

Background

No. 2564
May 27, 2011



Published by The Heritage Foundation

Beware the Next U.S.–Russian Arms Control Treaty

Baker Spring and Ariel Cohen, Ph.D.

Abstract: *The Obama Administration is already preparing for negotiations with Russia on an arms control treaty that goes beyond New START, which just entered into force in February. The Administration may see this next treaty as the means for establishing a “minimal deterrence” posture for the U.S. as a way station between today’s posture and its ultimate goal of nuclear disarmament. It is never too early in the arms control treaty process for Senators to exercise their power to advise the President and his Administration. Given U.S. national security interests and the actions of the Administration regarding arms control to date, most particularly in negotiating and bringing into force a lopsided New START agreement, their prerogatives in this process should be clear.*

The Obama Administration has indicated that the New Strategic Arms Reduction Treaty (New START) with Russia, which entered into force on February 5, 2011, is only the first step in the White House’s plan to negotiate reductions in nuclear weapons. Specifically, the Nuclear Posture Review states that the Administration will “Engage Russia, after ratification and entry into force of New START, in negotiations aimed at achieving substantial further nuclear force reductions and transparency that would cover all nuclear weapons—deployed and non-deployed, strategic and non-strategic.”¹ Further the U.S. Senate’s New START resolution of ratification mandates that the Administration begin negotiations on the next arms control treaty with Russia within a year of New START’s entry into force.²

Talking Points

- The Obama Administration is already preparing for negotiations with Russia on an arms control treaty that goes beyond New START, which just entered into force in February.
- The Administration may see this next treaty as the means for establishing a “minimal deterrence” posture for the U.S. as a way station between today’s posture and its ultimate goal of nuclear disarmament.
- Russia is not likely to look favorably on the minimal deterrence posture for itself and could demand enormous concessions from the U.S. to make even rhetorical commitments to such a posture.
- Members of the Senate will preserve the vital security interests of the U.S. by challenging the Obama Administration now regarding a negotiating strategy based on minimal deterrence in order to avoid an outcome for the treaty that would leave the U.S. deterrent inadequate and lopsided in Russia’s favor.

This paper, in its entirety, can be found at:
<http://report.heritage.org/bg2564>

Produced by the Douglas and Sarah Allison
Center for Foreign Policy Studies
of the
Kathryn and Shelby Cullom Davis
Institute for International Studies

Published by The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002–4999
(202) 546-4400 • heritage.org

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

Thus, it is clear that the Obama Administration is already planning to negotiate a new arms treaty with Russia—one that goes beyond the provisions of New START. While it is possible only to speculate on the specifics of such a new treaty, the Obama Administration's general goal for this treaty is obvious: placing the U.S. irreversibly on the path to nuclear disarmament. The Nuclear Posture Review states that it is the goal of U.S. arms control policy that “following substantial further nuclear force reductions with Russia [achieved through the next treaty], engage other states possessing nuclear weapons, over time, in a multilateral effort to limit, reduce, and eventually eliminate all nuclear weapons worldwide.”³

The Administration, therefore, must determine what guiding principles will form the foundation of the next arms control treaty with Russia. For the Obama Administration, this guiding principle will most likely be to establish a minimal deterrence posture for the U.S.—an ideal way station on the path toward nuclear disarmament. It would marginalize nuclear weapons in the U.S. arsenal to the greatest extent possible short of disarmament itself. While the Obama Administration may not use the term “minimal deterrence posture,” adopting it for negotiating the next treaty with Russia makes sense. It is a well-known intellectual commodity, and arms control analysts have examined its various necessary components in considerable detail.⁴

The problem with a minimal deterrence posture for the U.S. is that it is incompatible with U.S. security requirements in a post-Cold War world where

nuclear weapons and their requisite delivery systems are proliferating. If the U.S. cannot determine where a threat will originate, then this nation will need a comprehensive strategy to deter and defend against a wide range of proliferating threats. Adopting a minimal deterrence policy would limit America's range of responses.

