

ARMS CONTROL and the U.S.-RUSSIAN RELATIONSHIP

Problems, Prospects, and Prescriptions

*Report of an
Independent Task Force*

Robert D. Blackwill, Chairman and Author
Keith W. Dayton, Project Director

Sponsored by the Council on Foreign Relations
and the Nixon Center for Peace and Freedom

ARMS CONTROL and the U.S.-RUSSIAN RELATIONSHIP

Problems, Prospects, and Prescriptions

*Report of an
Independent Task Force*

Robert D. Blackwill, Chairman and Author

Keith W. Dayton, Project Director

Sponsored by the Council on Foreign Relations
and the Nixon Center for Peace and Freedom

The Council on Foreign Relations, Inc., is a nonprofit and nonpartisan organization devoted to promoting improved understanding of international affairs through the free exchange of ideas.

THE COUNCIL ON FOREIGN RELATIONS TAKES NO INSTITUTIONAL POSITION ON POLICY ISSUES AND HAS NO AFFILIATION WITH THE U.S. GOVERNMENT. THIS STATEMENT IS THE SOLE RESPONSIBILITY OF THE TASK FORCE.

From time to time, the Council will select a topic of critical importance to U.S. policy to be the subject of study by an independent, nonpartisan Task Force. The Council chooses members representing diverse views and backgrounds, including generalists as well as experts. Most, but not all, Task Force members are also members of the Council, and the Council provides the group with staff support.

For further information about the Council or this Task Force, please contact the Public Affairs Office, Council on Foreign Relations, 58 East 68th Street, New York, NY 10021.

The Nixon Center for Peace and Freedom is a bipartisan public policy institution announced by former President Richard Nixon in January 1994. Committed to the analysis of policy challenges to the United States through the prism of American national interest, the Center is a programmatically independent division of the Richard Nixon Library and Birthplace Foundation and maintains offices in Washington, D.C., and Orange County, California.

In addition to the Arms Control Task Force, the Center's projects include the National Security program, the Regional Strategic program, and the U.S.-Russian Relations program. The Center is supported by its endowment, as well as foundation, corporate, and individual contributions. For more information about the Nixon Center, please contact Paul Saunders at (202) 887-1000.

Copyright © 1996 by the Council on Foreign Relations, Inc.

All rights reserved.

Printed in the United States of America.

The report may not be reproduced in whole or in part, in any form (beyond that copying permitted by Sections 107 and 108 of the U.S. Copyright Law and except by reviewers for the public press), without written permission from the publishers.

ACKNOWLEDGMENTS

THE TASK FORCE wishes to thank the following people: Anthony Harpel, Isabelle Kaplan, Erin Klett, Jennifer Powell, and Joel Shin from the Kennedy School of Government at Harvard University for their research and logistical assistance; Merle Cachia and Mary E. Richards of the Council, and Paul Saunders of the Nixon Center, for their administrative support; and Patricia Dorff and Sarah Thomas of the Council for their editing and production help.

We also want to express our appreciation to Dr. Alvin H. Bernstein and Ambassador Marshall Bremont of the George C. Marshall European Center for Security Studies in Garmisch, Germany, for hosting a meeting for distinguished European experts to critique an earlier draft of the report; and Dr. Sergei Karaganov and the Council for Foreign and Defense Policy in Moscow for arranging a session and separate meetings with Russian political figures and specialists to comment on the Task Force's deliberations. None of these foreign interlocutors necessarily endorse the report in any way.

Finally, the Task Force Chairman and Director wish to acknowledge the Carnegie Corporation of New York, whose grant helped underwrite this effort.

CONTENTS

Foreword	vi
Members of the Task Force	viii
Executive Summary	1
I. Introduction	14
II. Preventing Nuclear Anarchy	22
III. Strategic Arms Control	31
IV. The ABM Treaty and Ballistic Missile Defense	37
V. Conventional Forces in Europe	48
VI. The Comprehensive Test Ban Treaty	57
VII. The Chemical Weapons Convention	59
VIII. The Biological Weapons Convention	64
IX. Conclusion	67
Additional and Dissenting Views	70

FOREWORD

FIVE YEARS AFTER the collapse of the Soviet Union, the United States and Russia stand at a crossroads on arms control. Many of the arms control regimes established by Republican and Democratic administrations are under serious challenge in both countries, with potential damage to U.S. security.

The reasons for this situation are many. They include the general deterioration of government in Russia and the resurrection of nationalism and communism in that country. Russians who understand the value of the arms control regimes to Russia find themselves facing both chaos and opposition. But fault rests with the United States as well. Neither the Clinton administration nor Congress has been sufficiently attentive to the looming problems.

With these concerns in mind, the Council on Foreign Relations and the Nixon Center for Peace and Freedom joined together to sponsor an independent Task Force on U.S.-Russian arms control. We chose Robert D. Blackwill, a widely respected former career diplomat and Harvard scholar, to serve as Chairman of the group, and Keith Dayton, a Military Fellow at the Council, to serve as Project Director. We also invited a highly diverse and experienced corps of arms control and Russia policy experts to serve as members of the Task Force. The Council and the Nixon Center wish to thank them all for their time and wise contributions to the report that follows.

The Task Force brief was to assess current and evolving political-military circumstances and the arms control regimes, and recommend a U.S. policy for the next 12 months. In effect, we were asking the Task Force how Americans, in particular, should think about arms control in the wake of the Cold War's end and its importance, how to preserve what was worth preserving, and how to change what might need to be changed. Beyond that, we asked the Task Force to look specifically at Russian nuclear weapons

Foreword

and materials safety, the Strategic Arms Reduction Talks treaties, the Antiballistic Missile (ABM) Treaty and ballistic missile defense, the Conventional Forces in Europe Treaty, the Comprehensive Test Ban Treaty, and the Chemical and Biological Weapons Conventions.

As was to be expected, Task Force members disagreed with each other on a number of specific issues, especially with respect to the ABM Treaty and ballistic missile defense. Most serious differences over ABM issues are explained in the report.

But strikingly, and very importantly, Task Force members agreed clearly and strongly on the need for the Clinton administration and Congress to move quickly to reaffirm the importance of the arms control regimes, and work with our allies and Russia to shore them up, and modify and adapt them as deemed necessary and appropriate.

The report offers specific recommendations to address the most serious obstacles that currently face the U.S.-Russian arms control agenda. The analysis and prescriptions contained in its sections reflect the majority view of Task Force participants, but this harmony regarding the general thrust of the report does not indicate endorsement by these participants of every word and recommendation in the document.

We note that the Task Force's assessment, while sober and clear-eyed throughout, is not pessimistic. Inherent in every prescription is the conviction that sustained, patient, and realistic American diplomacy—if consistently supported by attention from the highest levels of the executive and legislative branches of the U.S. government and of the governments of its allies and friends, and joined with responsible Russian authorities—can produce workable and timely solutions to the most important arms control issues. As we forward this report, we hope that it will help produce a vigorous and comprehensive approach by the administration and Congress in dealing with Russia on this pressing subject.

Leslie H. Gelb
President
Council on Foreign Relations

Dimitri K. Simes
President
Nixon Center for
Peace and Freedom

MEMBERS OF THE TASK FORCE

GRAHAM T. ALLISON, JR.: Dr. Allison is the Director of Harvard University's Center for Science and International Affairs. He was Dean of Harvard's John F. Kennedy School of Government from 1977 to 1989, and has served as Assistant Secretary of Defense for Policy and Plans, coordinating Department of Defense strategy toward Russia, Ukraine, and the other states of the former Soviet Union.

ROBERT D. BLACKWILL: Mr. Blackwill teaches foreign and defense policy, political and organizational analysis, and public management at Harvard University's John F. Kennedy School of Government, where he also chairs the school's Executive Programs for Russian General Officers and members of the Russian State Duma. Special Assistant for European and Soviet Affairs to President Bush, his most recent books are *Engaging Russia* and *Damage Limitation or Crisis? Russia and the Outside World*.

BARRY M. BLECHMAN: Dr. Blechman is the Chairman and cofounder of the Henry L. Stimson Center, a nonprofit research and educational organization. He has worked on national security issues for more than 30 years, including service as Assistant Director of the U.S. Arms Control and Disarmament Agency.

RICHARD R. BURT: Mr. Burt is Chairman of International Equity Partners, a Washington-based investment firm. He was Chief Negotiator, Strategic Arms Reduction Talks, and U.S. Ambassador to the Federal Republic of Germany.

KEITH W. DAYTON: Colonel Dayton is a visiting Senior Military Fellow at the Council on Foreign Relations in New York.

Members of the Task Force

ROBERT ELLSWORTH: Mr. Ellsworth is Chairman of the International Institute for Strategic Studies. He is former Deputy Secretary of Defense and former Ambassador to NATO.

RICHARD A. FALKENRATH: Dr. Falkenrath is Executive Director of Harvard University's Center for Science and International Affairs. He is the author of *Shaping Europe's Military Order: The Origins and Consequences of the CFE Treaty*, as well as the coauthor of *Avoiding Nuclear Anarchy: Containing the Threat of Loose Russian Nuclear Weapons and Fissile Material*.

ALTON FRYE: Mr. Frye is Senior Vice President and National Director of the Council on Foreign Relations, which he also served as President. Formerly a Senate Staff Director and a member of the RAND Corporation, he is author of the strategic build-down concept.

LAWRENCE GOLDMUNTZ: Mr. Goldmuntz is President of Economic and Science Planning, Inc. He was Executive Secretary of the Federal Council for Science and Technology in the Executive Office of the President.

SIDNEY N. GRAYBEAL: Mr. Graybeal is Chief Scientist at Science Applications International Corporation and a member of the Defense Policy Board. He was a member of the first Strategic Arms Limitation Treaty negotiating team, and served as first U.S. Commissioner on the Standing Consultative Commission, the implementing body of the Antiballistic Missile Treaty.

RICHARD N. HAASS: Dr. Haass is Director of Foreign Policy Studies at the Brookings Institution. He served as a senior member of the National Security Council staff during the Bush administration.

MORTON H. HALPERIN: Dr. Halperin is a Senior Fellow of the Council on Foreign Relations. He served in the Department of Defense in the Johnson and Clinton administrations and on

U.S.-Russian Arms Control

the staff of the National Security Council in the Nixon and Clinton administrations.

ARNOLD L. HORELICK: Mr. Horelick is Professor of Political Science at UCLA and Resident Consultant at the RAND Corporation. He served as National Intelligence Officer for the Soviet Union and Eastern Europe.

ARNOLD KANTER: Mr. Kanter is a Senior Associate at the Forum for International Policy. He served as Under Secretary of State for Political Affairs and as Special Assistant to the President for Defense Policy and Arms Control.

STEVEN E. MILLER: Dr. Miller is Director of the International Security Program at Harvard University's Center for Science and International Affairs and Editor-in-Chief of *International Security*. He was formerly a Senior Research Fellow at SIPRI in Stockholm and taught Defense Studies at MIT.

MICHAEL MOODIE: Mr. Moodie is President of the Chemical and Biological Arms Control Institute. He is a former Assistant Director for Multilateral Affairs at the U.S. Arms Control and Disarmament Agency.

STANLEY R. RESOR: Mr. Resor is a retired partner of Debevoise & Plimpton and Chairman of the Arms Control Association. He served as Secretary of the Army and Ambassador to Mutual Balance Force Reduction negotiations.

JOHN B. RHINELANDER: Mr. Rhinelander is Senior Counsel at Shaw, Pittman, Potts & Trowbridge in Washington, D.C., and Vice Chairman of the Arms Control Association. He was a Deputy Legal Adviser at the Department of State and legal adviser to the United States' first Strategic Arms Limitation Treaty delegation.

PETER W. RODMAN: Mr. Rodman is Director of National Security Programs at the Nixon Center for Peace and Freedom and a Senior Editor of *National Review*. He has served as a Deputy Assistant to the President for National Security Affairs and as Director of the State Department Policy Planning Staff.

Members of the Task Force

STEPHEN R. SESTANOVICH: Mr. Sestanovich is Vice President for Russian and Eurasian Affairs at the Carnegie Endowment for International Peace. He was Senior Director for Policy Development on the National Security Council Staff and a member of the Policy Planning Staff at the Department of State.

DOV S. ZAKHEIM: Dr. Zakheim is CEO of SPC International Corporation and Adjunct Professor at Columbia University's School of International and Public Affairs. He is a former Deputy Under Secretary of Defense for Planning and Resources.

OBSERVERS*

JAMES F. DOBBINS: Mr. Dobbins is Special Assistant to the President and Senior Director of the National Security Council Staff on Inter-American Affairs. He was Ambassador to the European Community and Principal Deputy Assistant Secretary of State for European Affairs.

SALLY K. HORN: Ms. Horn is the Special Assistant to the Principal Deputy Under Secretary of Defense for Policy. She previously served as Director of Cooperative Threat Reduction and Director of Verification Policy within the Office of the Assistant Secretary of Defense for International Security Policy.

LORI ESPOSITO MURRAY: Dr. Murray is the Special Adviser to the President and U.S. Arms Control and Disarmament Agency Director on the Chemical Weapons Convention. She was Assistant Director, U.S. Arms Control and Disarmament Agency, and served as Senior National Security Adviser to Senator Nancy Landon Kassebaum (R-Kans.).

* Observers were invited to participate in the meetings of the Task Force and comment on successive drafts of this report. As observers, they were not asked to endorse the report.

EXECUTIVE SUMMARY

WITH BORIS YELTSIN's impressive electoral victory on July 3, 1996, in the context of his serious heart problems, and with the approaching U.S. presidential election, U.S.-Russian relations and arms control are in a portentous phase. Unless a major effort is now made in both capitals to regain the momentum of nuclear and conventional arms reductions and limitations, the arms control regimes negotiated in the past decade by Washington, Moscow, and, in some cases, others as well, could begin to crumble away.

If this were to occur, vital and important U.S. national interests would be seriously damaged: the two sides would be highly unlikely to deal together effectively with the problem of the safety and security of the Russian nuclear stockpile; many of the other current differences in U.S.-Russian bilateral relations would intensify; Moscow's cooperation, or at least acquiescence, regarding America's regional and global security agendas would become even more problematical; the serious weakening of arms control would increase the likelihood of an active anti-U.S. national security policy by Russia in Eurasia and beyond; U.S. defense spending would likely have to rise to take account of new uncertainties in Russia's nuclear and conventional deployments; and transatlantic relations would be strained if the allies, who would worry greatly about the effects of such developments on European stability and security, put some or most of the blame on Washington.

Preventing Nuclear Anarchy

The most important immediate issue in the U.S.-Russian arms control agenda involves the safety and security of Russia's huge inventories of nuclear weapons and fissile material. (The arms control issues listed in this Executive Summary and in the report are ranked in order of importance.) Any significant leakage of

U.S.-Russian Arms Control

such material out of Russia would fuel nuclear proliferation, undermine the international nonproliferation regime, increase the feasibility of nuclear terrorism, make it possible for those hostile to the United States (whether states or nonstate actors) to acquire a nuclear weapons capability, and increase the likelihood of nuclear attack against targets on the territory of the United States. The Task Force offers the following policy prescriptions, which would give this issue far greater status within broad U.S. national security objectives than has the administration or Congress.

1. The United States should put this problem at the top of its national security agenda, with frequent presidential attention. No other threat to vital U.S. national interests is both so proximate and potentially devastating.
2. The president should make a far more intensive and prolonged effort with Boris Yeltsin and his government (or his successor) to try to move this issue to the top of Russian national security priorities. The United States cannot sustain a policy in which it wants to solve this problem more than the Russian government.
3. If Washington succeeds in persuading Moscow to make a much greater political and resource effort in this area, the United States should be prepared to spend more money out of the budgets of the Pentagon, the Department of Energy, and other relevant U.S. executive agencies to address this issue urgently (along with its allies and friends).
4. The United States should not make its antileakage efforts conditional on Russian behavior on other issues.
5. The United States should seek to accelerate security enhancements of Russian nuclear facilities.

Strategic Arms Control

With respect to the Strategic Arms Reduction Talks (START) regimes—and with them the entire nuclear arms reduction and limitation process—these treaties face two general problems. First, there is the distinct possibility that the Russian Duma will

Executive Summary

not ratify START II in the next 12 months—or that, if it does so, it will attach formal conditions that are unacceptable to the United States. Second, even if the Russian legislature does ratify the treaty, Moscow may not have the economic wherewithal—or, alternatively, be willing to commit whatever limited resources it has—to live up to its obligations under START I and II. To meet these problems in Moscow, and to increase the likelihood of START II ratification by the Duma, the Task Force proposes the following. At this writing, the administration supports no revision of the START II Treaty and has not yet undertaken to negotiate with Moscow START III principles.

1. The United States should reject any changes in the START II Treaty, with the one exception noted immediately below.
2. The United States should agree to a relaxation of the timetable for START II reductions. If it is required for START II ratification by the Duma, and if it is the only change in the START II Treaty, delaying until 2006 full Russian START II implementation of its reduction to 3,000 to 3,500 strategic nuclear weapons is in the U.S. national interest.
3. A general U.S.-Russian statement of principles on START III should be urgently agreed between the two sides.
4. However, the United States should not undertake any new formal round of nuclear negotiations—START III—until Russia ratifies START II.
5. The United States should increase financial and technical assistance for Russian implementation of the START treaties.

