



THE CENTER
FOR ARMS CONTROL
AND NON-PROLIFERATION

Strengthening U.S. Security Through Non-Proliferation and Arms Control

**Based on discussions with 60 U.S. and international security
policy experts**

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Executive Summary

In 2008, the Center for Arms Control and Non-Proliferation sought input from 60 scientists, academics, members of Congress, senior congressional staffers, and representatives from advocacy groups, think tanks, and foundations to assess the priorities for the next Administration on nuclear arms control and non-proliferation. This report summarizes the consultations. A list of participants is provided at the end.

TOP THREE RECOMMENDATIONS

1. Provide a new direction on nuclear weapons policy that emphasizes “minimum deterrence,” extend the Strategic Arms Reduction Treaty (START), and signal intent to pursue negotiations with Russia on further reductions.
 - Issue a statement explaining a new vision for nuclear weapons policy and guidance for the 2009 Nuclear Posture Review. The statement should include the intent to pursue nuclear weapons reductions and a reiteration that the only role for nuclear weapons is “minimum deterrence” – deterring the use of nuclear weapons against the United States or U.S. allies.
 - Extend START I and begin bilateral negotiations with Russia on further permanent, legally-binding, and verifiable reductions toward a goal of 1,000 deployed and non-deployed nuclear weapons per side or fewer. Send a special envoy to Russia or appoint a working group to signal U.S. intent to maintain verification provisions and move toward reductions.
2. Announce intent to secure all vulnerable fissile material in four years as the best way to reduce the risk of nuclear terrorism. Accelerate and prioritize these efforts accordingly and appoint a senior official to coordinate threat reduction efforts.
3. Announce intent to seek ratification of the Comprehensive Test Ban Treaty (CTBT) and begin working to build the bipartisan support in the Senate needed for approval.

NEXT TIER RECOMMENDATIONS

Announce intent to negotiate with Iran without preconditions.

Recommit to promises (“13 Steps”) made at the 1995 extension of the Non-Proliferation Treaty (NPT), and re-affirmed in 2000, and announce intent to fulfill these promises in the first term.

Condition further deployment of ground-based midcourse missile defense in Europe on further tests that can confirm the effectiveness of the system.

Begin efforts to create a new independent agency, or reform the current State Department structure, to deal more effectively and at a higher level with arms control and non-proliferation.

Background

The spread of nuclear weapons and materials represents the gravest threat to the United States. President Obama and the 111th Congress will have a historic opportunity to effectively address this threat and strengthen U.S. and international security. The 2005 follow-up report by the 9/11 Commission to assess progress made on its recommendations gave the U.S. government a “D” grade for preventing WMD proliferation. More recently, the Partnership for a Secure America’s 2008 report card gave the U.S. government a “C” for its efforts. Several key events in the next two years – such as the expiration of the Strategic Arms Reduction Treaty (START) in December 2009, the Administration’s 2009 Nuclear Posture Review, and the 2010 Non-Proliferation Treaty (NPT) Review Conference – will force key decisions and provide opportunities for change.

Almost twenty years after the end of the Cold War, Russia and the United States continue to maintain about 16,000 nuclear weapons. The arms control process has been stalled since the late 1990s when the Comprehensive Test Ban Treaty was rejected by the Senate. The Clinton Administration subsequently failed to pursue any further major arms control measures. The Bush Administration unfortunately and dangerously reversed gains in arms control made in the last 40 years by not only ignoring new opportunities, but also rejecting long-standing agreements. President Bush turned away from the proven tools of diplomatic engagement and binding treaties for the control of nuclear weapons in favor of unilateral action and the use of force. This was a clear break with the approach of past Presidents, both Democratic and Republican, who embraced multilateral treaties as powerful instruments of diplomacy.