If indeed the Administration has adopted a minimal deterrence “way station” on the road to zero nuclear weapons, then it is not too soon for members of the Senate to challenge the Administration regarding what may be contained in the next arms control treaty with Russia beyond New START. This is the case in part because the Russians are already “playing hard to get” in the arms control process. Such an approach is Moscow's way of obtaining U.S. concessions even before the formal negotiations begin.⁵ It is the same approach Moscow took during New START—a strategy that resulted in a treaty disproportionately benefiting Russia.⁶ Accordingly, Senators should keep in mind that the central features of a new treaty with Russia, based on a minimal deterrence posture for the U.S., could be determined before any specific treaty provisions are announced. The central negotiating dynamic behind this next treaty with Russia, including those discussions that take place in advance of the formal negotiations, will be about what advantages the Obama Administration will grant to Russia to get the Russians to make even rhetorical commitments to nuclear disarmament.

It is important for policymakers to understand where the concept of a minimal deterrence posture

1. U.S. Department of Defense, *Nuclear Posture Review Report*, April 2010, p. 47.
2. *Congressional Record*, “Treaty with Russia on Measures for Further Reduction and Limitation of Strategic and Offensive Arms—Continued,” 111th Cong., 2nd Sess., December 22, 2010, pp. S10983–S10984.
3. U.S. Department of Defense, *Nuclear Posture Review Report*, p. 47.
4. For example, see Hans M. Kristensen, Robert S. Norris, and Ivan Oelrich, “From Counterforce to Minimal Deterrence: A New Nuclear Policy on the Path Toward Eliminating Nuclear Weapons,” Federation of American Scientists and the Natural Resources Defense Council, *Occasional Paper No. 7*, April 2009.
5. Global Security Newswire, “U.S. Ready to Work with Russia on Missile Shield, Clinton Says,” February 7, 2011, at <http://www.cdi.org/russia/johnson/russia-missile-defense-feb-322.cfm> (March 1, 2011).
6. The New START Working Group, “An Independent Assessment of New START,” Heritage Foundation *Backgrounder* No. 2410, April 30, 2010, at <http://www.heritage.org/Research/Reports/2010/04/An-Independent-Assessment-of-New-START-Treaty>, and Baker Spring, “Twelve Flaws of New START That Will Be Difficult to Fix,” Heritage Foundation *Backgrounder* No. 2466, September 16, 2010, at <http://www.heritage.org/Research/Reports/2010/09/Twelve-Flaws-of-New-START-That-Will-Be-Difficult-to-Fix>.

for the U.S. will lead in terms of specific outcomes for the next treaty. This paper follows the logic of minimal deterrence to describe the possible outcomes. While speculative, these outcomes take into account previous statements by Administration officials, the Administration's negotiating behavior for New START, as well as pronouncements by members of the arms control community who have the ear of President Obama and members of his Administration. Further, this paper will describe Russia's likely negotiating strategy based on its past behavior and statements. And it will lay down markers and make recommendations for how lawmakers in the Senate should assure that any outcome is in America's best interests and does not lock the United States into another arms control treaty that disproportionately benefits Russia.

Assumptions Behind an Arms Control Negotiating Strategy Based on Minimal Deterrence

The Obama Administration is already planning the negotiating strategy for the next arms control treaty with Russia.⁷ While there has been very little public discussion about potential negotiating strategies, the Administration's commitment to nuclear disarmament leaves it few options other than minimal deterrence. Accordingly, it is not surprising that, when discussing future nuclear reductions beyond New START, the Nuclear Posture Review states that "the need for strict numerical parity between the two countries [the U.S. and Russia] is no longer as compelling as it was during the Cold War."⁸ The underlying meaning of this language is obvious: the U.S. should be comfortable with a nuclear arsenal that is smaller than Russia's. While the evidence that the Obama Administration is planning to adopt a negotiating strategy based on a minimal deterrence posture for the U.S. is circumstantial, the assumptions that would form the foundation of such a negotiating strategy are quite clear. Members of the Senate will serve the national security of the U.S. by

carefully considering these assumptions and their implications. These assumptions are:

Assumption #1: The quantity and quality of nuclear weapons in the U.S. arsenal are relatively unimportant to maintaining deterrence. The central assumption behind a minimal deterrence posture is that relatively small numbers of nuclear weapons in the U.S. arsenal, even when kept at low alert levels, are sufficient to maintain deterrence under virtually any circumstance, including the widespread proliferation of nuclear weapons to other states. One detailed report advocating this kind of posture asserts that the U.S. can maintain an effective nuclear deterrent with just a "few hundred warheads."⁹ This assertion implies that quantitative, and even most qualitative imbalances, among nuclear weapons states have little impact on deterrence. In other words, it does not matter much if Russia comes out with higher numbers of weapons.

A posture based on these assumptions would leave the United States with insufficient capabilities to secure its vital interests, undermine its ability to reassure its allies, and make its deterrent capability uncertain. In short, this is a very dangerous assumption.

Assumption #2: Increasing defensive capabilities is incompatible with nuclear disarmament. Another assumption argues that defensive postures for countering nuclear weapons, including missile defenses, introduce uncertainty as to how many weapons are required. In turn, this theory posits, the presence of the defensive capabilities will drive the number of offensive nuclear weapons higher in order to overcome the defenses—sparking an "offense-defense arms race." The Obama Administration signaled its acceptance of this assumption by permitting a statement based on the logic of this assumption to be included in New START's preamble. Further, the Administration fought very hard against an amendment to New START offered in the Senate to remove this language. This assumption

7. Rose Gottemoeller, "Briefing on New START with the Russian Federation Via Teleconference," December 23, 2010, at <http://www.state.gov/Uavc/rts/153700.htm> (March 1, 2011).

8. U.S. Department of Defense, *Nuclear Posture Review Report*, p. 30.

9. Kristensen, Norris, and Oelrich, "From Counterforce to Minimal Deterrence: A New Nuclear Policy on the Path Toward Eliminating Nuclear Weapons," p. 2.

extends to both long-range and short-range nuclear missiles and defensive forces for countering both categories of missiles. Accordingly, proponents of this assumption argue that defensive systems must be reduced concurrently with offensive nuclear arms, eventually reaching zero.

In reality, pursuing nuclear disarmament in a proliferated world without deploying robust defensive capabilities only increases instability; and reducing U.S. defenses concurrently with U.S. offensive forces increases the risk of nuclear war.¹⁰

Assumption #3: Nuclear and defense modernization is not needed. Minimal deterrence stipulates that a small number of relatively crude nuclear weapons will meet all the requirements for deterrence. As a result, modernization is incompatible with the principle of minimal deterrence. Specifically, if modernization is necessary to bolster deterrence, then modernization effectively repudiates the assumption that a minimal deterrent posture is adequate in the first place.¹¹ This is because modernization serves to enhance deterrence by permitting nuclear weapons to perform a wider array of missions against a wider array of targets. The need to modernize effectively undermines the assumption that nuclear weapons should perform only limited types of missions against a very narrow target set.

This assumption is misguided. Smaller nuclear forces actually require a greater commitment to modernization because wider performance capacity and effectiveness against a variety of targets are essential to robust deterrence.

Assumption #4: U.S. conventional superiority spurs other states to acquire nuclear weapons. While they do not frequently speak of conventional

superiority as a core element of the broader principle, proponents of a minimal deterrence posture for the United States recognize that other states may seek their own nuclear forces to offset U.S. conventional force superiority. An indication that the Obama Administration may accept this assumption surfaced on March 22, 2011, when Secretary of Defense Robert Gates announced that experts from both the U.S. and Russia are discussing options for conventional arms control in Europe.¹² By the logic behind this assumption, the U.S. invites its adversaries and potential enemies to build nuclear forces as “war fighting” instruments (as opposed to weapons exclusively for deterrence).¹³

This assumption is dangerous. An effective deterrence posture cannot exist outside broader military purposes. Any path toward nuclear disarmament that serves U.S. security interests must be based on maintaining U.S. strength in conventional forces.