The ABM Treaty and Ballistic Missile Defense

The issues of the Antiballistic Missile (ABM) Treaty and ballistic missile defense (BMD) are closely related to START II. In terms of national missile defense, the essence of the ABM Treaty was that each side foreswore the deployment of a defense of its territory against the strategic ballistic missiles of the other. That treaty has now been partially overtaken by the end of the Cold War.

What both nations eventually would benefit from now is a thin layer of protection for their entire countries—to defend not

against each other's ballistic missiles, but against ballistic missiles from third countries that could threaten them both, or from unauthorized or accidental launches. By its terms, the ABM Treaty makes this difficult and needs to evolve in interpretation by the two sides or be renegotiated. The majority of the Task Force recommends the following policy initiatives (some Task Force members oppose these prescriptions; their views appear in Additional and Dissenting Views). These prescriptions of the majority deviate from the administration's policy, which apparently accepts the long-term viability of the ABM Treaty as presently constituted, has postponed a decision on whether the United States should deploy a limited national missile defense (NMD), and has not made U.S.-Russian cooperation regarding missile defense a priority.

1. **The United States should strongly encourage Russia to develop in the next decade an effective theater missile defense (TMD), and then a limited national missile defense system, in a joint venture with the United States and like-minded nations.** This could encourage the Russians in due course to adopt the view that the ABM Treaty should not be allowed to stand in the way of deployment of such cooperatively based, limited-capability systems. This is the best, perhaps only, long-term answer to the challenge of protecting the United States from ballistic missile attack, promoting Duma ratification of START II, and keeping U.S.-Russian relations on as solid a footing as possible. At the same time, however, Washington should make clear to the Russians that, although it would strongly prefer to work closely with Moscow in this effort, it is, in any case, determined not to leave the United States undefended against this emerging new ballistic missile threat.
2. **If such a cooperative U.S.-Russian effort toward first an effective TMD and then a NMD system can be realized, the United States should be prepared, along with its allies and friends, to assist Russia in funding this effort, partly through the purchase of relevant Russian technologies.**

3. **The United States should continue to seek an interim demarcation agreement with Russia concerning theater and national ballistic missile defense activities consistent with the ABM Treaty.** Such a medium-term agreement should be shaped to allow Washington to work, hopefully in cooperation with Moscow, steadily first toward a theater ballistic missile defense and eventually an antiballistic missile regime that would defend the nation from limited attack.
4. **If an interim demarcation agreement cannot be negotiated with Russia by the end of 1996, the United States should unilaterally judge its own compliance with the ABM Treaty.**

Conventional Forces in Europe

The 1990 Treaty on Conventional Armed Forces in Europe (CFE) regulates the armed forces of 30 states in Europe. Conceived as a negotiated settlement to the Cold War's military standoff in Europe, the CFE Treaty confronted three distinct and dissimilar challenges in 1996. The first was Russia's violation of the CFE "flank" ceilings. The second was Russia's violation of a politically binding side agreement concerning equipment moved east of the Urals prior to treaty signature. Both of these problems were resolved in early June 1996 at the CFE Vienna Review Conference. The third issue is the question of whether the treaty must be "modernized" or overhauled to accommodate Europe's new and emerging geopolitical circumstances, an issue which is closely linked to the prospective enlargement of NATO into East-Central Europe. Here follow the Task Force's recommendations on this subject. With respect to "modernization" of the CFE Treaty or the effect of NATO enlargement on the CFE Treaty, the administration has no formal public positions.

1. **Russia's compliance with its overall national ceiling and with its CFE inspection requirements has been satisfactory.** Thus, the essential security purposes of the CFE regime with respect to U.S. national interests are working. The United States should take no steps within the treaty that would undermine this crucial fact.

2. The United States should be prepared to discuss a "modernization" of the CFE Treaty (CFE II) but should not agree to any fundamental revision of the CFE regime. Russia's principal operational objectives in a new round of CFE negotiations would probably include stopping, slowing, and/or minimizing the military effects of NATO enlargement, removing the flank ceilings entirely, and shifting the conventional force balance in Moscow's direction (whether by raising Russia's national ceilings or lowering the aggregate of the new NATO). Since the other parties to the CFE Treaty would share few of Russia's goals in a CFE II negotiation, the prospects for successfully revising the CFE Treaty must be regarded as dim, especially because the consensus rule of multilateral arms control negotiations allows any one state to veto any particular proposed provision of an accord.
3. The United States should rebuff Russian arguments that NATO expansion is linked legally, because of CFE Treaty language, to numerical ceilings on military equipment.
4. However, despite this discrete legal point regarding the CFE Treaty text, the United States should recognize the powerful political connection as seen in Moscow between NATO enlargement and CFE obligations, and seek to minimize damage to the CFE regime occasioned by the addition of new members to the alliance.

The Comprehensive Test Ban Treaty

A Comprehensive Test Ban Treaty (CTBT), critical to U.S. non-proliferation and disarmament strategy, has been under intensive negotiations in the Conference on Disarmament (CD) in Geneva. On June 28, 1996, the chairman of the Ad Hoc Committee on a Nuclear Test Ban tabled a revised draft text for consideration of its approval when the conference reconvened on July 29. President Clinton informed Russia and the other three nuclear weapon states (the United Kingdom, France, and China) that the text was acceptable to the United States and urged them to join the United States in a public announcement to this effect.

Agreement on the text among the five nuclear weapon states

Executive Summary

was reached in early August 1996, including incorporation of a U.S.-Chinese final agreement on verification procedures. By a vote of 158 to 3 in early September 1996, the U.N. General Assembly approved the treaty, and on September 24, 1996, President Clinton signed the treaty at the United Nations, as did representatives from the United Kingdom, China, France, and Russia.

India has announced it will not sign the CTBT, and it blocked consensus in Geneva. The entry-into-force provision requires ratification by 44 states, including India. Because the entry-into-force formulation casts doubt on whether the CTBT will in fact enter into force within a reasonable period of time, the United States and others could address its provisional entry into force in the event that India does not change its present position over the next several years.

1. The United States, Russia, and the other three nuclear weapon states should encourage other countries to sign the treaty (including Israel and Pakistan, who, together with India, constitute the three threshold nuclear weapon states).
2. The United States should reach agreement with Russia, the other three nuclear weapon states, and as many of the threshold states as possible that, upon signature of the CTBT, they will not conduct nuclear tests pending its ratification and entry into force.
3. The United States should take the lead, with Russia and the other three nuclear weapon states, in designing a process to bring the CTBT into force within several years of its opening for signature.

The Chemical Weapons Convention

The Chemical Weapons Convention (CWC), which was concluded in 1992 and opened for signature in 1993, codifies several principles. Signatory nations to the CWC pledge never to develop, produce, acquire, store, transfer, or use chemical weapons. It requires the destruction of all chemical weapons, agents, and production and storage facilities within ten years after

its entry into force. As of mid-1996, the CWC had been signed by 160 states and ratified by 61, and will come into effect 180 days after 65 nations have deposited instruments of ratification with the U.N. secretary-general. The convention reflects unprecedented cooperation of the chemical industry with governments in this endeavor.

Difficulties with the CWC fall into two categories: those that relate to U.S. worries about Russia's chemical weapons program and those that involve the growing chemical weapons threat from rogue nations and terrorist groups. With regard to Russia, most experts agree that it cannot meet the destruction commitments of the CWC within its specified limit of ten years, especially if the treaty were to enter into force within the next year.

U.S. officials have also noted discrepancies between the chemical weapons data provided in 1989 by the then-Soviet Union and information furnished to Washington by Moscow in 1994. They have suspected Russia of continuing to work on binary chemical weapons; have voiced apprehensions about Russian chemical weapons facilities that Moscow says have been converted to commercial use; and have complained that, because of Moscow's intransigence, a U.S.-Russian Bilateral Destruction Agreement, which was meant to facilitate the CWC, has not yet been implemented. With these issues in mind, the Task Force makes the following recommendations, which are generally consistent with administration policy.

1. **The United States should ratify the CWC in 1996.** Although this is not a perfect agreement, it is in the U.S. national interest to have Russia's chemical weapons capabilities reduced and eventually eradicated, and to combat worldwide chemical weapons proliferation.
2. **The United States should vigorously seek Russian ratification of the CWC.**
3. **The United States, along with its allies and friends, should provide increased funding for the destruction of Russian chemical weapons using Russian technology and organizations.** In the context of this financial assistance, the United

Executive Summary

States should require that Russia accept broad-based chemical weapons inspections of facilities. The United States should also require Russia to clear up questions regarding the size of its chemical weapons stockpile and its possible binary program.

4. If Russia meets the conditions in the previous prescription, Washington should initiate a cooperative dialogue with Moscow on deterrence of and defense against chemical weapons use.

The Biological Weapons Convention

The Biological and Toxin Weapons Convention (BWC) was negotiated and ratified in the first half of the 1970s. Upon unilaterally renouncing all U.S. possession of biological weapons in 1969, President Richard M. Nixon also announced U.S. support for a biological weapons convention, as had been proposed by the United Kingdom. The BWC, which was signed on April 10, 1972, and came into force when the United States, United Kingdom, and U.S.S.R. deposited their instruments of ratification on March 26, 1975, now has 137 parties. The convention prohibits the development, stockpiling, and acquisition of biological agents and toxins "of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes." To date, the BWC at best is a confidence-building measure. While legally binding, unlike the CWC, it contains no verification or enforcement provisions.

Russia's history with the BWC is checkered. In 1992, President Yeltsin acknowledged that the Soviet Union (and subsequently Russia) had maintained a biological weapons program until March 1992 in direct violation of the BWC. (The United States first made this allegation in 1984.) Yeltsin pledged that the program would be terminated. Now, however, there is some question of whether this has occurred.

More generally, the most common criticism of the BWC is clearly correct: it is a toothless document. The number of biological weapon states is believed by U.S. experts to have risen from 4—at the time of the convention's ratification—to 10 or 12 today.

U.S.-Russian Arms Control

It is not clear that the convention has had any effect on efforts to check the proliferation of biological weapons.

With respect to dealing with Moscow on biological weapons issues, the Task Force recommends these steps, which would represent a somewhat more active approach than that of the administration.

1. The United States should press the Russian government at the highest level to uncover the truth about the present status of Russian biological weapons efforts and, if they exist, to terminate them immediately.
2. If the United States is satisfied that Russia has conclusively ended its biological weapons program, American and Russian experts should engage in counter-biological weapons cooperation.
3. If the matter of Russia's biological weapons program can be cleared up, the United States should seek a joint effort with Moscow to establish strong BWC verification provisions, criminalize biological weapons activities, and together pressure nonmembers to join. This may not have a decisive impact on potential proliferators but, given the emerging biological weapons threat to the United States, it is better than nothing.

NATO Enlargement

Although this is not a report on NATO enlargement, the Task Force cannot avoid addressing the subject briefly and prescriptively. This is because if the alliance cannot find a way to deal with this issue without producing a sustained and ruinous crisis with Russia, few of the prescriptions in this report are likely to be acceptable in Moscow. Thus, as Washington makes its decisions regarding the pace, substance, and scope of alliance enlargement, it needs to factor into its decisions the general importance of U.S.-Russian arms control as enumerated in the Introduction of this report. This is a case in which many tradeoffs are possible, and some may be sensible.

With respect to the general subject of NATO enlargement, the Task Force is as divided as the U.S. strategic community at large. Some Task Force participants strongly oppose the very idea

of the alliance taking on new members under present circumstances; others support the concept with equal vigor. If, however, NATO enlargement does go forward within the next year, as seems likely, the Task Force recommends as a compromise that it be done as follows below. These prescriptions, while assuming NATO enlargement, are more restrictive than Washington's current official position, which at this writing has kept the shape and pace of alliance expansion open-ended, and has not definitively foreclosed, through a formal NATO decision, the deployment of nuclear weapons and/or foreign troops on the soil of new alliance members.

The suggestions below are meant most importantly to maintain the integrity of NATO and its capacity to act decisively in a crisis; next, to buttress Western interests east of old NATO territory; and, lastly, to proceed in a way that seeks to minimize the effect of NATO enlargement on Russia's relations with the West in general and on U.S.-Russian arms control in particular.

1. NATO should, at a summit meeting in early 1997, offer membership to Poland, the Czech Republic, and Hungary, which would enter the alliance before the turn of the century.
2. Simultaneously, NATO would indicate that it had made the internal decision, in consultation with those new members, that under present circumstances it saw no requirement to station nuclear weapons or foreign troops on the soil of those three nations, which would, nevertheless, be full participants in the alliance's integrated military structure.
3. At about the same time, the European Union (EU) would announce that the three Baltic states would enter the EU and Western European Union before the year 2000.
4. The entrance of Poland, the Czech Republic, and Hungary into NATO before the turn of the century would naturally produce a prolonged period in which the alliance would assess and absorb the consequent effects on NATO's planning, procedures, and decision-making. Any other potential new alliance members would be considered only after this protracted phase in which these three new members were fully

blended into NATO and it was assured that an even further enlarged alliance would not lose its effectiveness.

5. In parallel with these steps, NATO heads of government should mount a coordinated effort to convince President Yeltsin and his government (or his successor) to establish a formal and intense consultative arrangement between NATO and Russia.

A point needs to be made strongly here at the outset of this report regarding U.S. and Western financial assistance to Russia in the arms control area—as some of the prescriptions in this report recommend—and the fungibility of resources within the Russian military-industrial complex. At the most basic level, Western monetary support for Russian arms control purposes could allow Moscow to divert resources to threatening military programs. This would obviously not be in U.S. national interests. At the same time, it would be impossible for outside observers to monitor such diversions in any detail. Therefore, the willingness of the West to fund Russian arms control activities must be closely linked to the nature, breadth, and dynamism of Russian defense procurement programs, and to the quality of the overall political relationship between Washington and Moscow, except regarding the safety and security of Russia's nuclear stockpile, a subject discussed at length in Section II.

The many and detailed prescriptions put forward in this Task Force Report are, of course, no instant panacea for the extraordinarily complex issues that surround these problematical arms control talks involving America, Russia, and, in most cases, others. Some of the specific proposals here probably cannot be successfully negotiated with Moscow, especially if President Yeltsin is both incapacitated and remains in office. Other of these ideas may not be acceptable to the administration and/or Congress.

We also take for granted that there may well be alternative formulas regarding how to prevent an erosion of this important aspect of the U.S.-Russian bilateral agenda and of international security. U.S.-Russian arms control does matter a good deal today, and will tomorrow. Arms control will have a powerful

Executive Summary

influence over the future shape of U.S.-Russian relations, over Russia's role in the world, and on vital and important American national interests. What more needs to be said to persuade the U.S. political leadership on both ends of Pennsylvania Avenue that this subject merits its close and sustained attention?

I. INTRODUCTION

WITH BORIS YELTSIN'S impressive victory on July 3 of this year, in the context of his serious heart problems, and with the approaching U.S. presidential election, U.S.-Russian relations and arms control are in a portentous phase. Unless a major effort is now made in both capitals to regain the momentum of nuclear and conventional arms reductions and limitations, the arms control regimes negotiated by Washington, Moscow, and, in some cases, others as well, could begin to crumble away. If that were to occur, U.S. national interests would be seriously damaged.

During the Cold War, arms control was a critical—and, in many instances, the most visible, scrutinized, and contentious—aspect of U.S.-Russian relations. The fundamental features of that era—the existential threat posed by the vast arsenals of the United States and the U.S.S.R., the standoff between NATO and the Warsaw Pact, and the global rivalry between the two superpowers—ensured that the pursuit of arms limitations and reductions was an issue of utmost concern to the governments and publics of both nations. Blessedly, those armageddic relations are over, but there has been a lesser cost.

In the years since the end of the Cold War, arms control has become less of a priority. The hallmarks of the present period—the disappearance of the U.S.S.R. and with it the global Soviet military threat; the emergence of a new Russia that remains in the midst of an ongoing revolution; the recognition of serious regional threats to U.S. national interests in the Middle East and northeast Asia fundamentally unrelated to Russia; and the prevailing sense among the American public that the U.S. government should focus its energies on domestic issues—have combined to reduce the national consideration America now gives to U.S.-Russian arms control, even within the limited attention that is presently accorded to foreign policy as a whole.

For reasons detailed below, the administration at its highest levels has not been paying sufficient attention to the arms control regimes discussed in this report, and the record of Congress is no better. This is, of course, not an argument for arms control at any price. As always, Washington should carefully calculate how any particular arms control provision would affect U.S. national security and that of America's allies. Undoubtedly, sometimes the price of arms control with Moscow and others will be too high, and in those cases Washington clearly should not go ahead. It is precisely those sometimes tough choices that intense and effective arms control negotiations are meant to generate, and those judgments that the president and his top Cabinet advisers ought to make.