President Bush significantly weakened U.S. leadership on nuclear weapons issues and spurred increased proliferation of nuclear weapons capabilities. Specific Bush Administration policies that contributed to this failure include withdrawal from the 1972 Anti-Ballistic Missile (ABM) Treaty; expansion of missile defense plans into Poland and the Czech Republic; efforts to develop three new types of nuclear weapons; emphasis on making nuclear weapons more usable; threatening nuclear weapons use against non-nuclear weapon states in violation of prior U.S. commitments; and repudiating key promises made at the 1995 and 2000 NPT Review Conferences.

Strong American leadership is needed in order to meet current security challenges. The continued viability of the NPT, the first line of defense against the spread of nuclear weapons, has been challenged as additional countries consider developing nuclear weapons capabilities. Many non-nuclear weapon states believe that the United States and other nuclear weapon states have not lived up to their commitments under the NPT. The framework of legally-binding transparency and verification measures, painstakingly negotiated during the Cold War to enable the United States to ensure that Russia was fulfilling its promises, has seriously eroded. Meanwhile, the threat that terrorists might acquire a crude nuclear device is larger than ever in light of unsecured weapons and materials, known as “loose nukes.”

Project Description

In 2008, the Center for Arms Control and Non-Proliferation convened 60 experts from Congress, think tanks, foundations, academia, and advocacy groups to discuss priorities for the next Administration on arms control and non-proliferation. The project was part of the Center's program on Laying a Foundation for Progress on Nuclear Arms Control and Non-Proliferation. The effort was made possible through the generous support of the Connect U.S. Fund.

The Center, in conjunction with the New America Foundation, hosted six meetings co-chaired by Lt. Gen. Robert Gard (USA, ret.), chairman of the Center for Arms Control and Non-Proliferation, and Senator Gary Hart, chairman of Council for a Livable World. In addition, the Center conducted interviews with ten Members of Congress and senior congressional staffers.

A list of participants is provided at the end of the report.

The purpose of the meetings was to discuss priorities for the new Administration, including:

- Resuming an unfinished treaty agenda that includes ratification of a Comprehensive Test Ban Treaty, negotiation of a Fissile Material Cut-off Treaty, and a verifiable successor to the Moscow Treaty (SORT)
- Focusing on the country-specific nuclear programs of North Korea, Iran, and India, which continue to be of acute concern to the international community
- Pressing for a transformational effort to move beyond a traditional agenda in favor of a broad but achievable plan for making progress towards a nuclear weapons free world or convening the five NPT-nuclear weapons states in comprehensive arms reduction talks
- Reorganizing the federal government to implement these ideas

As these topics were considered, the participants were asked to consider:

- What should the priority issues be for the next Administration?
- What are the most important initiatives the next Administration needs to deal with in the first six months and in the first term?
- What are the most achievable initiatives?
- Which initiatives could be implemented by the Executive Branch alone and which need congressional approval?
- What steps could be taken this year to increase the odds of achieving this agenda?

This report details the recommendations made by participants.

The Center would like to thank Travis Sharp, Katie Mounts, and Ashley Hoffman for their help editing the report.

DISCLAIMER: Not all participants made recommendations and not all participants endorsed or agreed with the recommendation or the priority of the recommendations. These recommendations reflect the overwhelming consensus from the discussions but not necessarily the view of the individual participants.

Our efforts were made possible through the generous support of the Connect U.S. Fund

Top Three Recommendations for the Obama Administration

RECOMMENDATION # 1: PROVIDE A NEW DIRECTION ON NUCLEAR WEAPONS POLICY, EXTEND START I, AND BEGIN NEGOTIATING A FOLLOW-ON ARMS CONTROL AGREEMENT WITH RUSSIA THAT INCLUDES DEEPER, BINDING, AND VERIFIABLE NUCLEAR WEAPONS REDUCTIONS

The President should make a declaratory statement about his vision for nuclear weapons policy, including his intent to pursue nuclear weapons reductions and stating that the only role for nuclear weapons is minimum deterrence – deterring the use of nuclear weapons against the United States or U.S. allies. It is to the advantage of the United States, particularly in light of U.S. conventional force superiority, to de-emphasize nuclear weapons as legitimate instruments of national power in order to discourage the acquisition of nuclear weapons by other countries. De-emphasizing the prestige and importance of nuclear weapons strengthens U.S. security.

