



US Nuclear Weapons
Policy and Arms
Control Workshop

US Nuclear Policy
Review Project

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Washington, DC

This brief summarizes the primary findings of the conference as interpreted by J. Peter Scoblic, rapporteur. Participants neither reviewed nor approved this brief. Therefore, it should not be assumed that every participant subscribes to all of its recommendations, observations, and conclusions.

US Nuclear Weapons Policy and Arms Control

On November 13, 2007, the Stanley Foundation convened a half-day discussion at the Park Hyatt Hotel in Washington, DC, with US administration officials, congressional staff, foreign diplomatic staff, and nongovernmental organization (NGO) policy experts, as one of a series of Stanley-organized discussions on US nuclear weapons policy. The Stanley Foundation intends to draw upon the insights and observations raised during these discussions to produce a set of recommendations for future US nuclear weapons policy, to be published later in 2008.

Current Opposition to Arms Control

The practice of formal arms control is not dead, but it is definitely ill. In the past decade—against a backdrop of serious challenges to the nonproliferation regime, including nuclear tests by India, Pakistan, and North Korea, as well as a suspected nuclear weapons program in Iran—the United States has declined to ratify the Comprehensive Test Ban Treaty (CTBT), withdrawn from the Anti-Ballistic Missile (ABM) Treaty, and removed its support from negotiations for a verifiable fissile material cut-off treaty. Cumulatively, these developments signal a substantial departure from past US efforts to constrain nuclear arsenals and call into question the future of arms control.

Changes to US policy have been driven, in no small part, by congressional ideologues and, more recently, the Bush administration. These policymakers have advocated ad hoc, voluntary interactions among states instead of formal arrangements that impose bureaucratic and legal constraints on the application of American power, especially military power. According to this perspective, binding treaties threaten US freedom of action, while often requiring us to place faith in untrustworthy rogue regimes. Most recently, citing potential threats to US sovereignty, this sector in Congress and all of the Republican presidential candidates opposed the Law of the Sea Treaty—despite its widely recognized benefits for military navigation, American business, and the environment and notwithstanding support from the US administration and bipartisan leadership.

These concerns about constraints on US sovereignty have led the Bush administration to oppose formal arms control treaties, regardless of their individual provisions. The 2002 Strategic Offensive Reductions Treaty (SORT), also known as the Moscow Treaty, is emblematic of the administration's preference for voluntary interactions over binding agreements. Before negotiating SORT, the Bush

administration argued that Cold War-style arms control implied and perpetuated Cold War-style suspicion between Russia and the United States. Initially, it suggested that each state unilaterally reduce its arsenal, eventually acceding to a formal treaty only because of pressure from the Russians. Even then, the Bush administration sought to relax SORT's constraints. Thus, while the 500-word treaty declares each country's intention to reduce nuclear arms to between 1,700 and 2,200 deployed strategic warheads (levels similar to those Presidents Bill Clinton and Boris Yeltsin proposed for the Strategic Arms Reduction Treaty [START] III), it does not include verification provisions, encourage irreversibility, or limit nondeployed warheads.

Conference participants discussed the benefits and pitfalls of this new, informal approach. On the one hand, they argued, the flexibility of less formal arms control can produce substantial breakthroughs with greater speed. For example, in 1991 President George H.W. Bush unilaterally removed most tactical weapons from deployment—a move that Mikhail Gorbachev then reciprocated. While lacking verification provisions, these unilateral arms cuts produced dramatic results nearly instantaneously—a very different process than the years of negotiation and ratification required to produce START. On the other hand—contradicting the concern that negotiations indicate and engender mistrust—formal Cold War negotiations between the superpowers reduced tensions and built trust between the United States and Russia, helping to stave off direct conflict.