U.S.-Russian relations have become more troubled for reasons having little to do with arms control. The dominating issue at present in the bilateral relationship is NATO enlargement. Because of the passionate and virtually unanimous opposition throughout the Russian elite regarding NATO's decision to add new members, that subject currently casts a dark shadow over most of the arms control problems and prospects discussed in this report. In addition, Washington and Moscow have differences *inter alia* over Russia's role in European security; the future of Europe's security organizations, including the Organization for Security and Cooperation in Europe (OSCE); the relative culpability of the parties in Bosnia and the role of force in managing that crisis; the future of Ukraine; events in the Baltic states; the development of Caspian Basin energy resources; the Russian sale of nuclear technology to Iran; how best to handle Iraq; and Chechnya. Although all of these issues are presently being worked on by the two governments and some may eventually be resolved, the number and scope of current bilateral disagreements, particularly over NATO enlargement, make progress on most arms control matters more difficult and, in some cases, perhaps impossible. (In this context, and with broad American national interests in mind, the Task Force makes its recommendations regarding the most beneficial shape and speed of NATO enlargement for the United States and the alliance at the end of Section V.)

U.S.-Russian Arms Control

Moreover, amid ongoing Russian economic difficulties, the Communists have returned as a potent political force in the country (Zyuganov received 40 percent of the vote [30 million votes] in the second round of the Russian presidential election) and especially in the Russian Duma. Among a significant segment of Russia's public, and especially its elite, there is a pervasive and deep sense of grievance toward the West because cooperation with the industrial democracies did not bring the levels of aid they had anticipated for the Russian economy, dramatically improve relations with the industrial democracies, and affect a recovery of its international standing. Difficult domestic circumstances in Russia further complicate progress on the arms control front.

Despite perfunctory support by the Yeltsin government for arms control, many Russians, especially in the Duma, variously claim that agreements such as START II and CFE are now fatally flawed because of NATO enlargement; that these treaties are vestiges of a now defunct romantic yearning on the part of Russian negotiators for a U.S.-Russian security partnership; that the Russian Federation cannot afford the economic cost of implementing the numerous treaty provisions involved; and that current domestic political pressures are simply too immense to allow for continued adherence to regimes that codify the strategic disasters Russia experienced with the collapse of the Soviet Union.

On the U.S. side, some appear to believe that America should simply ignore these Russian concerns. They argue that emphasis on Russia was a congenital Cold War preoccupation that is now obsolete. First, the Russians no longer pose a military threat to the West; their global aspirations have been thwarted for the foreseeable future; and their military has proven inept, as demonstrated by the debacle in Chechnya. Second, given the geopolitical sea change wrought by the end of the U.S.-Soviet rivalry, the most serious threats the United States faces are regional in character—especially the hegemonic aspirations of Iran and Iraq in the Persian Gulf and instability on the Korean Peninsula. The urgent need for a U.S. national missile defense to protect against these rogue states should lead Washington to ignore or abrogate the ABM Treaty today, whatever Moscow may think.

Others argue that U.S.-Russian relations can be successfully managed even if arms control between Washington and Moscow erodes; perhaps democratic enlargement, trade and investment, and/or regional cooperation can replace the central role of arms control in the bilateral relationship. Lastly, some assert that because Russia is economically and militarily hobbled, it is bound to adhere to its arms control commitments not necessarily because of the inherent fairness or international sanctity of treaties, but because Moscow would be even worse off without agreements that constrain U.S. and Western nuclear and conventional forces.

In the judgment of this Task Force, these arguments are not convincing. Were the sole objective of the current arms control regimes a continued reduction in Russian military capabilities, such a goal would likely be attained in the short- and medium-term as the *de facto* result of Russia's economic troubles. But it matters how Russia makes these cuts—with positive reinforcement through treaty arrangements with the West or with bitter resentment that will infect most dimensions of Moscow's external behavior. Moreover, Russia is potentially rich, and its weakness is transitory. So now is the time to push ahead hard with Moscow on cooperative endeavors regarding arms control, rather than in the future when U.S.-Russian relations could become much more problematical. Finally, arms control cooperation between Washington and Moscow remains an indispensable ingredient of a healthy bilateral relationship between the two nations and of international security more generally. Arms control cannot, by itself, carry the bilateral load, but without it mutual suspicion and unpredictability by both sides will likely contaminate many of the other dimensions of U.S.-Russian interaction.

A point needs to be made strongly at the outset of this report regarding U.S. and Western financial assistance to Russia in the arms control area—as some of the prescriptions in this report recommend—and the fungibility of resources within the Russian military-industrial complex. At the most basic level, Western monetary support for Russian arms control purposes could allow Moscow to divert resources to threatening military programs. This would obviously not be in U.S. national interests. At the

same time, it would be impossible for outside observers to monitor such diversions in any detail. Therefore, the willingness of the West to fund Russian arms control activities must be closely linked to the nature, breadth, and dynamism of Russian defense procurement programs, and to the quality of the overall political relationship between Washington and Moscow, except regarding the safety and security of Russia's nuclear stockpile, a subject that is discussed at length in the next section.

The Task Force believes U.S.-Russian arms control remains significant to U.S. vital and important national interests for several reasons:

1. **Arms control has a notable part to play in promoting U.S. security in the post-Cold War world.**
2. **There is now a real, if lessening, opportunity to seek common ground with Russia in the joint pursuit of a global security agenda.** From Europe through the Middle East into East Asia and the management of the emergence of China as a great power, from loose nuclear weapons to counterproliferation to the Nuclear Nonproliferation Treaty (NPT) to reducing the role of nuclear weapons in international security, President Yeltsin, if he is willing and able in his second term, can actively contribute to an agenda that advances vital and important U.S. national interests. This will most fruitfully occur in the context of good U.S.-Russian bilateral relations, which, in turn, can profit substantially from successful arms control efforts by the two sides.
3. **Stable arms control regimes will make the world less uncertain and threatening for both nations, especially if the bilateral relationship worsens.** Even after the Cold War, arms control agreements—if properly conceived, agreed, implemented, and maintained—can moderate U.S.-Russian security competition, help reduce the risk of war, and mitigate the consequences of hostilities should they occur. Both the START and CFE treaties, classic Cold War regimes, fit into this category. If ties between Washington and Moscow seriously deteriorate, as Russia revives, this regulating function of arms control will be much more important than at this writing.

4. **U.S.-Russian arms competition could become expensive for the United States.** This would come during a decade when efforts are being made to correct U.S. budgetary excesses. What would a much larger defense budget do to the budget deficit and debt? To name only two examples, imagine the cost of a renewed requirement continually to modernize the U.S. strategic nuclear triad, or to attempt to construct a thick national missile defense.
5. **Arms control agreements will help to preserve common gains from the end of the Cold War.** Through the mechanisms of START, CFE, and the 1994 agreements through which Russia became the only repository for the Soviet nuclear arsenal, America can consolidate the large reductions in nuclear and conventional forces and major geopolitical benefits that have been made possible by the end of the Cold War. As all NATO allies strongly believe, arms control agreements are a decisive key to stability in Europe.
6. **It would be difficult to maintain the bargain between nuclear and nonnuclear nations as manifested in the NPT if U.S.-Russian nuclear arms control were to stall for an extended period, or even break down.**
7. **The United States has an important interest in political and economic reform in Russia: successful arms control agreements will reward those elements in Russia that are most reasonable and allow Moscow—if it so chooses—to devote its scarce resources to democratization and marketization.** Should Russia attempt to reconstitute its military might, it would require Washington to devote larger resources to counter any militarily significant changes in Russian force structure or deployments and ensure through wasteful expenditures that Russia's emergence as a pluralist country with a market economy is further delayed.
8. **Through verification and inspection regimes, arms control agreements provide helpful information about Russia's military programs.** In the context of a volatile, even antagonistic, Russia, the verification and inspection regimes that attach to in-force and pending U.S.-Russian arms control agreements

and provide increased transparency would be even more important for U.S. security.

9. **Arms control is an instrument of American leadership within the alliance and reassures Western allies.** During the Cold War, the allies viewed the level of efforts to reduce military confrontation with the U.S.S.R. as an important signal of the strength of America's commitment to finding a *modus vivendi* with Moscow. If Washington were to attach a low priority to arms control, it would likely become a divisive subject within NATO and reduce allied willingness to work with the United States in other areas.

Although many other factors are involved in a comprehensive U.S. strategy toward Russia, arms control can have a decisive impact on vital and important national interests of the United States. The following sections of this report provide background and context for these arms control regimes, indicate present problems with them, and propose prescriptions that are designed to help bring arms control efforts through the current tough period and on to a sounder footing.

But these various arms control efforts are not of equal importance, and all provisions of any single agreement do not have the same substantive weight. Thus, one must clearly decide how each of these regimes relates to the broader objectives of U.S. national security policy; which of them currently best serve American national interests; which, for whatever reason, are less directly connected to the promotion and defense of those interests; and which elements of any particular agreement are paramount. Only with these priorities and linkages clearly in mind can the United States sensibly calculate compromises and tradeoffs between and among these diverse arms control endeavors.

In addition, we must understand these priorities and interrelations because, whatever the United States thinks or does, Moscow will, for its part, make such linkages. NATO enlargement is, of course, a powerful case in point. Indeed, the domestic politics in one or both countries will also often tie these regimes and the constraints they embody to one another: START II to

Introduction

the ABM Treaty and ballistic missile defense; and, in Moscow's case, several of these arms control agreements to the alliance's decision to add new members.

For the purposes of this report, the Task Force has addressed each of the arms control subjects in order of importance and consequential impact on U.S. vital and important national interests. At the same time, we try to avoid the problems of compartmentalization, the dangers of treating every single problem in these talks as equally important and only on its particular merits. Rather, we attempt to balance the various U.S. interests at issue within each negotiation and relate arms control discussions between Washington and Moscow to the broader purposes of U.S.-Russian relations in the next 12 months.

II. PREVENTING NUCLEAR ANARCHY

Background

Although not the subject of a specific treaty, the most important immediate issue on the U.S.-Russian arms control agenda involves the safety and security of Russia's huge inventories of nuclear weapons and fissile material. Any significant leakage of such material out of Russia would fuel nuclear proliferation, undermine the international nonproliferation regime, increase the feasibility of nuclear terrorism, make it possible for those hostile to the United States (whether states or nonstate actors) to acquire a nuclear weapons capability, and increase the likelihood of nuclear attack against targets on U.S. territory.

The arms control agenda as addressed in this report is generally preoccupied with the negotiation, ratification, or implementation of formal agreements. In the case of fissile material security, the pivotal issue is whether it is possible to achieve the intensive nuclear cooperation between Russia and the West necessary to reduce rapidly the vulnerability of Russian stockpiles and other nuclear-related capabilities to theft or diversion. The imperative to do so is great, because the consequences of any serious breach of the Russian nuclear custodial system would be grave. But the record of the past five years is seriously deficient. Although vital U.S. national interests are jeopardized by the threat of nuclear leakage and proliferation, that threat is being lessened so gradually that it will remain a serious concern for years to come. The Task Force believes that reducing the danger of nuclear leakage as much as possible, as quickly as possible, should be the highest priority of American security policy.

Problems

After its disintegration in December 1991, the Soviet Union left behind an enormous arsenal of nuclear weapons and a vast

Preventing Nuclear Anarchy

nuclear weapons complex. Russian officials have indicated that the high-water mark of the Soviet nuclear inventory was in 1986, when it reached 45,000 weapons; today, Western estimates range from 20,000 to 35,000 devices within the Russian Federation. (The Russian government provides no information on the current number.) Moreover, the U.S.S.R. produced 1,300 tons of highly enriched uranium (HEU) and 220 tons of plutonium. About 30 pounds of weapons-grade uranium or 10 pounds of plutonium are needed to produce a nuclear weapon.

The security of Russia's nuclear inheritance has become the subject of urgent concern for a set of mutually reinforcing reasons. Most broadly, the authoritarian government that kept such tight control over its nuclear empire has been replaced by a turbulent regime struggling to establish itself in conditions of high economic distress and social dislocation. Never before have so many nuclear weapons coexisted with such unstable conditions. Moreover, the demise of the U.S.S.R. also meant the collapse of the previous oppressive system of providing security for its nuclear assets; because that system was rooted in the totalitarian realities of Soviet life, the U.S.S.R.'s approach to nuclear security could not survive into the post-Soviet period.

Further, conditions in Russia's sprawling nuclear complex do not meet desirable standards for safety and security. Its system of fissile material inventory control and accounting is inadequate. Its supply of specialized nuclear storage sites for fissile material is insufficient, and many of these holding areas are not sufficiently protected against the threat of theft or diversion. Indeed, some nuclear facilities lack even rudimentary protections (such as decent fences, entry and egress control, and closed circuit television), much less the sophisticated sensors and booby traps commonplace at equivalent Western locations.

These realities raise the risk of nuclear leakage—that is, the illicit spread of weapons-usable plutonium or highly enriched uranium out of Russia and onto an international black market. Nuclear leakage is not a hypothetical danger. A few serious cases have already occurred (along with a much larger number of fraudulent or unsuccessful attempts at nuclear smuggling). So far, the

breaches of Russia's nuclear custodial system have been small-scale and, as far as we know, nothing disastrous has yet occurred. But until the security at Russia's nuclear facilities is raised to international standards, more nuclear leakage is likely, serious incidents involving weapons quantities of fissile material are a distinct possibility, and the risk of a catastrophic rupture of the Russian custodial system remains distressingly high.

The possibility of nuclear leakage constitutes a major threat to U.S. national interests. This is true, in part, because the spread of nuclear weapons via leakage could jeopardize U.S. forces and bases overseas, threaten America's allies and friends, and complicate—if not inhibit—U.S. military interventions abroad in support of its interests. But even more immediately and compellingly, nuclear leakage raises the possibility of direct nuclear attack against the United States by hostile parties who obtain a nuclear capability by purchasing or stealing fissile material or nuclear warheads from Russian sources. Gaining access to fissile material is by far the hardest part of acquiring nuclear weapons. Should these materials become widely available via nuclear leakage from Russia, most states and some terrorist groups could eventually gain possession of a nuclear capability. Most aspiring proliferators in today's world are deeply antagonistic toward the United States; in many instances, they may desire nuclear weapons precisely because of such adversarial relations.

Small nuclear capabilities in the hands of such forces would not produce a nuclear threat on the scale of the Cold War Soviet nuclear danger. But the United States is an open society with porous borders. It is quite vulnerable to small nuclear devices delivered by unconventional means against its cities—in effect, the equivalent of the World Trade Center terrorist attack, but with nuclear weapons. The odds of such an attack may not be great, but they seem at least as high as the risk of nuclear war between the Soviet Union and the United States, which sensibly produced endless worry and massive defense expenditures during the Cold War. The likelihood that such a threat will materialize will grow enormously should the problem of nuclear leakage in Russia worsen. Hence, there is a direct link between nuclear leak-

Preventing Nuclear Anarchy

age and the vital American interest in protecting itself from nuclear attack. For Washington policymakers, for the American president, no issue is more important than preventing the emergence of a new nuclear danger to the United States.

As the Soviet Union inched toward dissolution in the fall of 1991, the United States recognized that it had a major stake in the fate of the Soviet nuclear arsenal, and since then has fashioned policies aimed at promoting congenial outcomes. In the context of fissile material security, this has involved numerous initiatives and programs intended to enhance the security of fissile material in Russia, build cooperative relations with the custodians of Russia's nuclear assets, address the problem of the long-term disposition of nuclear materials, and increase the transparency of the nuclear weapons complexes. These are worthy objectives, and some limited progress has been made in meeting them.

However, on the whole, Washington's response to the new threat of nuclear leakage has not equaled U.S. stakes in the matter. Nor has it produced the desired result: to reduce the nuclear leakage threat as much as possible, as quickly as possible. During the first three years after the collapse of the Soviet Union, only small progress was made toward reducing the likelihood of nuclear leakage from Russia. In 1995, a few hopeful steps were accomplished at a small number of sites in the Russian nuclear archipelago. Security enhancements are gradually being extended to additional sites in Russia. Lab-to-lab cooperation has been instituted and is increasing. But the critical fact is that most of the relevant facilities are less secure than they were when the Soviet Union disappeared.

The first and most important reason for this is that Russian cooperation on nuclear security has been slow, erratic, and grudging. President Yeltsin and his closest advisers in the presidential apparatus have appeared to be nearly totally uninvolved in improving the security of Russia's nuclear arsenal, perhaps because they have been told there is no problem. Prime Minister Viktor Chernomyrdin has not taken on this challenge in a sustained and effective way. The Foreign Ministry has been largely shut out of this subject in Moscow, again cutting off to the West a potentially crucial source of information, and perhaps support,

regarding the Russian nuclear stockpile. With the Kremlin, prime minister, and Foreign Ministry largely out of the bureaucratic action, responsibility in the Russian government has been left to the Ministry of Defense (a somewhat more responsible custodian of nuclear materials) and the Ministry of Atomic Energy, a civilian agency that has done everything it can to impede international scrutiny of the stockpile and to deny that any difficulty exists in the safety of Russia's nuclear material.

There needs to be a fundamental change for the better in Moscow's approach to this issue. Without close political supervision and direction of the Ministry of Defense, and especially the Ministry of Atomic Energy, by President Yeltsin and his closest senior associates (or his successor), many of the prescriptions that follow in this section of the report will be difficult or even impossible to implement. In short, the United States cannot—and should not—invest more political will, energy, and money than the Russian government to solve this problem. And for Washington to try to address seriously Russian nuclear safety over the long run without the prolonged cooperation of Moscow is, of course, an utterly hopeless task.