Beyond a declaratory statement about nuclear weapons policy, whether and how to renew START is one of the first issues that will face the new President. A large majority of participants recommended that addressing the impending December 2009 expiration of START I should be the next Administration's first nuclear weapons priority. One expert characterized START extension as *"One of the relatively early issues that needs to be dealt with soon after the inauguration...the new President will have less than a year to deal with that Treaty."* Former government officials noted that the expiration of *"START is a date certain and we have to start working on that...that's a given,"* and that *"START is sort of forced on the President."*

The 2002 Strategic Offensive Reductions Treaty (SORT), known as the Moscow Treaty, does not provide for legally-binding verification or permanent and irreversible reductions. If START expires without an extension and no new agreement is negotiated that provides legally-binding verification provisions, the legal framework that ensures that Russia is abiding by its commitments under the Treaty, and the resulting intelligence capability, will be lost. This issue has been highlighted by the U.S. intelligence community, which is concerned about losing these legally-binding verification tools.

Extending START I's transparency and verification provisions would be relatively easy to achieve and require little political capital, particularly as a simple extension of START would not require Senate approval.

The United States and Russia met in November 2008 to discuss whether to extend START, satisfying the Treaty requirement that the two countries meet at least 12 months prior to expiration in order to preserve the option to extend it.¹ The November meeting left the decision about whether to extend START or negotiate a new treaty to the Obama Administration. Previously, at a preliminary March 2008 meeting, both sides agreed that START should be replaced with a new arrangement and that parts of the monitoring system are no longer needed. Important differences remain, however, with Russia preferring a legally-binding treaty mandating deeper weapons

¹ The Treaty provides in Article XII that "No later than one year before the expiration of the 15-year period, the Parties shall meet to consider whether this Treaty will be extended. If the Parties so decide, this Treaty will be extended for a period of five years unless it is superseded before the expiration of that period by a subsequent agreement on the reduction and limitation of strategic offensive arms."

reductions and the United States favoring a more informal agreement, opposing new weapons cuts, and preferring the elimination of strict verification measures.

Simply extending START, however, will not go far enough. There was broad agreement in the consultations that the next President, immediately upon taking office, should also begin negotiations with the Russians toward a follow on to START that includes further permanent, verifiable, legally-binding reductions to lower levels in U.S. and Russian strategic stockpiles. In the words of one expert, *“One of the most important things is going to be getting the next President to move ahead on new negotiations with Russia on a follow on to START. Not simply extension of START, but a follow on to START...[W]e need to achieve a new treaty that accomplishes verifiable reductions to lower levels in U.S. and Russian...strategic stockpiles.”*

While subsequent efforts should include multilateralization of the arms control process by bringing in the other nuclear weapon states (China, France, United Kingdom, and then India, Pakistan, Israel, North Korea), the United States and Russia should lead by example on reductions in the near-term since they possess over 80% of the world’s nuclear weapons.

Democratic representatives and senators interviewed agreed that further reductions, beyond the Moscow Treaty levels, should be a key priority for the next Administration. Several key members of Congress on national security-related committees also stressed the importance of nuclear arms control and verification as a means to begin repairing the damaged U.S.-Russian relationship.

Whether nuclear weapons reductions are negotiated bilaterally or unilaterally and incrementally – all experts favor a level of 1,000 or fewer

There was broad consensus among participants that a comprehensive U.S.-Russian agreement on deeper nuclear reductions toward 1,000 warheads total per side will require time. A new agreement could probably be achieved within the first two years, however, and the President should announce a goal of 1,000 total nuclear warheads soon after taking office. A senior congressional committee staffer reflected this consensus, noting *“I am unable to think of any scenario in which 1,000 strategic warheads would not provide enough of an umbrella for every one of our allies and for ourselves.”* In addition to the time required for achieving internal consensus in the Administration and for negotiations with Russia, any new treaty beyond simple extension of START will require Senate approval.