Participants also expressed concern that the Bush administration's emphasis on freedom of action vis-à-vis the US nuclear arsenal could impede progress toward disarmament. By revitalizing the US nuclear complex, seeking to develop the Reliable Replacement Warhead and the Robust Nuclear Earth Penetrator, broadening US nuclear weapons-use doctrines, and reserving the right to test nuclear weapons, the Bush administration's commitment to disarmament that the United States made under Article VI of the Nuclear Non-Proliferation Treaty (NPT) has been questioned. That could decrease the willingness of other nations to support American nonproliferation efforts and even encourage the spread of nuclear

arms. Conference participants also questioned the extent to which preserving or increasing US nuclear options enhances national security. Many nuclear missions envisioned by the Bush administration can be accomplished equally well with conventional arms. Furthermore, enemy states could easily counter bunker-busting nuclear warheads simply by putting their bunkers a bit deeper beneath the surface.

Current US nuclear weapons doctrine does not reflect consensus of the national security community; indeed, there is no widespread consensus on what role US nuclear weapons should play in the post-Cold War world. Opinions are fragmented and thinking about nuclear weapons is in flux. The administration maintains that US nuclear weapons may be needed in conflicts with rogue states like Iran and North Korea, as well as with traditional rivals like Russia and China. Meanwhile, a number of national security experts, including a broad cross section of policymakers from past administrations, have expressed a contrary view, exemplified in the January 2007 *Wall Street Journal* op-ed by George Shultz, William Perry, Henry Kissinger, and Sam Nunn, which advocated disarmament as the solution to post-9/11 nuclear dangers.

Participants argued that the current international security environment demands a new nuclear posture. Simply reducing the number of deployed warheads, however desirable, is no substitute for comprehensively reassessing US nuclear strategy. The United States must carefully develop consensus on the costs and benefits of US nuclear weapons in the post-Cold War world and tailor its nuclear posture accordingly.

The Future of Arms Control

The rise of a political bloc in the United States that opposes formal arms control has important implications for the future of US nuclear weapons policy. Although recent polls indicate widespread support in both the United States and Russia for reducing nuclear arsenals by 95 percent—and although both Democratic presidential candidates (and, subsequent to this workshop, presumptive Republican presidential nominee Senator John McCain) have promised to reinvigorate US arms control efforts—new arms control initiatives will face significant hurdles.

During the Cold War the existence of a bipartisan foreign policy consensus meant that the Soviet Union could expect a certain amount of continuity from Republican and Democratic administrations. Indeed, the Nixon, Ford, Reagan, and Bush 41 administrations staunchly supported arms control, signing the ABM Treaty, the Strategic Arms Limitations Treaty (SALT) I Interim Agreement, the Intermediate-Range Nuclear Forces Treaty, START I, and START II. By contrast, now many—if not most—Republicans oppose arms control. Arms control negotiations demand significant effort and political capital, and Democrats may be reluctant to expend such energy for fear of looking soft on defense. As the Senate's 1999 rejection of the CTBT shows, ratification poses a high hurdle for arms control agreements; a minority of 34 senators can filibuster any treaty. In addition, international consensus on arms control measures can take decades to develop, and foreign governments may be reluctant to participate if they expect Republican administrations to abandon formal arms control efforts later.

Future arms control policy could take one of three shapes:

1. Traditional negotiations toward formal arms control agreements that incorporate verification, transparency, and the like. With this approach, all arms are kept in a clearly defined “hard box.”
2. Informal discussions that may produce ad hoc agreements, much like SORT, but that do not define a “box” for weapons. Such a voluntary approach could start with arms reductions in the United States and Russia and eventually incorporate smaller nuclear powers into the framework they have developed. However, this approach becomes more difficult as more states become involved.
3. A middle ground between formal negotiations and ad hoc arrangements that does not provide perfect predictability and transparency about nuclear arsenals but that gives an overall sense of their direction—a “soft netting” to constrain weapons rather than the “hard box.” There are costs to developing detailed verification regimes, and in many ways arms control is more about strengthening predictability and building confidence than about specific force reductions.

Instead of arms control, we could pursue something more like cooperative arms management, in which we chip away incrementally at nuclear arsenals without verifying exact arms numbers.