Finally, this issue of nuclear security is of such paramount importance to the United States that Russian reluctance to be responsive to these legitimate American concerns cannot but affect U.S. willingness to expend resources related to Russian implementation of arms control agreements and to treat Russia as a serious interlocutor across the board.

At the same time, however, U.S. policy has often not been shaped in ways most likely to overcome this Russian obstructionism and succeed in achieving what inevitably must be one of its primary objectives: inducing and facilitating the desired cooperative behavior on the part of Moscow. Because the United States cannot contribute to the improvement of security of nuclear materials at Russian nuclear facilities without extensive cooperation with Moscow, U.S. policy must be structured so as to promote that end.

Current American policy, substantially constrained by Congress, has clearly been inadequate in encouraging the necessary Russian assistance that would make possible rapid progress in

implementing antileakage measures. The reason for this is evident from the characteristics of the American program. In the first instance, the United States has not been prepared to invest on a scale consistent with the gravity of the fissile material security problem, even though it routinely and wisely spends billions or tens of billions of dollars annually addressing other major threats to U.S. security.

Second, Congress prefers that monies appropriated for addressing nuclear issues in the former Soviet Union be directed to American contractors; one of the major U.S. initiatives, the Nunn-Lugar Program, is mandated by Congress to "buy American" whenever possible—as it usually is. These two points together mean that the U.S. program as it has been configured provides little direct profit or financial inducement for Russia. This problem is compounded by the increasing inclination of Congress to prohibit expenditure of U.S. tax dollars on Russian priorities such as housing for demobilized officers or support for struggling nuclear cities. A U.S. program seeking to influence Russian behavior ought, in part, to attempt to tackle issues that Russia cares about. American policy, at the insistence of Congress, has largely refused to do this.

Washington's efforts to address the fissile material security issue in Russia have been hamstrung by several other factors. First, the Nunn-Lugar appropriations out of the Defense Department's budget are conditioned on Russia's commitment that it fully intends to comply with all of its arms control obligations. Given the instability of Russia's internal scene and the uncertainties about its performance in several arms control regimes discussed in this report, verifying that Russia meets these conditions has been an overly lengthy process. Second, the funds appropriated in the U.S. defense budget have fallen under cumbersome defense acquisition guidelines that make it nearly impossible to spend this money quickly and flexibly. This problem has diminished as responsibility for fissile material security has shifted to the Department of Energy, but the largest source of funding for cooperative nuclear programs with Russia allows only slow and ponderous movement.

Hence, while the urgency of the issue justifies moving as quickly as possible to reduce the risk of nuclear leakage as much as possible, U.S. programs have been set up in a way that precludes swift action and provides little Russian incentive to be forthcoming. It is little wonder, then, that almost five years after the dissolution of the Soviet Union, fissile material security in Russia remains an acute concern.

Prescriptions

1. **The United States should put the problem of nuclear leakage at the top of its national security agenda, with frequent high-level and significant presidential attention.** No other threat to U.S. national interests anywhere is both so proximate and potentially devastating.
2. **The president should make a far more intensive and prolonged effort with Boris Yeltsin and his government (or his successor) to try to move this issue to the top of Russia's national security priorities.** The United States cannot sustain a policy in which it wants to solve this problem more and is willing to expend greater resources than the Russian government.
3. **If Washington succeeds in persuading Moscow to make a much greater political and resource effort in this area, the United States (along with its allies and friends) should be prepared to spend more money out of the budgets of the Pentagon, the Department of Energy, and other relevant U.S. executive agencies to address this issue urgently.** Although money alone will not end this danger, a serious breach or rupture of the Russian nuclear custodial system could occur. Time is an enemy, and each passing day represents an undesirable increment of risk to American security and interests. Funds that are difficult to spend and impossible to spend quickly are simply not appropriate to the needs of the situation. The United States should be prepared to spend more money in Russia on Russian goods and services when this meets U.S. objectives in this field and can reasonably protect against waste and fraud, and as long as Russia is cooperating adequately on nuclear safety.

Preventing Nuclear Anarchy

4. **The United States should not make its antileakage efforts conditional on Russian behavior on other issues.** Certainly, it is desirable that Russia's internal reforms succeed, that it comply with its arms control obligations, and that it avoid unattractive or reckless international actions. But America's national interest in containing the nuclear leakage threat is vital, regardless of Russian behavior in other realms, and it makes little sense for the United States to respond to Russian misbehavior by refusing to pursue its own vital interests.
5. **The United States should seek to accelerate security enhancements at Russian nuclear facilities.** In parallel with buying Russia's fissile material, the United States should act to help bring to internationally acceptable standards as quickly as possible the conditions in which Russia's fissile material and nuclear weapons are stored. Thus, Washington should encourage, and be prepared with others to fund, the dramatic acceleration of the program that installs Russian-made security equipment at Russian nuclear installations. It should seek to extend the U.S.-Russian lab-to-lab program, which has produced some security improvements at various Russian facilities, to Russia's main nuclear industrial centers—sites of the largest inventories of fissile materials. And to ensure the requisite cooperation for implementing security enhancements, the United States should be willing to tailor programs of economic and social inducements to the needs of these centers.
6. **The United States should participate in a joint U.S.-Russian nuclear inventory.** Due to inadequacies in its material control and accounting system, Russia does not know the precise size of its holdings of weapons-usable nuclear materials. Consequently, Russia cannot reliably detect theft or diversion after it has occurred. Therefore, the United States with others should partially fund the mass production and dissemination of the material control and accounting system developed in the lab-to-lab program to nuclear facilities throughout Russia. This should be done in conjunction with a joint and reciprocal inventory of U.S. and Russian stockpiles of fissile material. An

exact and up-to-date inventory is a necessary ingredient of an adequate fissile-material security program.

7. **The United States should expand and accelerate the highly enriched uranium deal.** One direct and effective way to reduce the threat of nuclear leakage is to buy fissile material from Russia and move it to a secure location or put it under international supervision. In 1992, the United States did just this. It agreed to buy up to 500 tons of highly enriched uranium from Russia. Unfortunately, this arrangement is spread over 20 years, and each annual purchase is contingent upon agreement with Russia on price. The implementing agency for the U.S. side—the U.S. Enrichment Corporation (USEC)—has commercial interests that could be damaged by the rapid import of large quantities of Russian HEU. In addition, Russia's insistence on blending down the HEU into low-enriched uranium before it is sold makes Russia's blending capacity a chokepoint that limits the stocks available for purchase. The U.S. government should actively seek to eliminate this bottleneck in the HEU deal, and should be willing to buy however much is available whenever it is available. This would have the virtue of removing large volumes of HEU from harm's way, while the United States would be acquiring a stockpile of material that has commercial value in the energy marketplace.
8. **The United States at the highest level should urgently and continually press its allies and friends to assist in these crucial efforts, a strategic necessity almost all of them are now ignoring.**

III. STRATEGIC ARMS CONTROL

Background

START I was signed by the United States and U.S.S.R. in July 1991. When the collapse of the U.S.S.R. left weapons on the soil of four successor states—Russia, Belarus, Kazakhstan, and Ukraine—the United States and Russia promptly sought the consolidation of those weapons in Russia. Through the 1992 Lisbon Protocol and the January 1994 Trilateral Agreement brought about by U.S. leadership, Belarus, Kazakhstan, and Ukraine agreed to accede to the NPT as nonnuclear weapon states and promised to eliminate all nuclear weapons from their territories within seven years. As a result, all former Soviet warheads designated under START I are to be transferred to Russian territory. Nuclear weapons have been removed from Kazakhstan and Ukraine, while those remaining in Belarus are expected to be received in Russia by the end of 1996. This was a momentous accomplishment by the administration that resulted from high-level and, when necessary, presidential attention. The same energy should be applied to other issues discussed in this report.

Following Ukraine's accession to the NPT, START I entered into force in December 1994. Under its terms, reductions will occur in three phases, the first of which ends in 1997; the second, in 1999; the third, in 2001. The final START I figures call for 6,000 accountable warheads and 1,600 delivery vehicles on each side, a significant reduction in nuclear arsenals. START I depends on a comprehensive verification regime based on a combination of national technical means, on-site inspections and exhibitions, monitoring of mobile intercontinental ballistic missile (ICBM) production, and data exchanges. As of February 1996, with regard to total accountable warheads and strategic delivery vehicles, the United States and Russia had both completed phase one of START I ahead of the December 1997 deadline.

Signed in January 1993, START II would take the strategic reduction process a significant step further. Divided into two phases—the first ending on December 5, 2001, the second on January 1, 2003—its chief features are a final limit of 3,000 to 3,500 actually deployed strategic warheads by the end of phase two; the elimination of all MRVed ICBMs by the same date; and specific limitations on the number of submarine-launched ballistic missile (SLBM) warheads allowed to both sides. START II would employ the same basic verification regime as START I, accompanied by new measures such as heavy bomber exhibitions and the creation of a Bilateral Inspection Commission to resolve compliance issues and oversee implementation of the treaty.

In January 1996, the Senate, by a vote of 87 to 4, ratified START II without amendment. It did, however, attach a number of conditions (stipulations that the president was required to accept prior to ratification) and declarations (nonbinding expressions of the “sense of the Senate” as to general issues of the treaty). The most significant declarations include: that if Russia does not ratify START II, the United States should not reduce its strategic nuclear forces below START I levels without Senate consent; that U.S. reductions under START II should be made symmetrically with those of Russia; and that the United States should seek further strategic offensive arms reductions with Russia consistent with U.S. national interests.

Problems

At present, the START regime—and with it the entire nuclear arms reduction and limitation process—faces two general problems. The first is the distinct possibility that the Russian Duma will not ratify START II in the next year—or that if it does so, it will attach formal conditions that are unacceptable to the United States. The second is that even if the Russian legislature does ratify the treaty, Moscow may not have the economic wherewithal—or, alternatively, be willing to commit whatever limited resources it has—to live up to its obligations under START I and II.

Each of these problems in turn relates to more general difficulties that are grounded in Russia's current economic troubles, its

domestic political uncertainties, the strategic perceptions and bureaucratic stakes of its military and security elites, and general tensions in the U.S.-Russian bilateral relationship. In particular, representatives of the Yeltsin government, Duma leaders, Russian generals, and other members of Russia's foreign policy elite have expressed the following concerns—all of which have been voiced more emphatically since the December 1995 parliamentary elections and during and after the July 1996 Russian presidential election.

Russian leaders have argued that the Duma's ratification of START II should be conditioned on the strictest possible U.S. adherence to the 1972 ABM Treaty. At issue are various initiatives in the United States, including in Congress, to deploy a theater missile defense and, some counsel, a thin national missile defense to protect the United States from limited ballistic missile attack. In reaction to these proposals, Russian strategists have hinted that retention of existing MRVed ICBMs—which are to be eliminated under START II—would be an effective strategic countermeasure if Moscow were to conclude that the United States had violated or abrogated the ABM Treaty through its development and deployment of a ballistic missile defense system.

Russian defense experts have also asserted that the costs associated with START II are easy on the United States but crushing for Russia. They point out the large expense entailed by the dismantlement of its MRVed ICBM force. This, they declare, is simply beyond Russia's financial capabilities. Moreover, these specialists contend that to balance U.S. strategic nuclear capabilities under START II, Russia would have to accelerate the production and deployment—at significant additional expense—of hundreds of new single-warhead ICBMs, and possibly produce and deploy several additional SLBM submarines.

Not surprisingly, there appears to be little support—and indeed, much opposition—within Russia's defense establishment to committing even a small portion of its much reduced military budget to disarmament. Russian generals, in particular, have expressed frustration that amid severe funding constraints, money will be diverted from more pressing military concerns such as

improving readiness, modernizing Russia's conventional forces, or feeding and housing its soldiers.

Related to Russia's claims regarding its inability to pay for START implementation, Russian officials have also contended that their nation simply cannot keep up with either the pace or volume of reductions mandated under START II, in particular those scheduled between the years 2001 and 2003. In addition, a number of Russian commentators have noted that it is in Russia's interest to avoid the costs of building a new single-warhead ICBM fleet if these weapons would eventually be subject to reduction under a future START III Treaty. Hence, they argue, Russia should press urgently for the conclusion of a new and "improved" START III agreement that would better suit Russia's strategic priorities and economic circumstances.

Further, some Russian defense analysts regard START II as simply strategically unsound and call for its renegotiation. In their view, Moscow will be giving up the most potent element of its nuclear arsenal—its MRVed ICBMs, which account for nearly two-thirds of Russian strategic warheads—while the United States retains significant advantages over Russia, most notably its highly developed MRVed SLBM capability.

Many of these Russian arguments are unsound and most are grounded in classic Cold War counterforce exchange ratios. Nevertheless, they do represent the majority view among strategic analysts and Duma members in Moscow.

Although not directly related to strategic arms control, NATO's plan to extend the alliance into East-Central Europe is seen by the Russian elite as a threat to Russia's national security and confirmation of the West's intention to exclude Russia from European security issues. Prominent Duma members have threatened to link ratification of START II directly to the issue of NATO enlargement. If NATO adds new members against Russian objections, they warn, Russia will not ratify START II or abide by its terms.

Prescriptions

1. The United States should reject any changes in the START II Treaty, with the one exception noted immediately below. Any

renegotiation would likely be a slow and cumbersome process if it succeeded at all. It took the two sides many years to reach agreement on START I and START II, even as the bilateral relationship was improving. Renegotiation would be even more protracted at a time when U.S.-Russian relations are in difficulty.

2. **The United States should agree to a relaxation of the timetable for START II reductions.** The Russians are very unlikely, for a variety of reasons, to meet the 2003 deadline for full START II implementation. Therefore, if it is required for START II ratification by the Duma, and if it is the only change in the START II Treaty, delaying until 2006 full Russian (and U.S.) START II implementation of its reduction to 3,000 to 3,500 strategic nuclear weapons is in the U.S. national interest. This timetable issue should not be a treaty buster.
3. **A general U.S.-Russian statement of principles on START III should be urgently negotiated between the two sides.** The promise that negotiations to agree on substantially lower warhead and launcher ceilings would immediately follow START II—similar to the June 1992 framework of START II—could help alleviate the Duma's concerns about the need to field more single-warhead ICBMs or new SLBM submarines to replace MRVed ICBMs eliminated under the treaty, and thus improve the chances of Russian START II ratification.
4. **However, the United States should not undertake any new formal round of nuclear negotiations—START III—until Russia ratifies START II.** Such linkage provides both an incentive for ratification (the possibility of an agreement that takes into account current Russian force projections) and a disincentive for failure to ratify (the certainty that there will be no formal agreement on the part of the United States to bring down its force levels in conjunction with likely decreases in Russian nuclear capabilities).
5. **The United States should increase financial and technical assistance for Russian implementation of the START treaties.** In certain aspects, Russia's financial inability to complete START II reductions is real. The elimination of Russian war-

heads and launchers will provide significant gains for American and global security; hence, the United States should pay somewhat more of the cost of Russian implementation, for reasons of plain self-interest, but only in the context of Russian restraint regarding modernization of its strategic nuclear forces.

6. **Consistent with the prevailing view in Congress, the United States should stress that any prospective decreases in its nuclear arsenal are generally contingent upon concurrent Russian reductions.** This places the onus on Russia to ensure that nuclear reductions continue at the agreed pace.
7. **The United States should not be swayed by Russian attempts to link NATO enlargement to START II ratification.** A number of Russian politicians and policymakers have tried to make Russian ratification conditional on a reversal of NATO's decision to enlarge. The United States should strenuously reject this as well as any other such artificial linkage. (See Section V for a further discussion regarding the trade-offs between the shape and substance of U.S.-Russian arms control and NATO enlargement.)

IV. THE ABM TREATY AND BALLISTIC MISSILE DEFENSE

Background

The ABM Treaty was a product of the Cold War, bipolarity, and the state of technology at that time. The United States and Soviet Union had both deployed significant strategic nuclear forces that increasingly came to rely on long-range ballistic missiles. In an attempt to forestall a further Soviet increase in the number of such systems, the United States sought and obtained from the Soviet Union in 1972 an interim agreement for the limitation of "strategic offensive arms" (Interim Agreement), which essentially froze the number of strategic ballistic missile launchers of the two sides at existing levels. At the same time, the two parties entered into a formal treaty (the ABM Treaty) on the limitation of "antiballistic missile systems," or systems designed to defend against strategic ballistic missiles.

The ABM Treaty did not ban all antiballistic missile systems. It permitted the research, development, and limited deployment of ground-based ABM systems. As signed in 1972, the two sides were permitted two operational ABM sites, each with 100 ABM launchers and 100 ABM interceptor missiles, with associated radar, storage, and test facilities. A 1974 amendment reduced the number of permitted operational ABM sites to one per side. The deployments were limited to ground-based ABM systems, which were the technological approach of the time and included fixed ground-based launchers, ground-launched interceptor missiles, and associated ground-based radars. Deployment of ABM systems based on "other physical principles" and including constituent parts capable of substituting for these ground-based ABM components was to be subject to discussion and agreement by the parties. Development, testing, or deployment of sea-, air-, or space-based, or mobile land-based systems were all banned.