There was a narrow consensus among participants that it is preferable for the United States to reduce its nuclear arsenal in tandem with Russia, though several participants advocated reducing to 1,000 unilaterally in a transparent way (by offering verification procedures to Russia) in order to encourage reciprocal Russian action toward 1,000 warheads.

Suggestions for implementing reductions in U.S. and Russian arsenals to 1,000 warheads per side (deployed and non-deployed) included accelerating implementation of the Moscow Treaty levels of 1,700 – 2,200; making those levels reflect the total number of nuclear weapons in the U.S. arsenal; and negotiating further bilateral reductions with Russia to a lower number beyond those levels. A senior Senate staffer commented *“In thinking about how one could take immediate action in a way that would not leave one vulnerable, it seems like one avenue would be to, in effect, have a race to*

get down to the Moscow Treaty levels as soon as possible and basically say we're not going to wait until 2012 to get down to this level."

Participants noted several challenges related to bilateral and unilateral reductions, including:

(1) Russia's nuclear modernization programs. One expert noted that this was a *"Perception problem [for a new Administration], not a real national security problem. But perceptions can be very important."*

(2) The weakness of Russia's conventional forces relative to U.S. and NATO conventional forces, which might result in Moscow's hesitation to reduce its nuclear forces. A senior congressional committee staffer noted, *"I think the Russians are in very much the same political posture and military posture as we were [during the Cold War] and so that creates greater dependence on their nuclear forces and I think it makes it much harder to get an agreement on changing the nature of those nuclear forces."*

(3) Possible objections from U.S. allies such as Germany or Japan, who may oppose reductions absent a re-affirmation of the viability of the U.S. nuclear umbrella guarantee.

Russian officials have indicated that legally-binding verification of the destruction of both delivery vehicles and nuclear warheads, as well as consideration of limits on conventional weapons, should all be discussed.

Negotiations on further nuclear arms reductions would represent a crucial opportunity to improve U.S.-Russia relations, which are at a low point due both to the conflict in the Republic of Georgia and to missed opportunities by both Presidents Bush and Putin over the past several years.

Appoint an envoy or working group to discuss national security agenda with Russia

The next President should appoint immediately a special representative whose task it would be to focus solely on improving U.S.-Russia relations. This envoy would signal a shift in U.S. policy toward Russia and a willingness to consider a broad array of issues such as missile defense systems in Europe and energy. A willingness to consider a broad agenda could help forge common ground on issues of particular importance to the United States, such as reducing nuclear weapons in conjunction with Russia; securing vulnerable fissile material in Russia to reduce the risk of a nuclear terrorist attack against the United States using a crude nuclear weapon; and dealing with Iran's nuclear program. Several Democratic members of Congress, including members of relevant Senate and House committees, agreed that repairing the relationship with Russia is very important for U.S. national security interests.

One former Clinton Administration government official underscored that *"The Russians in particular are very upset, to put it mildly, and they have very good reason. And you can easily say this is not in our interest to have...them as anxious and antagonistic as they currently are, and we're going to transform those relationships. And you can do quite a lot very quickly if you send an emissary to them that's credible and says we really do want to work through the entire agenda."*

A similar suggestion by a prominent scientist included appointing a high-level U.S.-Russian security working group that would meet a couple days a month to discuss, but not negotiate, national security issues with their Russian counterparts.

RECOMMENDATION # 2: COMMIT TO A HIGH PROFILE EFFORT TO REDUCE THE RISK OF NUCLEAR TERRORISM BY SECURING ALL VULNERABLE FISSILE MATERIALS IN FOUR YEARS AND OPPOSING THE SEPARATION OF PLUTONIUM FOR CIVILIAN PURPOSES

Participants agreed that committing to a high profile effort to prevent nuclear terrorism by securing all vulnerable fissile materials in four years should be one of the immediate priorities of the next Administration. For many participants, *“The number one priority is...preventing nuclear terrorism.”* The next President should accelerate and prioritize efforts to secure vulnerable fissile material to combat this threat effectively.