Conference participants noted that formal verification mechanisms become more important at lower numbers of nuclear weapons. Deep arsenal cuts are more contingent upon political will than the format and structure of arms control measures. But if the political will is found, creating a multilateral regime that brings nuclear weapons down to very low levels will require formal verification measures, since all parties will want assurances.

In the short term, participants suggested we extend the START verification regime, apply it to the SORT limits, and expand SORT to limit nondeployed systems. Further arms control progress could also be made by building on the Russians' joint radar cooperation proposal and developing some sort of missile defense cooperation framework. Although practical and theoretical problems threaten the Bush administration's Global Nuclear Energy Partnership, internationalizing the nuclear fuel cycle is a valuable idea, toward which substantial progress can and should be made.

Who Will Support Changes to the US Nuclear Posture?

The Public

Opinion polls show that the public overwhelmingly supports changes to the US nuclear posture, but the public does not vote based on nuclear issues and there has not been a national debate about nuclear weapons since the nuclear freeze movement in the 1980s. With no public discussion of nuclear policy, the United States has retained a Cold War-era nuclear posture by default. One participant noted that this problem will only become more acute as fewer Americans remember a time without nuclear weapons; we are approaching a point at which people will stop questioning why we have them.

It is not clear what the best way is to rally public support behind changes to the US nuclear posture. The nuclear freeze movement arose because the public was deeply concerned about possible nuclear confrontation between the United States and the Soviet Union—in other words, because

people were afraid for their personal safety. Today people may worry about North Korea's weapons or Iran's nuclear program, but it is more difficult to argue that our own nuclear posture exacerbates such threats. Conference participants noted that, although nuclear terrorism poses the greatest threat to the United States—a threat not countered by our nuclear arsenal—trying to motivate the public by stressing the danger of nuclear terrorism could backfire, scaring voters and making them more reluctant to support nuclear cuts and eventual disarmament.

However, participants also cited the Nunn-Lugar programs, in which public fear of nuclear weapons translated into support for cooperative threat reduction. Going forward, arms control supporters could argue that if we need to get rid of Russian fissile material to reduce the threat of nuclear terrorism, then we need to reduce our own nuclear arsenal to convince Russian generals that they need fewer weapons—and therefore less fissile material. The public must be convinced that maintaining a nuclear arsenal is not an appropriate symmetric defense against nuclear terrorism. The transnational nature of threats in the post-Cold War world underscores the value of international cooperation on nuclear issues. Disarmament advocates can emphasize the need for states to work together in order to reduce nuclear threats. If the case can be made that the United States must lead the world toward disarmament rather than relying on nuclear arms as a deterrent, it might be possible to build public support for disarmament.

The Military

Participants speculated that military support for maintaining our current nuclear posture is low. The wars in Iraq and Afghanistan have imposed significant budget constraints on the Pentagon, there are more and more varied demands on the services, and nuclear arms are not central to US security policy in the way they were during the Cold War. Maintaining the technical expertise and the infrastructure to support our current nuclear posture imposes high costs on the services. Participants wondered if the most effective way to change US nuclear posture was to frame arms reductions as a budgetary issue.

Participants noted that even United States Strategic Command (STRATCOM), which ostensibly has a bureaucratic interest in maintaining the current nuclear posture, has so many tasks now that it might not oppose significant changes to our nuclear posture. In recent years, for example, STRATCOM has been more focused on dealing with space-based threats and cyber-warfare than nuclear arms. Given budget constraints that force a choice between funding nuclear programs and devoting resources to other missions, the military is not likely to resist nuclear arms cuts.

Congress

Congressional interest in nuclear weapons is, by and large, minimal. Few members of Congress are deeply interested and well-versed in nuclear weapons issues, and several are focused on nuclear issues only as they affect their constituents (for example, if their constituents work in the arms industry or if there are nuclear weapons-related bases in their district). Congressional dialogue about nuclear issues is usually limited to discussion of programs that require money—and sometimes the rationales for those programs. Rarely does discussion deal with the effect of our nuclear posture on US security.