The ABM Treaty thus enshrined as strategic doctrine the principle of deterrence through threat of retaliation. Since neither side was free to deploy unlimited defenses against the strategic ballistic missiles of the other, each nation sought to deter any outright attack by the other through its ability to threaten overwhelming retaliation against an attack with its own nuclear-armed strategic ballistic missiles. The Interim Agreement and the ABM Treaty were bilateral agreements applicable only to U.S. and Soviet strategic ballistic missiles and ABM systems. While the Soviets were worried about U.K. and French strategic nuclear forces, and both the Soviet Union and the United States had reason to be concerned about Chinese nuclear forces, these forces were not limited by either agreement.

With the collapse of the Soviet Union in 1991, and the end of the Cold War, the underpinnings of the ABM Treaty changed. Neither the United States nor Russia (the ultimate successor to the strategic nuclear forces of the Soviet Union) felt, as they had during the Cold War, seriously threatened any longer by the other's strategic nuclear forces. In the START II Treaty, both the United States and Russia agreed to a radical reduction of their strategic nuclear forces. But if massive strategic nuclear forces were no longer required to deter a U.S.-Russian conflict, other threats had emerged. The 1990-91 Gulf War revealed the strategic significance of even short-range ballistic missiles armed with conventional warheads. Scud missile attacks by Iraq on Israel sought to provoke Israeli entrance into the war in order to fracture the broad coalition of states supporting U.S. efforts to expel Iraq from Kuwait. The rapid deployment of U.S. Patriot missile batteries to defend against the Iraqi Scuds helped allow Israel to remain out of the war and facilitated the victory of the coalition forces.

The attempted coup against then-Soviet Secretary General Mikhail Gorbachev in August 1991 raised serious questions about the command of Soviet strategic nuclear forces and gave new credence to the risk of accidental or unauthorized launches of such forces. Today, this concern may be even more serious with respect to China because of its domestic political uncertainties and its relatively primitive command and control systems and procedures.

Moreover, the launch of Chinese ballistic missiles in 1996 against targets north and south of Taiwan serves to underscore that the risks associated with Chinese ballistic missiles are not simply those of an unauthorized or accidental launch. The Chinese launches that bracketed Taiwan are a prime example of the use of ballistic missiles for purposes of political blackmail and coercion. While Saddam Hussein used his Scud missiles to try to provoke Israeli intervention in the Gulf War, a future Saddam Hussein armed with longer-range ballistic missiles may use them to try to deter the United States and potential coalition partners from mounting an effort against him. If a future aggressor were to have ballistic missiles with a range capable of reaching American territory, the United States itself might then be subject to blackmail attempts to stand by in the face of aggression. Current North Korean development of the Taepo Dong II missile raises the prospect that North Korea could, in the next five to ten years, deploy a ballistic missile system threatening Alaska or Hawaii.

These developments have resulted in the emergence of substantial bipartisan support for the development and deployment of active defenses against ballistic missiles of less than strategic range (theater ballistic missiles) in the form of theater missile defense systems, which would defend U.S. military forces and allies overseas. Although much more controversial, there is also considerable backing for the development of a national missile defense (NMD) system, which would defend U.S. territory and population against a limited missile attack.

Problems

The ABM Treaty has come to play a critical role in the debate over both theater missile defense and national missile defense. But this role is very different for the two types of systems. The ABM Treaty does not limit theater missile defense systems per se. The treaty limits ABM systems that are defined as systems "to counter strategic ballistic missiles or their elements in flight trajectory." Since TMD systems are aimed not at countering strategic ballistic missiles but at shorter-range theater ballistic missiles, they are outside the scope of the ABM Treaty.

The problem is that the term "strategic ballistic missiles" is not defined in the ABM Treaty, leaving open the question of what constitutes a "strategic ballistic missile" as opposed to a "theater ballistic missile." The situation is complicated further by Article VI of the treaty. In that article, the parties agreed to two things: not to give non-ABM systems "capabilities to counter strategic ballistic missiles or their elements in flight trajectory" and not to test non-ABM systems "in an ABM mode." Again, the treaty nowhere defines the phrase "capabilities to counter" or what constitutes "testing in an ABM mode." While the United States made a unilateral statement at the time of the negotiations as to what it considered "testing in an ABM mode," this statement was directed toward the testing of air defense systems and sheds little light on the testing of TMD systems.

This has meant that development of U.S. TMD systems has, almost from its inception, occurred under a cloud of possible non-compliance with the ABM Treaty. The secretary of Defense was given responsibility for U.S. compliance with the treaty shortly after it was ratified. The secretary has been assisted in this role by the Compliance Review Group (CRG), established within the Department of Defense. In trying to decide whether a TMD system in development has "capabilities to counter" strategic ballistic missiles, the CRG has based its assessment on the "inherent capabilities" of a TMD system against a strategic ballistic missile. In making this judgment, the CRG has relied on computer-based calculations and simulations of a one-on-one engagement between a TMD interceptor and a single strategic ballistic missile, rather than on more realistic scenarios involving projected performance in real-world combat situations (force-on-force engagements). This has tended to overstate the capabilities of TMD systems.

Further, this approach is inherently one-sided. The ABM Treaty is verified only by national technical means (NTM). This means that the United States can object to Soviet (now Russian) compliance based only on observable activities such as actual testing of TMD systems. The United States has little insight into the theoretical computer-based capabilities of Russian TMD systems, and therefore cannot raise compliance objections based on

them. Yet the United States is constraining its own development of TMD systems based on just this kind of analysis.

The upshot has been significant limitations on the technical capability of U.S. TMD systems under development. For example, the Army's Theater High Altitude Area Defense (THAAD) system has been certified by the United States as ABM Treaty-compliant only through the demonstration and validation phase of development. It is uncertain as to whether the system will be certified for deployment. To the extent that it will, certification is likely to be conditioned on the system being rendered incapable of receiving sensor data from sources other than its own radar. Thus, the system will be unable to acquire targeting data from satellite-based sensors (such as the former "Brilliant Eyes" satellite constellation). If THAAD were permitted to receive data from such sources, the potential area that it could defend against attack from a ballistic missile fired from 1,000 kilometers away would nearly double in size.

Similarly, the Navy's Theater Wide Defense (NTWD) system (formerly the Navy Upper Tier system) has been certified by the United States as ABM Treaty-compliant, but is based on a concept of operations that restricts the NTWD to making interceptions only while the target is within the range of the SPY radar aboard the AEGIS cruisers or destroyers that will carry the NTWD. This effectively restricts the potential for interception to the ascent phase of a theater ballistic missile's flight (from initial launch to burnout of the missile's rocket motor). The AEGIS ship must be close enough to the launch point of the theater ballistic missile that its radar can track the flight and guide the interceptor to the target before that target either attains a velocity that the interceptor cannot overcome or flies out of the radar's range. If the interceptor could rely on data about the target's flight provided from other sensors—such as satellites—then the NTWD system could engage theater ballistic missiles or their warheads in mid-course flight (after the missile has burned out or a warhead has separated from the missile).

In terms of national missile defense, the essence of the ABM Treaty was that each side foreswore the deployment of a defense

of its territory against the strategic ballistic missiles of the other. The treaty did permit the deployment of ABM defenses initially at two sites on each side, designed originally for the national capitals and one ballistic missile field each. Only the Soviet Union took advantage of this freedom, and Russia still maintains an ABM system to defend Moscow.

What both nations eventually would benefit from, however, is not limited defenses of specific sites, but a thin layer of protection for their entire countries—to defend not against each other's ballistic missiles, but against ballistic missiles from third countries that could threaten them both, or from accidental or unauthorized launches. By its terms, the ABM Treaty makes this difficult. Sea-based ABM systems (such as might be achieved by an upgraded Navy NTWD system), or air- or space-based systems (such as "Brilliant Pebbles" pursued by the Reagan and Bush administrations), are proscribed. A single site centrally located in the continental United States for deployment of a fixed land-based ABM system would, with today's technology, have a difficult task in providing an effective defense of Alaska and Hawaii.

The Bush administration sought to enlist first the Soviet Union and then Russia, along with U.S. allies, in building a global protection system that would provide a limited ballistic missile defense to all nations committed to nonproliferation norms. It sought Moscow's agreement to relax the ABM Treaty constraints to permit the development and deployment of such a system. However, Soviet consent was never achieved, and Russian officials have increasingly indicated their commitment to the strictest possible continuation of the ABM Treaty.

The administration has been pursuing negotiations with the Russians to define the demarcation line between an ABM system (limited by the ABM Treaty) and a TMD system (unlimited by the treaty). This is consistent with the administration's view that theater ballistic missiles constitute the only near- or medium-term danger and that America's most important priority is to ensure that it can develop and deploy those TMD systems needed to defend against that threat. Negotiators for the two sides have apparently agreed that "testing in an ABM mode"

means testing a TMD system against a ballistic missile target that anywhere in its target flight has a velocity in excess of 5 kilometers per second or flies to a range of over 3,500 kilometers. TMD systems tested against such a target would presumably be deemed to be "tested in an ABM mode" and subject to ABM Treaty limitations.

As to giving TMD systems "capabilities to counter strategic ballistic missiles," the parties are apparently nearing agreement that systems having an interceptor with an intercept velocity of three kilometers per second or less (it is unclear whether this is a theoretical capability or is to be determined by what has actually been demonstrated in test flights) would not be considered to have "capabilities to counter strategic ballistic missiles" and would not qualify as NMD systems as long as they were not "tested in an ABM mode." Those systems having an interceptor with an intercept velocity of greater than three kilometers per second, however, would be subject to the compliance judgment of the side deploying that system as to whether it possessed "capabilities to counter" strategic ballistic missiles. Additionally, the parties may agree upon a number of joint TMD activities including joint exercises, joint development contracts, and possible sharing of early-warning data. Confidence-building measures would also be discussed.

The administration believes that this approach will ensure that its near-term TMD systems (upgraded Patriot missiles, THAAD, and the Navy Lower Tier missile defense system) can be deployed without ABM Treaty problems. It is less clear whether this approach would protect planned follow-on systems (such as NTWD and a possible boost-phase intercept system launched from aircraft) or future generations of systems required to deal with more sophisticated theater ballistic missile threats.

There is also a danger that the three kilometers per second interceptor velocity parameter—intended by the U.S. side to be a "safe harbor" below which no question of inherent ABM capability can be raised—will in fact become a permanent upper limit on acceptable TMD interceptor velocity. Although this is not inevitable, parameters established for the sole purpose of trigger-

ing reviews can become performance ceilings as Department of Defense program managers seek to avoid treaty compliance questions and protect their programs. If the standards used in the past by the CRG for assessing inherent ABM capability continue to be used, systems with interceptor velocities above three kilometers per second could run into compliance problems, thus seriously delaying their development.

The administration has undertaken no fundamental review of the ABM Treaty with the Russians and has proposed three years for U.S. development of limited national missile defenses and then, should the threat warrant, a three-year deployment period. Although the majority of the Task Force believes this position is too equivocating, some members generally support this approach by the administration.

They argue that the ABM Treaty continues to be a key element in U.S.-Russian strategic relations and the international nuclear nonproliferation regime despite the radical changes in the post-Cold War world. In their view, current efforts to deploy BMD systems that would undercut or lead to the abrogation of the treaty would have a profound negative impact on U.S. efforts to reduce Russian and Chinese strategic nuclear arsenals and to build a stronger nuclear nonproliferation regime. (See their extended comments in the Additional and Dissenting Views of the report.)

The majority of the Task Force believes that there is a deadly emerging ballistic missile threat to the United States and its allies and friends. As was clear in the Gulf War, that threat already exists at the theater level and is growing. Because this theater risk is so immediate and so great, the United States must move as quickly as possible to develop systems that will meet the theater ballistic missile threat. This should be feasible within a sensible reading of the ABM Treaty. The United States should urgently develop an effective TMD with the Russians if possible, and without them if necessary. Time is of the essence.

With regard to U.S. national missile defense, the risk is more distant and the timeline can be somewhat longer to field a thin system. This more remote danger, and consequent lengthier time-

frame, provides an opportunity for Washington to build on a collaborative TMD effort with Russia to produce the mutual confidence necessary to move naturally into NMD cooperation. Such cooperation should be the U.S. objective, and intense effort and political capital in Washington from the U.S. president on down should be devoted to this goal. If, however, the Russian government rejects now, for whatever reasons, such collaboration in TMD, and subsequently in NMD, the United States must move forward without Moscow, and eventually without the constraints of the ABM Treaty.

The ABM Treaty is too important a strategic symbol in U.S.-Russian and transatlantic relations to carelessly throw it aside, but it is not sacrosanct. It should be modified through mutual agreement to meet the new circumstances and the new risks. A 1972 agreement, negotiated in wholly different times, must not, over the long term, stand in the way of an energetic commitment by the United States to defend its citizens against ballistic missile attack. This needs to be said now, politely and firmly, to President Yeltsin and his senior advisers.

Prescriptions

1. **The United States should strongly encourage Russia to develop in the next decade an effective theater missile defense, and then a limited national missile defense system, in a joint venture with the United States and like-minded nations.** This could encourage the Russians in due course to adopt the view that the ABM Treaty should not be allowed to stand in the way of deployment of such cooperatively based limited-capability systems. This is the best, perhaps only, long-term answer to the challenge of protecting the United States from ballistic missile attack, promoting Duma ratification of START II, and keeping U.S.-Russian relations on as solid a footing as possible. At the same time, however, Washington should make clear to the Russians that, although it would strongly prefer to work closely with Moscow in this effort, it is in any case determined not to leave the United States undefended against this emerging new ballistic missile threat.

2. **If such a cooperative U.S.-Russian effort toward first an effective TMD and then an NMD system can be realized, the United States should be prepared, along with its allies and friends, to assist Russia in funding this effort, partly through the purchase of relevant Russian technologies.** Russia has deployed systems with TMD capabilities such as the SA-10 and SA-12. U.S. endorsement of these systems, as part of broader U.S.-Russian TMD cooperation, could result in sales of these systems that Russia would otherwise not realize. This could help Russia fund a limited NMD effort.
3. **The United States should continue to seek an interim demarcation agreement with Russia concerning theater and national ballistic missile defense activities consistent with the ABM Treaty.** Although negotiations with the Russians on this issue have not succeeded at this writing, it may still be possible for the United States to reach a medium-term demarcation agreement that would allow it to work steadily first toward a theater ballistic missile defense and eventually an antiballistic missile regime that would defend the nation from limited attack, while assuaging Russia's worries that such U.S. systems would allow an American breakout to nullify Russia's deterrent capability.
4. **If an interim demarcation agreement cannot be negotiated with Moscow by the end of 1996, Washington should unilaterally judge its own compliance with the ABM Treaty using the "demonstrated" standard described here.** After all, TMD systems were consciously left free of the ABM regime. And this approach is consistent with the negotiating history of SALT I; is supported by the May 10, 1995, summit statement; and would not undermine the basic underpinnings of the ABM Treaty.
5. **The United States should stop turning "capabilities to counter strategic ballistic missiles" into an effort to assess the theoretical "inherent capability" of a TMD system.** What matters is the operational capability (force-on-force) that the system has actually demonstrated against real ballistic missile targets. If a system has not been "tested in an ABM mode," then it simply

does not have the kind of "capabilities to counter" strategic ballistic missiles on which serious people—Russian or American—are going to rely.

What is critical for ABM Treaty compliance, therefore, is what has actually been demonstrated in the testing of the TMD system. Basing ABM Treaty compliance judgments on such "demonstrated" capabilities is fully consistent with the verification approach taken by the treaty, which depends on what each side can actually observe through its national technical means (NTM) of the capabilities "demonstrated" by the systems tested and deployed by the other side. This approach will remove the double standard that has plagued the U.S. policy on compliance—holding the Soviets (and then the Russians) to a "demonstrated" standard, while holding U.S. systems to a theoretical "capabilities to counter" standard.

In the absence of an interim demarcation agreement and over the longer term, this would mean that as long as a system has not been flight-tested against a target ballistic missile with flight test parameters that exceed 5 kilometers per second and a 3,500 kilometer range, the United States would argue that no ABM Treaty compliance issue was raised. As such, it would be conclusively deemed by Washington to be a TMD system not subject to the provisions of the ABM Treaty. There would be no limitations on the configuration, number, deployment, or geographic location of such systems. There would be no limits on its use of data from any source, including sensors external to the system providing data directly to the interceptor missile.

V. CONVENTIONAL FORCES IN EUROPE

Background

The 1990 Treaty on Conventional Armed Forces in Europe regulates the armed forces of 30 states in Europe. Conceived as a negotiated settlement to the Cold War's military standoff in Europe, the CFE Treaty is a complex document that contains many different legal undertakings. For present purposes, however, three aspects of the treaty are particularly relevant: the national ceilings on military equipment, the system of "zones" and special regional subceilings, and the information exchange and verification provisions.

The CFE Treaty established quantitative ceilings for five categories of "[t]reaty-limited equipment" (TLE)—20,000 tanks; 30,000 AVCs; 20,000 artillery pieces; 6,800 combat aircraft; and 2,000 attack helicopters—that applied equally to two "groups of States Parties" within the treaty's area of application, a region stretching from the "Atlantic to the Urals" (ATTU). The treaty leaves up to members of each group of states how to allocate their aggregate equipment entitlements. Effectively, therefore, the amount of equipment afforded to each state in this intragroup allocation has become its national ceiling.