The risk of a terrorist attack on the United States using a crude nuclear weapon is one of the gravest threats to U.S. security. Al Qaeda has stated its desire to acquire the material needed to make a nuclear weapon. If diverted or stolen, this material, particularly highly-enriched uranium (HEU), could be relatively easy to transport and shield from detection. The December 2008 report of the bipartisan Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism chaired by former Senators Bob Graham and Jim Talent predicted that an attack will *“more likely than not”* occur somewhere in the world by 2013, highlighting the urgency of effective action.

Securing all nuclear weapons-usable material from theft and diversion at the source where it is produced or stored represents the best chance to prevent these materials from falling into the hands of terrorists hostile to the United States. While there has been significant progress in securing vulnerable material, the effort is far from complete. Material is still at risk in Russia, states of the former Soviet Union, and other countries such as Pakistan.² A Democratic member of Congress noted that much work remained to be done. A senior committee staffer emphasized that *“What counts is not the material that’s been removed. What counts is the material that’s not been removed, the material that is not guarded. That’s what the other team is going to go after, not the ones that are guarded. It’s a job we’ve got to complete.”*

This effort will require additional funding. However, more important is the political will to make this issue a diplomatic priority. The effort to secure all vulnerable material must include efforts to secure cooperation from countries that have vulnerable fissile material.

Experts and members of Congress also noted that this effort had the political advantage of offering a platform for bipartisan partnership.

² According to Dr. Matthew Bunn at Harvard University, hundreds of buildings in more than 30 countries contain enough of the essential ingredients of nuclear weapons to require the highest standards of security. See “Next Steps to Strengthen the National Nuclear Security Administration’s Efforts to Prevent Nuclear Proliferation,” testimony by Dr. Matthew Bunn before the Subcommittee on Energy and Water Appropriations, April 30, 2008.

Many participants agreed that the next President should immediately announce his intention to spearhead an international effort to secure dangerous nuclear weapons materials within four years. To do so effectively, the next President should appoint a special advisor dedicated solely to this goal – something Congress required in previous legislation but which was ignored by the Bush Administration.

In addition, a senior expert noted that the United States should do more to eliminate its own excess HEU by blending it down to low-enriched uranium as a way to enhance the legitimacy of its efforts to secure vulnerable fissile materials worldwide.

Also related to securing and disposing of vulnerable fissile material worldwide, participants agreed that the next President should seek to reduce the likelihood that additional countries may produce stockpiles of nuclear weapons-usable material by acquiring or developing sensitive nuclear technologies for civilian purposes. As one former senior congressional committee staffer noted, *“The United States needs to push the idea of internationalization of all facilities that produce fissile materials...the production of fissile material for the civilian sector is still growing by leaps and bounds. And we have to get a handle on that, otherwise we end up with a situation where many countries...will be able to...have stockpiles of fissile materials that they can turn into weapons.”*

The next Administration should oppose any new plutonium reprocessing and uranium enrichment facilities worldwide. In this context, the President should make clear through an executive order that the United States will not resume plutonium reprocessing as has been proposed pursuant to the Global Nuclear Energy Partnership (GNEP). The next Administration should also consider the internationalization of all facilities that produce fissile materials for civilian purposes.

RECOMMENDATION # 3: BEGIN LAYING THE GROUNDWORK NECESSARY TO APPROVE THE COMPREHENSIVE TEST BAN TREATY (CTBT)

Laying the groundwork necessary to ratify the CTBT should be an early priority for the next Administration. The next President should commit to a concerted and sustained campaign to build the bipartisan support necessary to win approval of the Treaty, with the goal of seeking a vote before the end of his first term. The President could emphasize the value and importance of the Treaty and state his intention to seek ratification without specifying a timeline. A former senior diplomat advised *“If I had to have him come out and say it's a very important Treaty and I want it ratified and I intend to see that it's ratified...[I would] not put a timeframe on it.”*

