have at any given time against the problem.

There's a New York Times headline, April 30<sup>th</sup> of this year, "Polls Show Isolationism Streak in America." I think there is some truth to that. And you see it both in the House and in the Senate, and this is why Joe and I decided to work together on this project.

And we had seen this developing over the last couple of years of our service in the U.S. Senate. Joe clearly is one of the last great Democratic Senators with a real understanding and knowledge of foreign policy, the need for a robust American presence in the world; something that most Republicans (at least on the military side) have always agreed to. But we've seen that slip.

And the most troubling evidence of that was when sequestration became a reality. It was fast becoming a reality at the end of the year. People like John McCain and Lindsay Graham and Kelly Ayotte and I -- and people like Buck McKeon in the House of Representatives -- were trying to generate support for the offsets that would be necessary to over-ride sequestration.

And remember, these offsets are only \$109 billion a year. That's all you have to find in savings. You can do that in your sleep. And that's for both the defense and the non-defense side of the equation. It's \$50-some billion for each.

One of the recommendations of the Bowles-Simpson Commission was for every three employees that leave the federal workforce, just replace one. That's enough savings right there. We proposed we replace two out of three for half of the savings, and then extend the president's freeze on some federal government salaries into the summer of 2014. That would have been the other half. It would have been more than enough for one year of savings right there. But colleagues said, no, can't do it. This lack of dedication to finding a solution to the problem on the Republican side convinced me that we had to begin to find an alternative way of discussing this subject, because clearly we were not being effective in our conversation.

And Joe had reached pretty much the same conclusion. So the American Enterprise Institute, AEI, invited both of us under its auspices to work on a project that would be at least a year, probably two or three years, in duration. For the time being it's called the American Internationalism Project, or AIP, but you might think of a better name for it.

But the object is to focus on the three pillars of American interest in the world: the national security pillar to protect our sovereignty; the economic pillar to insure our economic capabilities and wellbeing; and then a values component, which has always been part of the animation of the United States. And whether or not we're able to advance democratic principles and rule of law values in the world, will depend upon a lot of different factors, but at least it's something that America has always had in its mind as it was engaged in foreign policy matters. As to those three components, we think there is a pretty big consensus.

Generations now that have grown up without the threat of a World War II or of a Cold War communist threat, so there is a lack of appreciation for the benefits of a robust U.S. presence in the world. And yet at the same time a generation which doesn't think anything about picking up the cell phone made in Korea or the great bargains at Wal-Mart of wherever it is, always benefiting from a globalization in the world economically. And obviously you've got to have rule of law and security requirements in order for that to exist. But very little thought is given to how it is we can enjoy the standard of living that we have, and have the security that we have, without ever engaging in the world.

Former colleagues like Rand Paul have been very clear about the view that with regard to terrorism the United States should just have a position of containment, as if somehow you can contain these things. Even containment has a concept behind it of doing something. Think about it, to contain is to do something. And what happens when you have to apply force to that concept of containment if you haven't been doing the things necessary around the world that enable you to help set the table in international relations?

I did a quick survey of the media from last week as I was preparing this. And just look at some of these headlines and some of these comments. This is from June 5<sup>th</sup>, Dan Blumenthal, who by the way is with AEI.

He's talking about the two presidents, President Xi and President Obama meeting. He says, "Xi will confront a new strategic reality of America in retreat by virtue of a bipartisan U.S. consensus for a foreign policy of retrenchment." Well that says it about as clearly as you can.

The president has announced the end of the war on terror on the theory that all wars have to end. Well, they only end when both sides agree that it's over. But in any event, Blumenthal goes on.

This is a quote, "In response to the president's policies," including refusing to restore what he calls Draconian cuts to our military budget – he says, "in response a few outliers notwithstanding" – that would be McCain, Lindsay and Kelly and a few others, and on the House side Buck McKeon and others – "Congress, including Republicans, remained silent. Much of the right now marches in foreign policy lock-step with a left that has little interest in the exercise of U.S. power." Again, bingo.

And he concludes by saying, "This left-right neo-isolationist alliance is a recipe for global chaos." And again, this should not be cheered by really any of the other world leaders, including in Russia and China. Conrad Black, writing in the National Review on June 5<sup>th</sup>, quote, "The U.S., viewed from the outside as almost sleepwalking into a post-American world." He decries the lack of a Middle East policy and he notes that the reset with Russia has only, in his words, "emboldened the Kremlin to encourage Iran's nuclear capability and to salvage the Assad satrapy in Damascus."