Assumption #5: Verifying a treaty based on a minimal deterrence posture will be relatively easy. It is generally accepted that as the numbers of nuclear weapons decrease, the requirements for adequate verification need to be more stringent because the benefits of cheating also increase. The advantage achieved through cheating or “breakout” has an inverse relationship to the numbers.¹⁴ Yet, the concept of a minimal deterrence posture stands this logic on its head. For proponents of a minimal deterrence posture, the effectiveness of nuclear deterrence is so strong—even at relatively low numbers of weapons—that the relative advantage achieved by cheating or “breakout” is limited. For example, James M. Acton questions whether any imbalance in nuclear forces between the U.S. and Russia provides much utility for the state with the

10. Baker Spring and Peter Brookes, “What Nuclear Gaming Tells Us About New START,” Heritage Foundation *Special Report*, September 28, 2010, at <http://www.heritage.org/research/reports/2010/09/what-nuclear-gaming-tells-us-about-new-start>.

11. Kristensen, Oelrich, and Norris, “From Counterforce to Minimal Deterrence.”

12. Press release, “Joint Press Statement by Secretary Gates and Minister Serdyukov at the Ministry of Defense Guest House, Moscow,” Department of Defense, March 22, 2011, at <http://www.defense.gov/transcripts/transcript.aspx?transcriptid=4792> (March 23, 2011).

13. George P. Shultz, William J. Perry, Henry A. Kissinger, and Sam Nunn, “Deterrence in the Age of Nuclear Proliferation,” *The Wall Street Journal*, March 7, 2011, at <http://online.wsj.com/article/SB10001424052748703300904576178760530169414.html> (April 20, 2011).

14. Paula DeSutter, “Verification and the New START Treaty,” Heritage Foundation *Lecture No. 1160*, July 12, 2010, at <http://www.heritage.org/Research/Lecture/Verification-and-the-New-START-Treaty>.

greater number, whether brought about by cheating or other factors. He states, “Why a numerical imbalance might be dangerous for the state with fewer weapons is rarely spelled out.”¹⁵ Acton goes on to posit that the answer is the political leverage derived from a numerical advantage, but immediately questions the validity of such an advantage by stating, “Whether an advantage in arsenal size really can be used to force an opponent to make concessions is an interesting and contentious question—from an academic perspective.”¹⁶ By implication, the argument here is that there is not a compelling argument for stringent verification measures in the context of minimal deterrence postures and low numbers of weapons because the risks posed by cheating on the part of the other state are really quite low.

Taken together, these assumptions are naïve and dangerous. In the long run, a strategy based on these assumptions would not protect the United States from attack or assure its allies. The consequences would become even graver as more countries seek to enhance their positions by becoming peer competitors to the U.S.—a development sparked by the presumably low numbers of nuclear weapons in a future U.S. arsenal under a minimal deterrence posture.

Moscow’s Assumptions

Russia’s overall military strategy and doctrine are not compatible with a minimal deterrence posture. It views nuclear weapons as vital for the defense of the country and protection of its national interests.

That is why Moscow is already insisting on major U.S. concessions before it will come to the table to negotiate the next treaty.¹⁷ Russia’s views on the central role short-range nuclear weapons play in its strategy and doctrine are based on a number of key assumptions:

Assumption #1: Russia’s strategic posture has significant political and military advantages for a massive nuclear arsenal. During the Cold War the Soviet Union deployed thousands of short-range nuclear weapons capable of being used against military and civilian targets. Russia’s current military doctrine focuses on deterring the U.S. while winning regional conflicts. This doctrine allows the use of nuclear weapons “in response to large-scale aggression with conventional weapons in situations critical to the national security of the Russian Federation and its allies.”¹⁸ It does not exclude preemptive nuclear strikes in situations critical to Russia’s national security and state survival.¹⁹ Russia’s most recent draft national security strategy imagines possible future military conflicts over energy resources and emphasizes the need to modernize its armed forces.²⁰