Starting a quiet dialogue on this issue to build bipartisan support for approval will include focusing Executive Branch resources on targeting and educating new senators who were not in office when the first CTBT vote was held in 1999. Re-educating senators who voted against the Treaty about what has changed in the intervening 10 years will also be key. A senior Senate staffer recommended beginning a *“Campaign to educate people because it's been a long time since people have heard about CTBT and reeducate...the new members, the ones that have been elected since the last election and get people to be aware of it.”* Several senior congressional staffers noted that the CTBT had fallen off the radar in the past years and should *“be put back on the agenda.”*

Several arguments should be brought to light in the process of educating senators on the value of the CTBT. The next President should clearly articulate benefits of the CTBT for the security of the United States, specifically that U.S. security is better served with entry into force of a Treaty prohibiting nuclear testing than without one. A prominent scientist emphasized a lesson to be learned from the failed 1999 approval, saying *“The supporters of CTBT in the Senate debate did not say why it was good for us. And it’s good for us for non-proliferation reasons.”* A former senior Republican official echoed this recommendation, noting it will be necessary to *“Remake the case why [the CTBT] is so critical to anti-proliferation.”*

In addition, there was consensus about the importance of the argument that the *“CTBT disproportionately benefits the United States from a hard security standpoint”* because the United States has the unique advantage of having conducted over 1,000 nuclear tests. Moreover, the technological advances since the failed 1999 Senate vote were cited as a demonstration of the viability of maintaining nuclear weapons safely and reliably without the need to resume testing. These advances include the proven performance of the Stockpile Stewardship Program and the conclusion by the nuclear weapons laboratories and independent experts that the lifetime of the nuclear primaries, the plutonium pits, is at least 85 to 100 years (compared to previous estimates of 40 years). One Senate staffer remarked *“I think we have a successful answer to the question of ‘Can we maintain a reliable nuclear deterrent without testing?’”* The answer is “Yes.”

The timing for this ratification effort is the best it has been in years. Changed circumstances include a new Senate that will include at least 58 Democrats, meaning only about 10 Republicans need to vote in favor in order to approve the Treaty. As one long-time expert warned, under any circumstances *“There’s going to be, again, a need for significant Republican support.”* The first term of the Obama Administration may prove an opportunity to present the Treaty under improved political circumstances compared to the context in 1999, when Republicans may have opposed approval of the Treaty for ideological or political purposes in part as a way of expressing opposition to the President.

Challenges will include countering the arguments of leading opponents of the CTBT, including Senators Jon Kyl (R-AZ) and Jeff Sessions (R-AL), and convincing Republican senators who may be reluctant to change their 1999 vote. A senior congressional Democratic committee staffer noted this challenge of *“Overcoming [the] legacy of voting records against CTBT by a lot of Republicans. It’s not easy to vote in a different way than you’ve voted in the past.”* Members of Congress also emphasized the importance of addressing the verification issue.

Participants did not agree about whether or not the next President should be encouraged to support some kind of compromise solution regarding the CTBT, such as allowing the nuclear weapons laboratories to develop a new nuclear warhead. While at least one congressional staffer recommended consideration of trading a new nuclear warhead for ratification of the CTBT, several arms control and non-proliferation experts expressed hesitation or reluctance to strike such a bargain. This hesitation stemmed from the experience in 1999 of having witnessed the laboratory directors ultimately oppose approval even though they had previously indicated to the Administration that they would support the Treaty.

Next Tier Recommendations

NEGOTIATE WITH IRAN WITHOUT PRECONDITIONS

Time is of the essence as Iran continues to develop its nuclear program. The President should make clear that his Administration will negotiate with Iran without preconditions.

The Bush Administration's insistence that Iran discontinue its enrichment of uranium as a precondition for negotiations over its nuclear program is not a tenable or effective policy. Given Iran's geostrategic importance, the next Administration should engage with Iran on terms different from those demanded by the Bush Administration.