Peggy Noonan, deplored what she calls, "the disgraceful abandonment of the besieged counsel in Benghazi." Philip Stevens, who writes in the Financial Times, and this is on June 6h, "Globalization has tightened the tie of economic interdependence, an inescapable reality." And he says, "For all its relative self-sufficiency the U.S. cannot avoid distant threats to its prosperity and its security."

And I thought it would be interesting to try to tie this to our defense programs. Congressman Randy Forbes and Chris Leman had both written things last week that tied directly into this. Congressman Forbes says, "The future of American security and international influence will undoubtedly be tied to the strength of American seapower. Sustaining the rules-based international order, that has enhanced our security, prosperity and freedom" – those are the three pillars of what Joe Lieberman and I are talking about – "requires an American Navy that can maintain our global presence in oceans and strategic chokepoints the world over. But

absent a greater investment in shipbuilding the trajectory of American seapower is set for a slow, painful decline in the decade ahead.”

And this is confirmed with statistics that Chris Leman cites in his Washington Times article. He writes that since the 1990s the fleet shrank from almost 600 ships to 283 ships. And I’ll just quote one thing he said here.

He’s talking about the fact that this meant that we weren’t able to be in places where we should have been. And he specifically talks about being able to react to the problem in Benghazi. And he said that the result was that American sovereign territory – that’s what an embassy or a consulate is, so think about it – American sovereign territory was attacked and our consulate was overrun, four Americans killed, including the ambassador. We didn’t have the military power in place in the world to deal with that problem.

“Will America wake from its slumber?” he asks. “Can our Navy meet the demands of defending American interests around the world? America has vital interests at stake. Allowing America’s military power to decline further would be a costly mistake for the United States and for much of the rest of the world as well.”

Let me just conclude with a couple of quotations from some comments that Buck McKeon made in the Washington Post on June 6<sup>th</sup>. “History has taught us, he says, “painfully, that when readiness is low the threat to national security is high.” “Readiness will plunge further when the full weight of sequestration is realized.” “To reap a peace dividend we first need peace.”

He says, “Wars are not won nor peace achieved through half measures.” These are profound statements. And he concludes, “If we do not change course soon, it is our bravest who will pay the price.”

Well, we will all pay the price, one way or another. But what we have concluded so far is that those of us who believe in a robust presence around the world have not done a good enough job of understanding the language that America in the 21<sup>st</sup> century, certainly in the year 2013, needs to fully appreciate the problem. We were all caught in our past careers, a lot of us with the backdrop of the Cold War. We remember fondly Ronald Reagan and “peace through strength” and all the things that convinced us that we had to have a presence in the world to protect our interests. But those arguments aren’t winning the day now.

And to be sure, there are issues of financial capability. But a lot of this is pure ideology. I think the president, whether we had the financial capability or not, would want what he would call a lighter footprint in the world. So to some extent this is an excuse for some people to do, I think, what they’d like to do anyway.

So how do we find that language? How do we make the arguments that are going to appeal to a new generation of leaders in America to restore America's place in the world? Not as sheriff of the world. We don't want that role.

But the prosperity of America and our ability to defend our own sovereignty, to a large extent, depends upon a very significant presence of the United States in the world, working with allies and other friends to be sure. If we don't find the way to convince and to persuade the opinion leaders of today that this is the right course of action, we may find that the price that we pay for that inability will be very great indeed at some future time. That's the project that we've undertaken.

We're going to have a lot of meetings with a lot of smart people to try to think this through and develop the language and the arguments that can be persuasive. And I hope that perhaps next year, if you'll be kind enough to invite me back –

MR. HUESSY: You're invited back.

SEN. KYL: -- I'll maybe have an opportunity to give you a bit of a report on that. And in the meantime, I would invite all of you to share any ideas that you want to with both Senator Lieberman and me as we carry this project forward.

Thank you very much for the invitation to be with you again, always, and more importantly for the commitment that all of you here make to the cause of freedom, the protection of American sovereignty and to a peaceful world. Without your commitment to it, it wouldn't be possible, and I thank you very much for that.

(Applause).