The original signatories of the CFE Treaty specified their initial allocation of the alliance-wide ceilings when the treaty was signed in November 1990. Later, in order to bring the treaty into force after the disintegration of the U.S.S.R., the Soviet entitlements were divided among the new states that had emerged on its territory. This was done at the May 1992 summit of Commonwealth of Independent States (CIS) countries in Tashkent and was formalized at the Helsinki Conference on Security and Cooperation in Europe (CSCE) summit on July 9–10, 1992. The CFE's final numerical limits became legally binding on November 17, 1995; 40 months after the treaty entered into force. The first 40 months of

the treaty's application were designated the "reduction period," during which the parties were obligated to reduce a predetermined amount of TLE according to prescribed procedures. As a result of the CFE's reduction requirements, some 50,000 pieces of military equipment have been destroyed or converted across Europe.

In addition to the ATTU-wide national ceilings in each of the five categories of treaty-limited equipment accepted by individual state parties, the CFE Treaty also contains a system of regional subceilings. The treaty defines four "zones" with special sublimits—three nested and overlapping central zones and a separate flank zone. The three central zones are concentric: the inner zones are wholly contained within the outer ones and have lower ceilings. The fourth zone is the so-called flank zone. In the west, the flank zone consists of Iceland, Norway, Greece, and Turkey. In the east, the flank zone consists of Bulgaria, Romania, Georgia, Moldova, Armenia, and Azerbaijan, as well as Russia's Leningrad and North Caucasus military districts (MDs) and the Odessa MD in Ukraine.

Thus, the CFE's flank ceiling places a restriction on where, within their own territories, Russia and Ukraine can deploy their military equipment. Like the national ceilings, the regional subceilings became legally binding on November 17, 1995. The CFE Treaty contains extensive provisions for verifying that its ceilings and restrictions are being honored. The parties to the treaty must annually provide detailed information on their national armed forces inside the area of application. The treaty also obliges its parties to receive on-site inspections of their military facilities in the area of application conducted by other parties to the treaty. The specific purpose of these inspections is to allow states to ascertain whether or not the other parties to the treaty have complied with its provisions, but the CFE verification regime also helps to institutionalize a higher level of transparency and confidence building among Europe's military forces.

The national ceilings on armaments of the 30 parties to the treaty and the very extensive transparency and verification provisions together provide the cornerstone of the post-Cold War European security arrangements.

Problems

The CFE Treaty confronted three distinct and dissimilar challenges in 1996. The first was Russia's violation of the CFE flank ceilings. The second was Russia's violation of a politically binding side agreement concerning equipment moved east of the Urals prior to treaty signature. As described below, both of these problems were resolved in early June of this year. The third issue is the question of whether the treaty must be "modernized" or overhauled to accommodate Europe's new and emerging geopolitical circumstances, an issue that is closely linked to the prospective enlargement of NATO into East-Central Europe.

When the CFE Treaty's numerical ceilings on military equipment became legally binding on November 17, 1995, Russia had more equipment than allowed in the flank zone. Although Russia was in compliance with its overall CFE ceilings, the pressing strategic needs perceived by the Russian government in the Caucasus led it to station more military equipment on its southern flank than the CFE Treaty permits.

Russia's prospective violation of the flank ceiling came as no surprise. Moscow had been asking for a revision of the flank ceiling since March 1993. Until the fall of 1995, however, there was no serious effort by any of the treaty parties to resolve this issue prior to a violation. NATO offered instead to discuss the matter at the May 1996 CFE Review Conference, insisting on full compliance in the meantime. Washington was largely distracted by other foreign policy issues, while the alliance was stymied by Turkey's refusal to countenance any meaningful concessions to Russian noncompliance. For its part, Russia, because of its perceived requirement to garrison the Caucasus and prosecute the war in Chechnya, was adamant in its refusal to reduce its equipment holding in the flank zone to the agreed level.

As Russia's violation of the flank ceilings became imminent in the fall of 1995, the United States spearheaded a last-ditch effort to avoid an outright Russian violation. Washington abandoned its insistence that Moscow continue to comply with its exact treaty commitments, after which the parties to the treaty agreed in principle to accommodate Russia's perceived strategic needs by alter-

ing the geographic scope of the flank zone. Specifically, the CFE Treaty's map would be redrawn so that an as yet undetermined number of Russian counties or military regions in the northern Caucasus would be shifted from the flank zone into the central zone, thereby allowing Russia to retain its desired levels of holdings in the south. To make this concession more palatable, Russia agreed (again, in principle) to accept increased constraints and transparency measures in the areas removed from the flank zone. The 30 parties to the treaty reached agreement on this basic framework for settling the flank problem just prior to the legal imposition of the flank ceilings on November 17, 1995, and were, therefore, able to announce their satisfaction that Russia was "committed to complying" with the CFE Treaty.

In June 1996, all 30 CFE signatories at their review conference in Vienna agreed to allow Russia a higher level of forces in flank areas for the next three years, in effect exempting these zones from CFE Treaty limitations. In turn, Moscow promised to freeze the number of treaty-limited items in these areas at current numbers and to reduce this equipment to treaty-permitted levels by 1999.

Another problem has been the stationing of Russian equipment east of the Urals. In the weeks before the CFE Treaty was signed, the Soviet military hurriedly shipped some 57,000 pieces of military equipment from Europe to Asia. Since the CFE Treaty applied only to military equipment in the ATTU zone from the time of signature, the massive Soviet transfer of equipment was properly regarded by Western officials as an attempt to circumvent the treaty's ceilings and destruction requirements. Accordingly, Western diplomats pressed Moscow for a pledge to destroy some or all of the equipment moved east of the Urals under CFE-like verification provisions. On June 14, 1991, the Soviet government made a politically binding agreement to destroy or convert into civilian equipment approximately 25 percent of the items it had withdrawn from the ATTU prior to signing the treaty. This destruction and conversion was to be done in a way that would provide visible (that is, to American satellites) evidence that the equipment had been destroyed or rendered militarily unusable.

Russia failed to comply with this politically binding commitment during the CFE Treaty's 40-month reduction period, citing financial constraints. Again at the June review conference, Russia agreed to destroy the remainder of this equipment by the year 2000.

In the West and in Russia, the CFE Treaty faces other related, but contradictory, political pressures. The planned enlargement of NATO into East-Central Europe has caused some Western experts to consider what changes, if any, would be needed in the CFE Treaty to accommodate new NATO members. Smoothing the enlargement of NATO is the West's principal foreign policy goal with respect to the CFE Treaty.

Russian officials assert that NATO enlargement would be permissible only in the context of a prior revision of the treaty—if at all. NATO is not a signatory to the treaty and, from a legal viewpoint, its enlargement would have no impact on the CFE agreement. Russian assertions that NATO expansion violates the CFE are therefore not correct. Nevertheless, the political reality is that NATO expansion and CFE are firmly linked in the Russian mind. From a political standpoint, the alliance cannot ignore the fact that Russian officials claim that the expansion of NATO over Moscow's objections would give Russia sufficient cause to withdraw from CFE.

Moreover, Russian military experts argue that the combination of the CFE Treaty, the collapse of the Warsaw Pact and the Soviet Union, and the prospect of NATO enlargement have created the threat of a shift in the conventional military balance that is unacceptably large relative to the advantages enjoyed by Moscow during the Cold War. This has led to Russian calls for a fundamental revision of the CFE Treaty, something which they have called treaty "modernization." Moscow seems to have in mind a nuclear-free zone in Eastern Europe; strict restrictions in Eastern Europe regarding the deployment of foreign forces, prepositioning of equipment, and exercises; national equipment ceilings; full freedom to move weaponry within national borders; all 53 OSCE members joining the CFE regime; looser and less expensive verification requirements; and Western economic assistance for the destruction of Russian equipment.

In short, Russia seeks to undo the present balance of forces in Europe codified by the CFE Treaty and the subsequent national ceilings placed on member states, and to blunt the military consequences of NATO enlargement into East-Central Europe and beyond. While this may seem only fair in Moscow, virtually none of the other signatories to the CFE Treaty share this Russian objective, especially given the nationalist rhetoric now prominent among leading Russian politicians.

As of this writing, the administration has no formal views regarding how, if at all, the CFE Treaty might be adapted, including whether the equipment of new NATO members might be related to CFE allocations and limitations.

Prescriptions

1. **Russia's adherence to its overall national ceiling and to its CFE inspection requirements have been satisfactory.** Thus, the essential security purposes of the CFE regime with respect to U.S. national interests are working. The United States should take no steps within the treaty that would undermine this crucial fact.
2. **While keeping the concerns of Turkey in mind, the issue of Russia's violation of CFE flank ceilings should not be allowed to jeopardize the essential features of the treaty.** The June 1996 agreement reached at the Vienna Review Conference, to which Ankara agreed, was a sensible solution to this problem.
3. **Russia's compliance with its politically binding agreement to destroy or convert some of the equipment moved east of the Urals is a secondary issue that should not threaten the CFE regime.** Again, the June 1996 Vienna accord is a satisfactory settlement of this issue.
4. **The United States should be prepared to discuss a "modernization" of the CFE Treaty (CFE II), but should not agree to any fundamental revisions of the CFE regime.** Russia's principal operational objectives in a new round of CFE negotiations would probably include stopping, slowing, and/or minimizing the military effects of NATO enlargement; removing the flank ceilings entirely; and shifting the conventional force balance in

Moscow's direction (whether by raising Russia's national ceilings or lowering the aggregate of the new NATO). Since the other parties to the CFE Treaty would share few of Russia's objectives in a CFE II negotiation, the prospects for successfully revising the CFE Treaty must be regarded as dim, especially because the consensus rule of multilateral arms control negotiations allows any one state to veto any particular proposed provision of an accord.

5. **The United States should rebuff Russian arguments that assert that NATO expansion is linked legally because of CFE Treaty language to numerical ceilings on military equipment.** The CFE Treaty was carefully worded to avoid any linkage between alliance membership and the national ceilings on military equipment holdings. This is why the treaty text refers not to NATO and the Warsaw Pact, but to a Western and an Eastern "group of States Parties." Thus, the entry of Poland, for example, into NATO would not legally force the alliance to reallocate some of its aggregate equipment entitlements to Poland (implying one-for-one reductions in the equipment holdings of some other NATO state).
6. **However, despite this discrete legal point regarding the CFE Treaty text, the United States should recognize the powerful political connection as seen in Moscow between NATO enlargement and CFE obligations, and seek to minimize damage to the CFE regime occasioned by the addition of new members to the alliance.** The United States should constantly keep in mind the interrelationship in Russia among NATO enlargement, prospects for U.S.-Russian arms control, and the future of bilateral relations between Washington and Moscow. As for CFE, perhaps a political solution could be found in which the equipment totals of new NATO members could be included within the overall Western allocations, not least because many Western countries are presently below their equipment entitlements. This formula, however, could only apply to Poland, the Czech Republic, and Hungary, and would not be practical if NATO decided to invite more new members after this prospective first phase.

More broadly, many Russians argue that a decision by the alliance to proceed with enlargement will kill all arms control cooperation between Moscow and Washington. This Russian threat should not be taken at face value, and, in any case, cannot be the basis of U.S. arms control policy across the board, especially with respect to START II. But it would be equally unwise to ignore completely the strong linkage Moscow has established between NATO's admittance of new members and the subject of this report.

This obviously is not the place to discuss in detail the pros and cons of NATO enlargement. Nevertheless, if the alliance cannot find a way to deal with this issue without producing a sustained and ruinous crisis with Russia, few of the prescriptions in this report are likely to be acceptable in Moscow. Thus, as Washington makes its decisions regarding the pace, substance, and scope of alliance enlargement, it needs to factor into its decisions the general importance of U.S.-Russian arms control as enumerated in the Introduction to this report. This is a case in which many tradeoffs are possible and some may be sensible.

With respect to the general subject of NATO enlargement, the Task Force is as divided as the U.S. strategic community at large. Some Task Force participants strongly oppose the very idea of the alliance taking on new members under present circumstances; others support the concept with equal vigor. If, however, NATO enlargement does go forward within the next year, as seems likely, the Task Force recommends the compromise that follows below. These prescriptions, while assuming NATO enlargement, are more restrictive than Washington's current official position, which at this writing has kept the shape and pace of alliance expansion open-ended and has not definitively foreclosed through formal NATO decision the deployment of nuclear weapons and/or foreign troops on the soil of new alliance members. The suggestions below are meant most importantly to maintain the integrity of NATO and its capacity to act decisively in a crisis; to buttress Western interests east of old NATO territory; and to proceed in a way that seeks to minimize the effect of NATO enlargement on Russia's relations with the West in general and on U.S.-Russian arms control in particular.

7. NATO should, at a summit meeting in early 1997, offer membership to Poland, the Czech Republic, and Hungary, which would enter the alliance before the turn of the century.
8. Simultaneously, NATO would indicate that it had made the internal decision in consultation with those new members that under present circumstances it saw no requirement to station nuclear weapons or foreign troops on the soil of these three nations, which would, however, be full participants in the alliance's integrated military structure.
9. At about the same time, the European Union would announce that the three Baltic states would enter the EU and Western European Union before the year 2000.
10. The entrance of Poland, the Czech Republic, and Hungary into NATO before the turn of the century would naturally produce a prolonged period in which the alliance would assess and absorb the consequent effects on NATO's planning, procedures, and decision-making. Any other potential new alliance members would be considered only after this protracted phase in which those three new members are fully blended into NATO and it is assured that an even further enlarged alliance would not lose its effectiveness.
11. In parallel with these steps, NATO heads of government should mount a coordinated effort to convince President Yeltsin and his government (or his successor) to agree to establish a formal and intense consultative arrangement between NATO and Russia.

VI. THE COMPREHENSIVE TEST BAN TREATY

Background

The Comprehensive Test Ban Treaty, which would culminate 40 years of U.S. efforts to limit nuclear testing, was introduced at the Geneva-based Conference on Disarmament in January 1994. If entered into force, the treaty would strengthen the nonproliferation regime; retard the development of advanced nuclear weapon designs, such as those necessary to deploy powerful nuclear explosives on missiles; pressure potential proliferators not to test; and reduce discrimination inherent within the NPT, which is strongly criticized by nonnuclear weapon states. The CTBT, critical to U.S. nonproliferation and disarmament strategy, has been under intensive negotiations in the CD in Geneva. On June 28, the chairman of the Ad Hoc Committee on a Nuclear Test Ban tabled a revised draft text for consideration of its approval when the conference reconvened on July 29. President Clinton informed Russia and the other three nuclear weapon states (the United Kingdom, France, and China) that the text was acceptable to the United States and urged them to join the United States in a public announcement to this effect.

Agreement on the text among the five nuclear weapon states was reached in early August 1996, including incorporation of a U.S.-Chinese final agreement on verification procedures. By a vote of 158 to 3 in early September 1996, the U.N. General Assembly approved the treaty, and on September 24, 1996, President Clinton signed the treaty at the United Nations, as did representatives from the United Kingdom, China, France, and Russia.

Problems

India has announced it will not sign the CTBT, and it blocked consensus in Geneva. The entry-into-force provision requires rat-

ification by 44 states, including India. Because the entry-into-force formulation casts doubt on whether the CTBT will in fact enter into force within a reasonable period of time, the United States and others could address its provisional entry into force in the event that India does not change its present position over the next several years.

Prescriptions

1. The United States, Russia, and the other three nuclear weapon states should encourage other countries to sign the treaty (including Israel and Pakistan, who, together with India, constitute the three threshold nuclear weapon states).
2. The United States should reach agreement with Russia, the other three nuclear weapon states, and as many of the threshold states as possible that, upon signature of the CTBT, they will not conduct nuclear tests pending its ratification and entry into force.
3. The United States should take the lead, with Russia and the other three nuclear weapon states, in designing a process to bring the CTBT into force within several years of its opening for signature.

VII. THE CHEMICAL WEAPONS CONVENTION

Background

The Chemical Weapons Convention, which was concluded in 1992 and opened for signature in 1993, codifies several principles. Signatory nations to the CWC pledge never to develop, produce, acquire, store, transfer, or use chemical weapons. It requires the destruction of all chemical weapons, agents, and production and storage facilities within ten years after its entry into force. As of mid-1996, the CWC had been signed by 160 states and ratified by 61, and will come into effect 180 days after 65 nations have deposited instruments of ratification with the U.N. secretary-general. The convention reflects unprecedented cooperation of the chemical industry with governments in this endeavor.

The United States signed the CWC in January 1993, but both the United States and Russia have yet to ratify it. The Senate Foreign Relations Committee reported out the CWC by a vote of 13 to 5 on April 25, 1996, and the Senate is expected to give its advice and consent this year. After U.S. ratification, a surge of endorsements will probably follow from nations that have been waiting for U.S. accession. This will likely push the CWC's number of approved states over 65, triggering entry into force and placing pressure on the Russian Federation to ratify the convention as well.