There was broad agreement that this issue would be one which the Administration must begin to deal with in the near-term because of the risk of allowing Iran to continue developing its uranium enrichment program and the consequences of failing to solve this issue. A congressional committee staffer noted, *"I think Iran is probably going to be one of those...[that] force[s] its way to the top of the list because otherwise, if you're a Democratic Administration, you're going to have to live for four years with why did you lose Iran."*

There was disagreement among experts on whether the next President would be able to successfully prevent Iran from enriching uranium. However, participants agreed that the President should prevent Iran from acquiring nuclear weapons and insist on strict verification and safeguards to allow the International Atomic Energy Agency to ensure that Iran is not diverting material or pursuing a covert nuclear weapons program.

Reflecting the challenge of resolving the confrontation with Iran, one expert noted, *"The best we can hope is that the Iranians will continue to allow the International Atomic Energy Agency to verify that they are not going for nuclear weapons...what you can get out of a negotiation with Iran is maybe some cooperation with respect to tamping down some of the violence in Iraq until we get our troops out...but the nuclear issue I'm afraid is something we have very little leverage on at this point."*

RECOMMIT TO PROMISES ("13 STEPS") MADE AT THE 1995 EXTENSION OF THE NPT, AND RE-AFFIRMED IN 2000, AND ANNOUNCE INTENT TO FULFILL THESE PROMISES IN THE FIRST TERM

Many experts and senior members of Congress in the Senate and House noted the importance of strengthening the NPT, including U.S. commitments to arms control, as one of the best tools to prevent the spread of nuclear weapons to dozens of countries worldwide.

Lack of progress, missed opportunities, and changes in policy over the past 10 years have significantly weakened the Treaty regime:

- Lack of perceived progress on sufficient reductions in nuclear weapons stockpiles
- Failure of U.S. ratification of the Comprehensive Test Ban Treaty in 1999
- Abrogation of the Anti-Ballistic Missile Treaty in 2001
- Expansion of the role of nuclear weapons in the 2001 Nuclear Posture Review

- Recent changes in policy, such as the U.S.-India nuclear cooperation agreement that allowed nuclear trade with India without meaningful non-proliferation commitments (even though India is one of only three countries that never signed the NPT)

As a result, there is widespread belief that the United States has faltered on basic non-proliferation pledges. Many key non-nuclear weapon states believe that the United States has failed to make good on its NPT Article VI commitment to “*pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament.*” At the same time, key deadlines for assessing progress and viability of the Treaty are fast approaching, including the Preparatory Committee meeting in 2009 and the NPT Review Conference in 2010.

A key recommendation in anticipation of the 2009 Preparatory Committee meeting and the 2010 Review Conference is for the President to announce a recommitment to the “13 Steps” agreed to by the United States in exchange for the non-nuclear weapon states agreeing to the indefinite extension of the NPT in 1995.³ This recommitment would signal to the world that the United States is serious about its international obligations and commitment to nuclear arms control and non-proliferation, and would be a significant step in demonstrating U.S. willingness to preserve and strengthen the NPT as the first line of defense against the spread of nuclear weapons.

Several participants noted the need to prepare for and demonstrate progress at the upcoming 2010 NPT Review Conference given the failure of the 2005 Review Conference. This would help alleviate the perception held by the non-nuclear weapon states that the nuclear weapon states have not fulfilled their commitments with regard to key promises.

³ These steps include: (1) ratification and the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty; (2) a moratorium on nuclear-weapon-test explosions; (3) negotiation of a verifiable treaty banning the production of fissile material for nuclear weapons; (4) the necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament; (5) making nuclear arms reductions irreversible; (6) an unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament; (7) the early entry into force and full implementation of further nuclear arms control agreements as soon as possible; (8) the completion and implementation of the Trilateral Initiative between the United States of America, Russian Federation and the International Atomic Energy Agency; (9) steps by all the nuclear-weapon states leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all; (10) arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes; (11) reaffirmation that the ultimate objective of the efforts of states in the disarmament process is general and complete disarmament under effective international control; (12) regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”; and (13) the further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

CONDITION FURTHER DEPLOYMENT OF GROUND-BASED MIDCOURSE MISSILE DEFENSE IN EUROPE ON FURTHER TESTS THAT CAN CONFIRM THE EFFECTIVENESS OF THE SYSTEM

The new President should condition further action related to ground-based midcourse missile defense in Europe on further tests that confirm the effectiveness of the system.