If any of you would like to offer some suggestions right now, I'd be happy to accept them. Or, if you have questions, I'd be happy to try to respond here for a couple of minutes.

MR. TODD JACOBSON: I want to go back to what you said about NNSA, and you mentioned that it's broken. And you talked a lot about that in the past. You also put together an NNSA governance panel that's going to take a look at the future of NNSA. What do you view as the priorities for that panel and what's your own vision for NNSA and what it should look like in the future?

SEN. KYL: Well, let me start with the second part, what's my own vision? When Pete Domenici and I and a few others concocted the NNSA as a separate silo – I know we don't like to use those kinds of phrases – but within DOE we really intended it to be that. Under Secretary Richardson it was never allowed to become that. I suppose any secretary is jealous of his authority and he embraced this new entity in a bear hug, and they haven't let go since.

So the whole concept of the NNSA has never been allowed to come to fruition, to be a truly independent objective entity that has one goal, and that is the preservation of our nuclear deterrent. So that's the first thing. My guess is that this panel will at least conclude that there has to be more autonomy.

At the same time, there are administrative problems within NNSA and I don't know that some kind of change in structure solves that problem. This is one reason that I supported the creation of the panel. Everybody knows that the problems exist. I mean, you could start with a guy like Tom D'Agostino. I can say that now, and I think he would agree, that he was dealing with a very tough situation. You've got so many different masters and you don't really have control of it yourself to make it work, and you've also got the constant tug and pull in Congress, and the administration's off-and-on support' so it's very difficult to administer it.

Somehow, that has to be reformed. That's the second point, and it's related to the first. Third, a lot of us said for a long time that there has to be a closer relationship between the Defense Department, which is the real customer here, and the Congressional funding profile of the nuclear program, rather than a DOE orientation. We all understand the history, the reason for the DOE rather than DOD orientation.

But over the last dozen or so years, the problems with this setup have been – as well as the problems within both the House and Senate Appropriations Committees – have just decimated the program. The Appropriations Committee has got some conflicts of interest because they've got water projects to fund; yet they can essentially make the difference here. Clearly something is wrong.

So there are structural, bureaucratic and Congressional problems. But there's also, I think, something more important than that. Leadership starts at the top.

If you go back to the Perry Schlesinger Commission, and other advice given by wise people in this country, you've got a coherent nuclear strategy, a deterrence strategy that holds together if the components of it are well cared for. That kind of leadership, and I'll tell you, under either Democratic or Republican presidents, has just not been there. But if you have the military putting – and no offense to colonels – colonels rather than generals in charge of these programs, you're going to get situations like shipping the wrong weapon down to Louisiana, and be pretty embarrassed about it.

There has to be leadership starting at the top saying, this is critical. It remains a critical component, in some respects more important than at any time since the height of the Cold War, to have a credible deterrent. A lot of people around the world are depending on that. And unless we want to see potentially a dozen more countries take this up themselves, and really have a proliferation cascade, we'd better pay attention to what we have.

That kind of leadership starts at the top. And I submit very clearly that it cannot be satisfied with a president who says our goal is nuclear zero and does not make it clear that even if that is his goal, a strong modernization program is necessary. They say what they have to do to get the votes for START and then immediately abandon the project.

Now it's not all their fault. It's also part of Congress' fault. It goes back to this problem that I mentioned, Republicans in the House of Representatives being unwilling to make the tough choices, to find the funding, for this program. And that's why, again, it's important that this project that Joe and I are working on succeed. Because it's not just Democrats, it's Republicans, it's liberals and conservatives, and we've got a lot of work to do.

MR. : Senator, Jim Woolsey testified before the House. A couple of weeks ago he wrote this article, and we have his testimony. He thinks that perhaps the North Koreans, when they did that ballistic missile launch that achieved orbit in December, had a capability to launch an EMP weapon which could be very light, much lighter than a normal weapon and doesn't require the heat shield for re-entry. And if they approached the United States from the southern polar regions, it would not be covered by missile defense. And an EMP weapon designed as a low-yield neutron bomb would be even more efficient. What, if anything, do you think we might be able to get done about this kind of threat? Because in a crisis the North Koreans would obviously – if this analysis is correct – would have a rather strong card to play.