There have been some relatively high-profile congressional debates in the past, for example over national missile defense, the Peacekeeper missile, the Robust Nuclear Earth Penetrator, and the Reliable Replacement Warhead, but those did not address US nuclear posture as a whole. There have been discussions—but no serious debate—about the relationship between US nuclear posture and nonproliferation. Congress simply does not have the time, resources, expertise, and money to focus on big-picture questions about nuclear issues. There are only about a half dozen staffers on the Hill for whom nuclear weapons issues are part of their day-to-day work. In addition, most members of Congress with significant national security expertise are focused on the Iraq war.

Despite the lack of resources and expertise, there has been some recent congressional interest in nuclear issues. In 2007 Congress included language in the defense authorization bill that echoed elements of *The Wall Street Journal* op-ed by Shultz et al., calling for ratification of the CTBT

and a moratorium on development of the Reliable Replacement Warhead. Congress has also restricted funding for nuclear weapons projects until the next administration completes an assessment of US nuclear posture in 2009.

Congress may not be equipped to sustain a major debate about the US nuclear posture, but the silver lining to this relative ignorance is that only a few members of Congress are truly opposed to changes in our nuclear posture. For example, congressional arms control advocates successfully mandated the review of US nuclear posture because no one in Congress cared enough to strip the provision out of the bill. That said, as we saw with the CTBT, there are many in Congress who will oppose arms control initiatives for political reasons if they are motivated by outside pressure groups.

The Executive Branch

Major arms control initiatives usually do not succeed without strong presidential leadership. This is also true of major changes in US nuclear posture. Participants noted that some in the arms control community advocate a top-down approach to arms reductions, whereby a new president orders changes to the nuclear posture after taking office rather than first building popular consensus by making those changes a general-election issue. Participants were ambivalent about the relative merits of these approaches.

Participants suggested that fundamental reassessment of the nuclear posture is unlikely if a Republican wins the presidential election (although it should be noted that subsequent to this workshop, Senator John McCain stated his approval for more active presidential leadership on US nuclear weapons reductions and toward disarmament in a March 2008 speech in Los Angeles); by contrast, most Democratic candidates have declared their support for a fundamental reassessment of US nuclear posture. (Hillary Clinton has been less explicit in her support for major arms reductions, but participants noted that does not necessarily mean she is averse to policy change.) Conference participants thought it likely that, given a Democratic administration, the upcoming nuclear posture review would trigger a real debate about the role of nuclear weapons in US security policy. This was not the

case during the 1994 and 2002 nuclear posture reviews. That debate will have to answer whether we want to continue supporting the current Global Strike nuclear posture, to focus merely on prompt counterforce, or to switch to a purely retaliatory capability.

Nevertheless, it is unlikely that the next president will be able to make a decision that amounts to a major nuclear policy change—to a purely retaliatory force, for example—in a single term. There are significant technical obstacles to such a change, and the armed services committees in Congress would be very cautious. They would require technical studies and detailed assessments of operational requirements—which will be more difficult to produce because the number of strategic arms experts at the State and Defense departments shrank dramatically following the collapse of the USSR. It is more likely to take a president five or six years to change the US nuclear posture.

Conclusion

In sum, the Bush administration's attempts to maintain maximum flexibility with regard to the US nuclear arsenal—both by pursuing new weapons and by agreeing to only the most informal of arms control arrangements—may call into question the United States' willingness to continue reducing its nuclear arsenal and ultimately to disarm, as called for by the NPT. This could hinder US nonproliferation efforts. In truth, as participants noted, progress in controlling nuclear weapons can be made without formal arms control treaties, but not without clear agreement on what US nuclear posture should be—an agreement that does not currently exist. Congressional calls for a new nuclear posture next year, combined with the inauguration of a new president, could provide an excellent opportunity to effect the first significant change to US nuclear posture in many years.

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The Stanley Foundation

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