Many participants – including retired senior military officers, former government officials, and scientists – expressed doubt about the viability of the system, noting that “*The ground-based mid-course missile defense system, which used to be called national missile defense, is unproven and unlikely to be workable. But some of the tactical systems, such as the Patriot, show some promise, although they are not without problems.*”

The ground-based midcourse missile defense system also risks needlessly disrupting U.S. relations with several key European allies and Russia. It is not worth deploying a flawed system to defend against a potential threat from Iran that may never materialize.

Moreover, such a system could be easily overcome by decoys or bypassed by technologically simpler and cheaper delivery mechanisms such as short-range missiles fired from ships. A senior scientist warned that, “*Anybody seriously wanting to deliver nuclear weapons against the United States would use short-range missiles from ships...[if they did build ICBMs] they would have multiple bomblets that separated...and could not possibly...be intercepted by any evolution of the mid-course system. And third...they could put them in balloons and have balloon decoys, and we have no way of distinguishing those.*”

Another argument against the deployment of missile defense, even if effective, is that countries hostile to the United States and terrorist groups could detonate a crude nuclear weapon in a U.S. city or launch a nuclear armed missile from a U.S. harbor. These alternatives are far simpler than using an expensive and technologically more complex inter-continental ballistic missile that would also readily identify the source of the attack.

REFORM THE NATIONAL SECURITY BUREAUCRACY TO DEAL MORE EFFECTIVELY AND AT A HIGHER LEVEL WITH ARMS CONTROL AND NON-PROLIFERATION

During its first term, the Obama Administration should announce a plan to reform the national security bureaucracy to better address key arms control and non-proliferation issues. The President should begin efforts to create a new independent agency, or reform the current State Department structure, to deal more effectively and at a higher level with arms control.

Institutional reform to elevate arms control and non-proliferation as essential tools of U.S. security is necessary to ensure that these issues receive adequate prioritization, high-level political attention, and the resources necessary for successful implementation. A former senior U.S. diplomat noted that “*Institutional reform would make a big difference...it’s really important that the arms control and non-proliferation imperatives be registered at the National Security Council level...if you don’t have a way to escalate the non-proliferation issues to the National Security Council level...it makes it much more difficult to make progress.*”

Supporting organizational reform would not cost much political capital if Congress can lead on this issue. Senator Daniel Akaka (D-HI), chairman of the Senate Homeland Security and Government Affairs Subcommittee on Oversight of Government Management, held a series of hearings in 2008 to highlight the need for institutional reform of the structure of U.S. government. A senior staffer also noted that the 111th Congress would likely play a greater role on this issue.

However, there was consensus among participants that any reorganization might be too time-consuming and would likely take at least two years to be accomplished in the new Administration.

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Note: Senior congressional staff members and other experts who preferred to remain unnamed were consulted as part of this project.

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Timeline of Important Dates Related to Nuclear Non-Proliferation and Arms Control, 2008 – 2010

December 2008:	Deadline for United States and Russia to meet in order to keep option open to extend START (requirement satisfied)
December 2008:	Interim report by the congressionally-appointed Nuclear Posture Review Commission (already released)
January 20, 2009:	Swearing in of President Obama and Inaugural Address
March 2009:	Final report by the congressionally-appointed Nuclear Posture Review Commission released
May 4 – 14, 2009:	NPT Review Preparatory Committee meeting
December 2009:	Expiration of START
December 2009:	Nuclear Posture Review by the Obama Administration
January 2010:	State of the Union
June 2010:	NPT Review Conference