SEN. KYL: And I think you all heard the question, North Korean potential for having an EMP weapon that, for example, could be launched from the south and therefore current missile defense probably wouldn't be effective against it? Missile defenses are very – it would be hard for a missile defense to be effective against an EMP launch because – remember what our theater missile defenses are currently designed to do? Even though we'd like to have them be effective in a boost phase, they are largely descent phase programs.

Well, EMP weapons don't have a descent phase. They go up to their apogee or close to that, and then explode, radiating the damaging gamma rays to fry all the electronics. And so I'm not sure theater missile defense is really a protection if its descent phase only.

And then you've got countries like Iran which have already, we believe, experimented with just Scud missiles. You could put a Scud missile on a barge, as they did in the Caspian Sea, and throw a warhead up. It could be pretty rudimentary. And you could get off the East Coast of the United States a couple of hundred miles and throw one of those things up and do an incredible amount of damage. It is increasingly understood that this is a significant threat. But we're not taking the kinds of steps that I think we should to deal with it, and I think Jim Woolsey is right about that. So for those of you who are aware of the EMP threat – and by the way, I was just talking to some people yesterday about cyber security in one of the industries,

the electric power industry, they were talking about power outages and all of this. And they're very worried about that. It's the same phenomena. I mean, you can bring the grid down in one of several different ways, and this is one where you could do it. I don't think North Korea is going to start a war by launching it, but in extremis North Korea would do that. And you never know what the plans of a terrorist organization that got a-hold of something could do, too. So this is one of those elements of proliferation that has not achieved enough attention, and it should. And I appreciate the question.

MR. : Senator, you mentioned Benghazi a couple of times and said we didn't have the military forces to be able to respond. Apparently there was a C-110 unit in Croatia which could have flown to Benghazi in about three hours. And they wanted to go there as the attack was ongoing, and somehow the order came for them not to go. What do you know about that and what do you think really happened?

SEN KYL: One of the unfortunate things about the Benghazi episode is that – and I think it's appropriate that there be a lot of attention paid to the political component of it. Trying to change the subject in the middle of a political campaign by writing a deceptive talking point for the administration's spokesman to present to the American people, that in and of itself is a bad, bad thing, and we've got to get to the root of it.

But in a sense, more important was our inability to protect the American people whose lives were taken in that attack. There have been so many different conflicting stories about what we had and where and what could have been done and who gave the stand down orders. I'm not on the Intelligence Committee anymore. I don't know.

But what I do know is that because of inadequate funding we couldn't place military assets in the theater in a way that they could have been available if they had been called upon. That we know. And that's the kind of example that I wanted to cite to illustrate the fact that this has real implications. It's not just a matter of budget numbers going down. Our ability to protect American sovereignty around the world has been compromised because we haven't been able to dedicate the force.

And this is a very good example of that. So you don't even need to know the specifics (though we need to find out eventually) to know you're absolutely right. But you don't even need to know the specifics to know that we had a problem in the beginning because we did not have the forces on station that could have prevented this. Never mind the fact that we had the warnings and the decisions were made not to send the forces, I suspect for reasons other than capability, if the truth be known. We could have found the capability. We would have had a ship from somewhere else, that's not good, but we could have found the capability if there had been a desire to do so.

MS. : Hi, Senator. Congratulations on your project. It sounds very interesting, very important. Like you, I was very disturbed by the muted reaction in the United States to the administration's decision to cancel phase four of the Phased Adaptive Approach. It certainly was noted by Eastern and Central Europeans, again U.S. lack of reliability.

You talked about the next arms reduction, the fact that the administration may chose to do it without Senate involvement. Do you think the reaction Senate would also be muted? Or, do you think that the Senate will fight for its prerogative in treaty making?

SEN. KYL: I don't know. Part of my concern is that I am not as convinced that there is the understanding of the implications of some of these things by enough people in the Senate to allow the leadership to rise to the top and the call to arms to be answered; and an ability to work these issues successfully, as we have done in the past. The number of people who are knowledgeable about this is declining.

I'll mention one, Kelly Ayotte, for example, a very smart lawyer who's dedicated to a strong national security. She understands the arguments against a CTBT, a Comprehensive Test Ban Treaty, and there are others as well. I don't think the administration is going to bring that up again because I think they know, even with increased numbers in the Senate, that the argument for it has gotten no better.