The CWC contains a complex verification schedule that binds signatories to provide extensive declarations regarding potential chemical weapons agents and their precursors, and to submit to routine and short-notice challenge inspections at government and civilian facilities. Should a signatory state be found in violation, a variety of measures can be taken, extending from termination of the violator's rights and privileges under the convention to other steps such as sanctions. The convention does allow states to

maintain a small quantity of chemical warfare agents for the testing of antichemical protection and other permitted purposes. However, this material is to be carefully monitored to prevent any attempt to convert it into an offensive capability.

Implementation of the treaty and its verification measures will be overseen by the Organization for the Prohibition of Chemical Weapons (OPCW), which is to be established in The Hague and supported by contributions from member states. The U.S. share of OPCW's funding has been estimated at roughly \$20 million per year. The OPCW will be authorized to impose sanctions against both member and nonmember nations that violate the convention's prohibitions.

The United States is unilaterally obligated to destroy its chemical weapons by the year 2004, in accord with a 1985 act of Congress and a May 1991 Bush administration directive. Thus, both the Bush and Clinton administrations have argued that the treaty serves American national interests by seeking to globalize a process that is currently underway in the United States in any event, and by providing the United States with an instrument for mobilizing international action against chemical weapons proliferation. By requiring the domestic criminalization of activities prohibited by the CWC and enhancing national capabilities to track chemical weapons precursors, the convention offers a new mechanism to help deal with the potential terrorist use of chemical weapons. If the convention had been in effect, strengthened criminal laws and procedures in Japan might have assisted earlier identification of the terrorist organization that surreptitiously manufactured nerve gas and then used it in the Tokyo subway system.

Aside from the CWC itself, separate agreements toward chemical weapons destruction have previously been reached between Washington and Moscow. Both nations signed a bilateral accord on June 1, 1990, to reduce their chemical weapons stockpiles to a level of 5,000 metric tons. At present, the U.S. stockpile of chemical weapons is second only to Russia's—30,000 metric tons as compared to Russia's declared 40,000 metric tons (perhaps a dubious number). For his part, President Yeltsin made

four public declarations between January 1992 and March 1995 pledging to eliminate the Russian chemical weapons arsenal. In March 1996, the Yeltsin government approved a chemical weapons destruction program that would be implemented over a ten-year period at an estimated cost of \$3.68 billion. The Duma is still debating the issue.

Chemical weapons destruction in Russia has been slow and tentative throughout. In July 1992 the United States agreed to provide \$25 million in Cooperative Threat Reduction Program assistance to the Russians for chemical weapons destruction, a figure that was later supplemented by \$30 million. Approximately half of this amount has now been obligated.

Problems

Difficulties with the CWC fall into two categories: those that relate to U.S. worries about Russia's chemical weapons program and those that involve the growing chemical weapons threat from rogue nations and terrorist groups. With regard to Russia, most experts agree that it cannot meet the destruction commitments of the CWC within its specified limit of ten years (although there is a provision for a one-time five-year extension, if approved by the OPCW's executive council), especially if the treaty were to enter into force within the next year. Russia does not now possess reliable and environmentally sound methods and facilities for destroying its chemical weapons or the financial means to do so on its own.

Moreover, Moscow has not been forthcoming in some of its past understandings with the United States. U.S. officials have noted discrepancies between the chemical weapons data provided in 1989 by the then-Soviet Union and information furnished to Washington by Moscow in 1994. Also, Russia has been suspected of continuing to work on binary chemical weapons, which, although presently lawful, would certainly be contrary to the spirit of the CWC and President Yeltsin's public assurances.

U.S. officials have also voiced apprehensions about Russian chemical weapons facilities that Moscow says have been converted to commercial use and therefore do not need to be declared and

destroyed. There is worry that these facilities could in time be reconverted to military use. Moscow has taken the position that these facilities should not be subject to inspection—except in connection with challenge inspections—arguing that such plants will no longer be used for military production, pose no further threat, and therefore do not require inspection. Because of Moscow's intransigence, a U.S.-Russian Bilateral Destruction Agreement, which was meant to facilitate the CWC, has not yet been implemented.

In addition to these Russian dimensions, the United States must also take into account the possibility that other states may not join the CWC and therefore ignore treaty prohibitions and imperil U.S. military forces with their chemical weapons capabilities. Although the CWC obligates states to destroy their chemical weapons facilities, its sanctions may have a negligible effect on those nations that choose not to ratify the treaty or to abide by its terms. North Korea, Syria, Iraq, Libya, and Iran have all pursued chemical weapons programs despite international condemnation, and will likely continue to do so. Despite the convention's best efforts, certain nations will produce chemical weapons, even in the face of sanctions, and the United States must base its policies on that definite threat.

Prescriptions

1. **The United States should ratify the CWC in 1996.** Although this is not a perfect agreement, it is in U.S. national interest to reduce and eventually eradicate Russia's chemical weapons capabilities, and to combat worldwide chemical weapons proliferation. By ratifying the convention, the United States would generate international pressure on Moscow (and other states) to approve the CWC and undertake serious reductions in its chemical weapons inventory. It would also establish legal constraints on the sale or transfer of certain chemicals necessary for chemical weapons programs to states that have not ratified the treaty.
2. **The United States should seek Russian ratification of the CWC.** The United States should insist that Moscow's ratifi-

cation is the beginning, not the end, of the Russian effort to reduce its chemical weapons. Russian ratification of the CWC would, at the very least, create a window of opportunity during which real progress could be made toward destruction of its chemical weapons stocks and facilities.

3. **The United States, along with its allies and friends, should provide increased funding for the destruction of Russian chemical weapons using Russian technology and organizations.** In the context of this financial assistance, the United States should require that Russia accept broad-based chemical weapons inspections of facilities, including those that have been converted to civilian use, and clear up questions regarding the size of the Russian chemical weapons stockpile and the possible Russian binary program.
4. **If Russia meets the conditions in the previous prescription, Washington should initiate a cooperative dialogue with Moscow on deterrence of and defense against chemical weapons use.**

VIII. THE BIOLOGICAL WEAPONS CONVENTION

Background

The Biological Weapons Convention was negotiated and ratified in the first half of the 1970s. Upon unilaterally renouncing all U.S. possession of biological weapons in 1969, President Richard M. Nixon also announced U.S. support for a biological weapons convention, as had been proposed by the United Kingdom. The BWC, which was signed on April 10, 1972, and came into force when the United States, United Kingdom, and U.S.S.R. deposited their instruments of ratification on March 26, 1975, now has 137 parties. The convention prohibits the development, stockpiling, and acquisition of biological agents and toxins "of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes."

To date, the BWC at best is a confidence-building measure. While legally binding, unlike the CWC it contains no verification or enforcement provisions. The United States viewed the treaty and its own renunciation of biological weapons as a hedge against their future proliferation. With America eliminating its biological weapons stockpile, it was thought that perhaps other nations would have less of an example to follow and less incentive to build up their own.

Biological weapons have, nevertheless, proliferated, most notably in Iraq, whose anthrax and botulinal toxin weapons posed a real threat to coalition forces during the Gulf War. There is now a need to change the BWC from a confidence-building measure to a tool that can be used to detect or discourage the presence of biological weapons and facilitate their destruction. There have been new efforts in the 1990s to agree on a series of measures to move the BWC toward an inspection-based, nonvoluntary convention, including the VEREX (Verification) group,

which met four times in Geneva between March 1992 and September 1993. The Third Review Conference to the BWC created this ad hoc group of governmental experts, which met to consider potential verification measures from a scientific and technical standpoint. They considered 21 measures, including remote sensing, data exchange, and on-site inspections, among other steps that might be taken. However, the group conceded that the implementation of a combination of these measures, rather than of one single device, would be necessary to strengthen the BWC.

A special conference held in Geneva in September 1994 established another ad hoc group, open to all parties, to consider verification and other measures to strengthen the BWC and incorporate them into a legally binding agreement. The United States and Russia have been active participants in these negotiations. In the fall of 1996, the group will report to the Fourth Review Conference of the BWC on the status of this legally binding protocol that is intended to provide for mandatory measures to enhance compliance with the BWC.

Problems

Russia's history with the BWC is checkered. In 1992, President Yeltsin acknowledged that the Soviet Union (and then Russia) had maintained a biological weapons program in direct violation of the BWC up until March 1992. (The United States first made this allegation in 1984.) Yeltsin pledged that the program would be terminated. Now, however, there is some question of whether this has occurred. The problem of coming to closure on the Russian biological weapons program has been frustrating to Washington and London, which have been unable to resolve the issue with Moscow despite trilateral talks on the subject during the last three and one-half years. Russia also presents an exporting problem: the danger of biological weapons knowledge proliferation from Russian scientists working abroad.

More generally, the most common criticism of the BWC is clearly correct. It is a toothless document. The number of biological weapons states is believed by U.S. experts to have risen from 4—at the time of the convention's ratification—to 10 or 12 today.

It is not clear that the convention has had any effect on efforts to check the proliferation of biological weapons.

Were the BWC to become more verifiable, however, there would be obstacles that could prevent it from becoming an effective arms control regime. First, biological weapons cannot be monitored or controlled in the same fashion as nuclear or chemical weapons. Because of the dual-use nature of most biological research, it is difficult to distinguish between those efforts of an offensive nature—that is, of a potential weapons capability—and those of a commercial or defensive nature.

The data gleaned from inspections poses another potential difficulty. The nature of the information will sometimes—in addition to its military dimensions—be commercial in character. It is unlikely that many countries any time soon will allow short-notice inspections of facilities that may be of commercial importance.

Prescriptions

1. **The United States should press the Russian government at the highest level to uncover the truth about the present status of Russian biological weapons efforts and, if they exist, to terminate them immediately.**
2. **If the United States is satisfied that Russia has conclusively ended its biological weapons program, American and Russian experts should engage in counter-biological weapons cooperation.**
3. **If the matter of Russia's biological weapons program can be cleared up, Washington should seek a joint effort with Moscow to establish strong BWC verification provisions, criminalize biological weapons activities, and together pressure nonmembers to join.** This may not have a decisive impact on potential proliferators but, given the emerging biological weapons threat to the United States, it is better than nothing.

IX. CONCLUSION

THE PRECEDING SECTIONS of this report demonstrate both the wide dimensions of the U.S.-Russian arms control agenda and the significant current problems related to virtually every one of these efforts. Too little is being done to prevent the leakage of nuclear materials from Russia, a policy deficiency that could have disastrous consequences. Moreover, the START regimes could unravel in the next year, thus effectively reversing decades of work by U.S. and Soviet/Russian experts and political leaders. The future of CFE is also problematical, both because of NATO enlargement and Moscow's intent to revise radically the treaty in its favor. If START II or CFE were to fail, this would have a seriously damaging effect on the bilateral relationship between Washington and Moscow and, as this report stressed at the outset, would have a threatening impact on important American national interests.

The reasons for this unhappy evolution lie importantly on the Russian side. Russia's governmental processes are often uncoordinated, if not chaotic, partly because of President Yeltsin's sustained illness. Moreover, with the enormous economic and social problems facing the country, as well as the war in Chechnya, Moscow's senior politicians have had little time and energy to devote to U.S.-Russian arms control subjects. Thus, these negotiations are dominated within the Russian government by narrow bureaucratic interests and highly technical preoccupations, not constructive political impulses from the top. Insofar as politics do enter into the equation, they are largely a negative influence. Notwithstanding President Yeltsin's recent electoral victory, Russia's domestic scene is rapidly becoming more nationalist and anti-Western, especially in the Duma. In the context of last December's legislative elections and the presidential ballots, compromises on these arms control issues have been very difficult. This is unlikely to change.

With regard to the United States, it has been the political and economic developments within Russia that have most commanded administration and congressional attention, not the arcane details of these arms control negotiations. This approach flies in the face of 30 years of arms control experience between Moscow and Washington. No arms control agreement between Russia and the United States has been brought to fruition without prolonged and intense attention by the top levels of the administration and sustained involvement of the Congress. Only such high-level scrutiny can provide the following results:

- produce an integrated approach that prevents narrow compartmentalization and places these efforts within the much larger framework of a comprehensive strategy toward Russia and U.S. national interests;
- establish firm arms control priorities;
- provide the political space that allows Cabinet officers and senior officials in Washington to work through these complicated problems successfully;
- create tradeoffs and linkages between and among these negotiations;
- break through the bureaucratic bickering;
- make the tough compromises that nearly all arms control agreements require.

The many and detailed prescriptions put forward in this Task Force Report are, of course, no instant panacea for the extraordinarily complex issues that surround these problematical arms control talks involving America, Russia, and, in most cases, others. Some of the specific proposals probably cannot be successfully negotiated with Moscow, especially if President Yeltsin is both incapacitated and remains in office. Other of these ideas may not be acceptable to the administration and/or Congress.

We also take for granted that there may well be alternative formulas from others regarding how to prevent an erosion of this important aspect of the U.S.-Russian bilateral agenda. As the Introduction to this report argues, U.S.-Russian arms control does matter a good deal today, and will tomorrow. Arms control

will have a powerful influence over the future shape of U.S.-Russian relations, Russia's role in the world, and on vital and important American national interests. What more needs to be said to persuade the U.S. political leadership on both ends of Pennsylvania Avenue that this subject merits its close and sustained attention?

ADDITIONAL AND DISSENTING VIEWS

Executive Summary

We believe that efforts in the United States, focused in the Congress, to alter or abolish the ABM Treaty cast over arms control problems and prospects as dark a shadow as does NATO enlargement.

Strategic Arms Control

Prescription (2). We believe this should be deleted. It is unwise and unnecessary to delay the START II implementation schedule. In the first instance, such a change would require resubmission of the treaty to the Senate. Secondly, a schedule stretch-out should not be necessary. Both sides are well ahead of the START I schedule. With the help of Nunn-Lugar funding, elimination of the additional 200 MRVed ICBM launchers required by START II is clearly feasible by 2003, and Russia's costs should not be prohibitive. The recommended general U.S.-Russian statement of principles for further reductions in START III (current Prescription 3) would substantially reduce the scope of the Russian ICBM replacement program, which probably could not be completed by 2003 and which is the major source of Russian restructuring costs.

The ABM Treaty and Ballistic Missile Defense

We would substitute the following for the entire Section IV, and would revise the Executive Summary in a similar fashion:

Background. The ABM Treaty continues to be a key element in U.S.-Russian strategic relations and the international nuclear nonproliferation regime despite the radical changes in the post-Cold War world. Current efforts to deploy BMD systems that would undercut or lead to the abrogation of the treaty would have

a profound negative impact on U.S. efforts to reduce Russian and Chinese strategic nuclear arsenals and to build a stronger nuclear nonproliferation regime.

The ABM Treaty, which was proposed during the Johnson administration and negotiated, signed, and ratified during the Nixon administration, was a necessary precondition to capping the strategic nuclear arms race. Limiting ballistic missile defenses was critical to achieving this objective because the United States and Soviet Union shared a common fear that massive nationwide BMD deployments by the other side could negate their deterrent by preventing their ability to retaliate after being subjected to a massive first strike. The ABM Treaty, as amended in 1974, limits each side to 100 fixed land-based missile launchers at a single site. It made possible the SALT I and II agreements, which placed numerical ceilings on strategic offensive systems. With the easing of Cold War tensions in the mid-1980s and the end of the Cold War in the early 1990s, the negotiation of substantial reductions in strategic forces in the START I and II treaties was made possible by the ABM Treaty's strict limits on defensive systems, which guarantee the effectiveness of mutual assured deterrence at reduced levels.

Looking to the future, it is unlikely that reductions in Russian and U.S. strategic offensive nuclear arsenals below START II levels, and possibly Russian ratification or implementation of START II, will be achieved in the foreseeable future without the continued existence of the ABM Treaty. The Yeltsin administration and the Duma leadership have made it clear that ratification and implementation of START II will be contingent on the continuation of the ABM Treaty. Moreover, it is unlikely that the Pentagon or Congress would support further U.S. strategic reductions in the offensive force in the face of a major Russian BMD deployment. China, France, and the United Kingdom would also undoubtedly see a major BMD deployment by Russia as a threat to their limited nuclear deterrents and would be unlikely to join in future efforts to reduce the global level of strategic nuclear arsenals.

Failure to achieve further nuclear reductions, and possibly even the reductions required under START II, would be seen by many

nonnuclear weapon states as a repudiation of U.S. and Russian legal treaty obligations under Article VI of the Nuclear Nonproliferation Treaty and of the political commitments undertaken by the United States and the other nuclear weapon states in connection with the indefinite extension of the NPT in May 1995. This would be a major setback to efforts led by the United States to strengthen the NPT regime as the first line of defense against proliferation of nuclear weapons and the emergence of nuclear-armed rogue states.

In drafting the ABM Treaty, a principal concern was the possibility that existing or future anti-aircraft or tactical missile defenses would be upgraded to provide the base for a national BMD system. Despite this concern, specific criteria to define the demarcation between strategic and tactical defenses were not included in the treaty since both sides were contemplating tactical ballistic missile defenses with unspecified or classified characteristics. However, the ABM Treaty makes it absolutely clear in Article VI that non-BMD systems (such as tactical systems) or their components should not be given ABM capabilities. In addition, related provisions were carefully crafted to prevent circumvention of the basic intent of the treaty to prohibit the establishment of a base for a nationwide BMD defense. These provisions include Article V, which bans development, testing, and deployment of sea-based, air-based, or space-based, or mobile land-based systems or components, whatever their technology; and agreed Statement D, which requires amendment of the treaty before the deployment of fixed land-based systems or components based on "other physical principles" (such as lasers) than those enumerated in the treaty.