In fact, I would argue it has gotten a lot worse, notwithstanding some modest improvements in our ability to detect. If you can't do anything about what you detect, you haven't really advanced the ball at all. And so I think something like the CTBT is a dead letter.

But could the administration get away with saying George Bush reduced unilaterally our nuclear forces, and so I can too? Well, there are a lot of differences there. There are arguments – and I guess this is for another day – but for the proposition that the president doesn't have that authority, there's the old Defense Act of – whatever it was, 1960-something – that says that.

But you can argue it either way, and that's the problem. Since you can argue it either way, the president might decide that he can get away with it. He already pre-determined it. He said, we know that we can take the warheads down to a level far below what we have without any problem at all. He knew that before they even did the study. And he is a real expert on this. That's false.

But whether or not the American people are awake to this, whether or not the media who ought to care about this will dive into it enough, whether or not the leadership in the Senate will rise to the occasion if he does this, whether or not experts will be honest about the need for a production capability in order to do something like this, remains to be seen. And I

am going to do what I can on the outside, and would appreciate any help from any of you if you're so inclined should those issues arise.

I should call this a day. I'll take one quick comment and then end it.

MR. BAKER SPRING: A direct follow on to that. I'm Baker Spring with the Heritage Foundation. At least by my assessment I find the president is in unequivocal breach of four of the conditions that were attached to New START, all of them backed by presidential certifications that were issued prior to the exchange of the instruments of ratification. The question is – to me these are – the broad versus narrow debate pales in comparison to these. And there was a ferocious defense of the Senate's prerogatives in that context, setting aside the (question of substance ?). The question is, what would you do if you were still in the Senate to effectively make the president honor the certifications that he made pursuant to those commitments?

SEN. KYL: You all know Baker does great work at Heritage on this. And the work that you did prior to the New START Treaty was very important, too, and I appreciate it. And the follow up that you're doing is critical.

Senators will respond when their prerogatives are on the line, but they kind of have to be reminded of it. And let's face it, these are not front-burner things for most politicians. You've got to have a background in it or care especially about it or be on the committee.

And some of it's kind of complicated. You've got to delve into it. Frankly, you've got to have a really good staff.

And one of the first things – you asked what would I do? I would first of all try to identify and cultivate the key staff. You all know, I had the benefit of great staff: people like John Rudd and Tim Morrison and Rob Souffer and others who were a great benefit to me over the years. Find those staffers, get them educated, up to speed so that they can talk to their bosses.

And then it is important to talk to members, especially if you don't have a dog in the hunt – most people around here are patriots. You have your own company with your own interests. You may have a little missile defense here, a fighter or a bomber over there or whatever. But this is important for the national defense. And just go talk to the key players who could make a difference. And you can identify them pretty clearly, you know who they are, and you are the experts.

Before I left the Senate I had a series of mini-seminars with people like Keith Payne, for example, and Johnny Foster and Jim Woolsey and Jim Schlesinger. And my colleagues really

appreciated that. They didn't have that kind of background, and you can't blame them because they've got a lot of other stuff to do. But we're losing that knowledge and background and expertise. So it has to be – you know, each generation has to be re-taught.

So identify the people that are very who are very willing to go talk to members. You've got information you can give them. You can run them through the history of it. It just takes a lot of effort and just remember Senators are busy enough – I mean, they're kind of like butterflies. They can light for a few seconds and then they've got to go to the next flower.

(Laughter).

And so you can't call a meeting and expect 30 Senators to show up and be there for a full hour and so on. Understand the technique of lobbying in the Senate. If you've got a Senator's ear, you may have it for eight minutes. You may have it for 12 or 15 if you're lucky.

Figure out how to make your point really quickly. Get in there, leave the material and then follow up with the staff big time. That's the best thing.

And make sure the leadership itself understands. One thing, the leadership, at least in the past, they are the adults in the room on some of these issues. But there again, and I'm not being critical of leadership, these issues have kind of whizzed by them in recent years.

So you have a great capacity in this room. You are the experts. You understand it.

I would argue because of that unfortunate fact you've got a little weight on your shoulders. You need to get in there and do what you can. And I'm going to try to do the same thing in the private sector.

So thanks, very, very much. I appreciate what all of you do and appreciate the chance to be here.

(Applause).

MR. HUESSY: Thank you all for being here and we'll see you tomorrow with General Kehler.