With the end of the Cold War, the focus of concern over possible ballistic missile threats to the United States or its allies has shifted from the still existing massive Russian strategic nuclear offensive force to the potential future small-scale threat from so-called rogue states such as Iran, Iraq, Libya, and North Korea, which might develop ballistic missiles with nuclear warheads. Iraq's use of short-range ballistic missiles with conventional warheads during the Gulf War, coupled with its major effort to

develop nuclear weapons, led to the intensified pursuit by all three U.S. military services of a half-dozen overlapping tactical and theater missile defense programs at an estimated future procurement cost of more than \$50 billion. Concurrently, increased congressional pressure developed for a firm commitment to deployment by 2003 of a limited national ballistic missile defense designed to permit early expansion to a layered defense at a cost estimated by the Congressional Budget Office of between \$31 billion and \$60 billion by the year 2010, independent of operations and maintenance costs.

The U.S. intelligence community has now agreed that none of the rogue states or other potential new U.S. adversaries will pose a threat to the continental United States with strategic ballistic missiles for at least 15 years, and that there is no evidence that any of them are contemplating such a program. While some U.S. allies and friends are already threatened by short-range (less than 1,000 kilometers) theater ballistic missiles, none are now threatened or will be threatened by longer-range theater ballistic missiles for at least five years. Only a North Korean missile currently in development could conceivably have sufficient range to strike portions of Alaska or the far western Hawaiian islands, but the likelihood of it being operational within five years is very low. Moreover, North Korea, the only rogue state that has any program for such missiles, is in the process of dismantling its nuclear weapons program under the agreed framework with the United States and has agreed to discussion on the future of its ballistic missile program.

In view of the high cost of the proposed U.S. programs that threatened other modernization and procurement programs, and in the absence of other than short-range actual threats from rogue states, Secretary of Defense William Perry, with the full support of the Joint Chiefs of Staff, recently decided to reorient these programs substantially to reflect actual threats posed by rogue states to U.S. security. The reoriented program will give highest priority to developing effective, reliable defenses against existing or anticipated short-range ballistic missiles. The program also will stretch out the development of systems designed against intermediate-

range ballistic missiles with deployment decisions deferred at least until early in the next century, if an actual threat can then be identified that justifies the decision.

Similarly, any decision on deployment of a national missile defense will hinge on the emergence of a direct rogue-state ballistic missile threat to the United States. As a hedge against such a development, which the intelligence community believes is unlikely for at least 15 years, the Defense Department will develop over the next three years the components of a system that could be deployed within another three years if a threat should unexpectedly emerge that justifies such a decision. Since it is extremely unlikely that such a threat will be identified within the next three years, the development program would continue so that the program elements would be continually improved. A decision at any time in the future for a three-year deployment could incorporate the most up-to-date technology then available.

Prescriptions.

1. The United States should structure its BMD program to respond realistically to the actual and potential ballistic missile threat from rogue nations on a scale that does not encroach on other higher priority military programs or put at risk Russia's implementation of START I, or ratification and implementation of START II, and does not preclude the negotiation of future reductions in Russian or Chinese nuclear arsenals. The administration's recently announced reorientation of the BMD program appears to be well-designed to meet these objectives and deserves support.
2. To implement this strategy, the United States should:
 - a. Give highest priority within the BMD program to perfecting the field performance of short-range theater missile defenses (PAC 3, Navy Lower Tier, and MEADS) designed to defend against short-range (less than 1,000 kilometers) ballistic missile threats that exist or can be clearly anticipated.
 - b. Defer any decisions on the deployment of higher performance theater missile defense systems, such as THAAD

and Navy Upper Tier, designed to defend large areas against missiles with ranges up to 3,500 kilometers. The development period for these systems should be extended into the next century, and any future deployment decision should be based on the emergence of an actual threat that warrants it.

- c. **Defer at this time any decision to deploy a national missile defense.** The United States should, however, continue a development program over the next several years so that it would be in a position to deploy within a few years a treaty-compliant fixed ground-based system if it became apparent that a rogue-state capability was actually emerging that warranted such a decision. In the absence of a compelling threat to deploy, development should continue so that any future decision could be made on the basis of the best available technology.
3. **In making future decisions on the deployment of advanced theater missile defense systems or a national missile defense system, the nature of any new ballistic missile threat should be carefully studied to determine whether it could be eliminated by diplomatic initiatives, buyouts, economic sanctions, or other direct actions.** In addition, careful consideration should be given to whether the United States should simply continue to rely on deterrence to deal with the new threat, as has been done in the past. Finally, careful consideration should be given as to whether the added value of such a deployment would outweigh the potential risks to U.S. security by its impact on U.S.-Russian or U.S.-Chinese relations, or by the diversion of defense funds from other higher priority security programs.
4. **In structuring the BMD program, the United States should act in strict compliance with the ABM Treaty and should eschew unilateral self-serving interpretations that would be widely seen as undercutting the provisions or intent of the treaty.** If the United States expects Russia and the rest of the world to abide by strict interpretations of international arms control treaties, it must subject itself to the same standards. The treaty clearly adopts "capability" as a standard. To argue,

for example, that a BMD system is exempt from the treaty regardless of its capabilities simply because it is called a TMD system and has not been tested against missiles traveling more than five kilometers per second is contrary to the plain language of the treaty, the negotiating history of the treaty, the treaty ratification hearings, and subsequent practice under the treaty. To suggest that the only test for compliance with the ABM Treaty is "demonstrated" operational capability in a "force-on-force" interaction is contrary to the clear meaning of the treaty and unachievable except in a full-scale war. By this logic, any system labeled TMD, regardless of its capabilities, would be permitted since there is general agreement that any BMD system would be overwhelmed in a force-on-force U.S.-Russian confrontation. However, the "inherent capability" of a missile in a BMD system can be extrapolated from tests against targets traveling at less than the maximum velocity against which the system could operate.

5. **The United States should continue to negotiate with Russia to establish a mutual understanding on which TMD systems would be permitted under the ABM Treaty.** The United States should be willing to include reasonable confidence-building measures and collateral constraints on advanced systems if necessary to facilitate reaching a satisfactory demarcation agreement. Given the stretch-out in the U.S. development program for THAAD and the Navy Upper Tier system, the problem does not appear as urgent from the U.S. perspective or as threatening from the Russian perspective.
6. **The United States should not pursue the concept of a joint venture with Russia and others to develop national missile defense systems.** The idea that the United States should invest many billions of dollars to help build first an effective Russian TMD system and then a national missile defense system is totally unrealistic. To recommend such a conceptual program without a serious examination of the security implications, specific technical and practical problems, and costs would be irresponsible. And aside from military considerations, in the extremely unlikely event that Congress and U.S. allies would

approve large expenditures for such a joint venture, it would be most unwise to encourage large outlays by Russia for this purpose given its economic problems. Further, it would be an extremely poor use of scarce U.S. assistance funds, which are sorely needed to assist in providing safety and security for Russian fissile material.

Conclusion

We do not agree with the report's criticism of the arms control efforts of the administration. While it started slowly, the administration has reached some impressive detailed arms control results (e.g., the Trilateral Agreement leading to denuclearization of Ukraine; the indefinite extension of the NPT; the successful CFE conference resolving the flank crisis; a CTBT that was signed in September; and the Agreed Framework with Korea).

Alton Frye

Morton H. Halperin

Stanley R. Resor

John B. Rhinelander

I endorse the ABM Treaty and Ballistic Missile Defense section of this dissent, except for Prescription 6. I also concur in the dissent to the Conclusion. I do not endorse any of the other sections of this dissent.

Arnold L. Horelick

The ABM Treaty and Ballistic Missile Defense

Debate on the ABM Treaty and ballistic missile defense is too often polarized into the positions of Defense Hawks or Defense Doves. Defense Hawks estimate long-range missiles will be available to "rogue" countries well before the estimates of Defense Doves. Both positions may be in error because not all dimensions of the threat are considered. The threat has as much to do with the missile warhead as the missile range.

Neither the Hawk nor Dove versions of ballistic missile defense will be capable of defeating sophisticated warheads, what we might call "poor man MRVs," which are likely to be available to "rogue" countries before long-range missiles.

What is a "poor man MRV"? Within five to ten years, "rogue" states will be able to mount warheads on short- and long-range ballistic missiles that consist of many submunitions, perhaps one hundred. These submunitions would be released into a ballistic trajectory shortly after termination of the boost phase of the launching missile. They can be loaded with biological agents, can reenter the atmosphere, and then release their biological agents over urban areas or massed troops causing incomprehensible devastation to us, our allies, and our troops. A defense designed to kill a single warhead is overwhelmed by the multiplicity and extent of the attacking submunitions.

Only a missile defense system that destroys the offensive missile during its boost phase can defeat such a weapon. Since we can expect to have little warning of such an attack, our defensive systems have to be in place and capable of reacting within tens of seconds to be credible. This is particularly true for the shorter-range theater ballistic missiles, since their boost time is short.

Fortunately, it seems possible to build such systems. They probably have to be based in space, but—and this is most important—they can be designed to be compatible with the objectives and the letter of the ABM Treaty within the limitations and ambiguities of that document, and, furthermore, they can be verifiable by on-site inspections. This is accomplished by limiting orbits and altitudes of the required satellite interceptors and space-borne lasers so that they can defend only against missiles launched from "rogue" countries. They cannot reach Russian strategic assets located north of 50° latitude. It should not be our desire to threaten the Russians, neither should the Russians deter us from defending our troops and allies against the most likely threat from "rogue" states. If these defenses against "rogue" states do not change the Russian-U.S. strategic balance, how can the Russians reasonably object?

"Breakout" would take longer than conventional ground-based systems and would be impractical. Furthermore, the time it would

take us to develop and deploy a space-based defense exceeds the time it might take a "rogue" country to deploy some poor man MRVs. After all, cluster bombs—which resemble poor man MRVs—are available commercially.

The recently announced Airborne Laser program is represented to be capable of boost phase intercept, but it is intrinsically incapable of being available continuously against surprise attacks. Furthermore, it is not likely to be less expensive than the space-based system if it is to have capability in two simultaneous regional wars. Additionally, it can be redeployed to attack Russian strategic assets, which is not possible for the space-based systems.

These space-based defenses can defeat strategic, as well as theater, launches from "rogue" countries, so a ground-based NMD system is not needed except for an accidental Russian launch, which seems unlikely.

We should proceed with theater defenses against single unsophisticated warheads, PAC 3, Navy Lower Tier, and MEADS, but we should not have dropped the research and development programs of space-based defenses. We should now expand these programs.

Lawrence Goldmuntz

I decline to endorse the recommendations in the report regarding NATO enlargement.

Arnold Kanter

Ambassador Blackwill deserves credit for the intellectual achievement that the report represents, as well as for his valiant effort to forge a consensus among the diverse and unruly participants of the Task Force. However, I am obliged to state my views on significant issues where I differ strongly.

NATO Enlargement

Any reassurance to Russia that nuclear weapons need not be stationed on the soil of new NATO members cannot be uncondi-

tional. It should be dependent, first, on reciprocity in the form of similar Russian assurances with respect to Belarus, Kaliningrad, and any other relevant territory. Second, and more important in this context, it should depend on Russian acceptance of the principle of NATO enlargement—that is, an assurance that Russia will not attempt to “punish” the Baltic states, Ukraine, or anyone else in retaliation for NATO’s first step toward enlargement. This must be part of any strategy to protect the Baltic states, Ukraine, and others in the interim. If Russia continues a policy of intimidation or destabilization anywhere in Central or Eastern Europe, NATO can hardly accept any unilateral restraints on its right to deploy whatever may be necessary.

Furthermore, I question whether any NATO pledge to Russia should be so categorical in its forswearing of foreign troops on the soil of new members; I can see reason for some token American presence. Nor can NATO ever forswear the right to move infrastructure eastward, in the sense of facilities and prepositioning of supplies that would make rapid reinforcement possible if mutual restraints in Central Europe should ever break down.

The ABM Treaty and Ballistic Missile Defense

The report goes too far in endorsing the Clinton administration’s approach to “demarcation” negotiations with Russia; it endorses the negotiation without setting any criteria. In my view, it is unconscionable to sacrifice, in the name of the 1972 ABM Treaty, technologies that we need now for theater defense—e.g., space-based systems, THAAD, and the Navy’s Upper Tier. The report acknowledges that the administration has accepted significant limitations in this area. These limits on theater defense make no sense at all in terms of either the original purpose of the ABM Treaty or our most immediate strategic priority—namely, protecting our forces and allies abroad against the already present ballistic missile threat.

I agree with the concept of seeking as a first resort an accord with the Russians on TMD systems, which, after all, are not directed at them; I certainly also agree with the report’s recommendation that unilateral U.S. action be considered if a satisfactory

understanding with Russia cannot be reached. But the content of this negotiation as so far conducted seems to me totally misguided.

Conventional Forces in Europe

The report is correct that Russian attempts to link CFE and NATO enlargement should be rebuffed. Our ability to do so, however, is undermined by the report’s recommendation that NATO pledge unilaterally to move no troops eastward. The report’s attitude is wrong: the Russians have more reason to fear the remilitarization of Central Europe than we; they can least afford it and their strategic priorities are elsewhere (Caucasus and Central Asia). Our attitude should be that we insist on Russian compliance with CFE without regard to NATO enlargement or else we will inevitably confront them in Central Europe, on a line a few hundred miles further east than before. In a game of chicken we win, unless we lose our nerve.

A future “modernization” of CFE should be kept open, as the report suggests—inter alia, to ensure long-term reciprocal restraints in Central Europe—but only on the basis of prior Russian compliance.

Chemical and Biological Weapons Conventions

These are the kind of feel-good, unverifiable, ineffectual arms control agreements that give arms control a bad name. The rogue states that we are worried about either will not sign or will cheat; that is a 100-percent certainty. Therefore, the benefit of these conventions is marginal. Undoubtedly, the Group of Seven leading industrial nations would find the conventions a useful vehicle to strengthen their own laws and controls against diversion—but this they should be doing anyway.

Peter W. Rodman

I endorse the above dissent.

Dov S. Zakheim

This report contains many sound judgments and recommendations, and will improve public discussion of U.S. policy. Several major conclusions are, however, not convincing.

Preventing Nuclear Anarchy

The report says that "reducing the danger of nuclear leakage as much as possible, as quickly as possible, should be the highest priority of American security policy" and that the problem requires "frequent high-level and significant presidential attention." There is no denying that the security of fissile materials in Russia is a big problem, but this prescription is seriously overstated. It is not supported either by the record to date or by the report's own recommendations. These recommendations are not, in fact, substantial enough to occupy the president's time in the way described, even if he were willing to give it. The president's real job is to get the U.S. relationship with Russia right. The security of fissile materials is just one part of this effort.

NATO Enlargement

The report's suggested compromise on NATO expansion is well-intended but probably unworkable. NATO is supposed to admit Poland, Hungary, and the Czech Republic, but then pause for a "protracted" period before considering new applicants. The attempt to make this assurance credible is, however, undercut by rushing the Baltic states into the Western European Union. (The very idea of EU action on admitting Baltic members next spring itself seems unrealistic.) Finally, the report proposes "parallel" urgings on Russia to establish a consultative relationship with NATO. Whether this very familiar proposal will have any impact at all depends on the content of the relationship to be created, about which the report says nothing.

Strategic Arms Control

The report has some useful things to say about strategic nuclear issues, particularly its emphasis on drawing Russia into a cooperative approach to ballistic missile defense. The value of such suggestions is, however, undercut by the short deadline proposed for

such discussions (the end of 1996) and by the unwillingness to offer any relaxation of START II terms other than stretching out the timetable for reductions.

Stephen R. Sestanovich

ARMS CONTROL and the U.S.-RUSSIAN RELATIONSHIP

Problems, Prospects, and Prescriptions

Report of an Independent Task Force

Five years after the collapse of the Soviet Union, the United States and Russia stand at a crossroads on arms control. Many of the arms control regimes established by Republican and Democratic administrations are under serious challenge in both countries, with the potential to damage U.S. security. With these concerns in mind, the Council on Foreign Relations and the Nixon Center for Peace and Freedom joined together to sponsor an independent Task Force on U.S.-Russian arms control. The Task Force brief was to assess current and evolving political-military circumstances and the arms control regimes, and to recommend a U.S. policy for the next 12 months. In effect, the Task Force was asked how Americans in particular should think about arms control in the wake of the Cold War's end and its importance, how to preserve what was worth preserving, and how to change what might need to be changed.

The Task Force's assessment, while sober and clear-eyed throughout, is not pessimistic. Inherent in every prescription is the conviction that sustained, patient, and realistic American diplomacy—if consistently supported by attention from the highest levels of the executive and legislative branches of the U.S. government and of the governments of its allies and friends, and joined with responsible Russian authorities—can produce workable and timely solutions to the most important arms control issues.

Sponsored by the Council on Foreign Relations
and the Nixon Center for Peace and Freedom