Assumption #2: Nuclear weapons compensate for conventional inferiority. During the recent wars in Chechnya (1994–1996 and 1999–2004) and Georgia (2008), Russia’s conventional military forces were generally unprepared and ineffective.²¹ As a result, Russia has come to view its nuclear arsenal, especially its advantage in short-range nuclear weapons, as an important component of its national

15. James M. Acton, “Low Numbers: A Practical Path to Deep Nuclear Reductions,” Carnegie Endowment for International Peace, 2011, p. 24.

16. *Ibid.*

17. NTI Global Security Newswire, “Russia Rejects Immediate Talks on Tactical Nuke Cuts,” February 8, 2011, at http://gsn.nti.org/gsn/nw_20110208_1126.php (March 8, 2011), and Interfax, “Russia Urges U.S. to Withdraw Tactical Nuclear Weapons from Europe (Part 2),” February 7, 2011, at <http://www.interfax.com/newsinf.asp?y=2011&m=2&d=7&pg=6&id=220499> (March 8, 2011).

18. Luke Champlin and Volha Charnysh, “Russia Plans Changes to Military Doctrine,” *Arms Control Today*, December 2009, at http://www.armscontrol.org/act/2009_12/RussiaDoctrine (March 5, 2011).

19. *Ibid.*

20. Roman Kupchinsky, “Energy and the Russian National Security Strategy,” Jamestown Foundation, May 18, 2009, at http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=35006 (March 5, 2011).

21. Ariel Cohen and Robert Hamilton, “Lessons from the Georgian War,” U.S. Army War College, pp. 34–35 (forthcoming, June 2011).

military defense strategy, especially vis-à-vis the United States, NATO, and China.²²

The large arsenal of short-range nuclear weapons gives powerful military leverage if Russia engages in regional conflict in its near abroad. The Kremlin realizes the strategic significance of using its short-range nuclear weapons to gain political leverage, especially as it pertains to NATO member states. In the past, Moscow has threatened to deploy Iskander short-range nuclear missiles in Kaliningrad, a Russian exclave on the coast of the Baltic Sea, between the borders of Poland and Lithuania.²³ Recently, Russia's Army General Makhmut Gareyev, the President of the Academy of Military Sciences, went so far as to say that "The nuclear weapons of all major nuclear powers are ultimately designed to be used against Russia, whether we want to admit it or not."²⁴ This statement, regardless of its obvious paranoia, goes a long way to explain Russia's insistence on its short-range nuclear weapons overhaul.

For Moscow, nuclear arms are the weapon of choice in certain situations. Short-range nuclear weapons are likely to be used when Moscow faces a threat that it cannot counter with conventional weapons. Short-range nuclear weapons are thought

to have de-escalation qualities by demonstrating Russia's will to resolve a conflict by using them early in a conflict.²⁵ Russian nuclear policy is characterized by a perceived need to use short-range nuclear weapons in many scenarios.²⁶ For example, the Russian leadership has stated that if the NATO alliance were to use precision conventional weapons against Russian troops, Russia would be forced to respond with short-range nuclear weapons.²⁷ Conflicts on its borders, especially in Chechnya and the Northern Caucasus and with China (over the Far East), or conflicts involving strategically important Central Asia, might also prompt Moscow to use short-range nuclear weapons.²⁸

Russia's military exercises conclusively demonstrate that Moscow sees nuclear weapons as having both offensive and defensive applications.²⁹ In September 2009, during the *Zapad* ("West") military exercise, the Russian air force practiced using short-range nuclear weapons against Poland, a NATO ally.³⁰ In July 2010, Russia conducted *Vostok* ("East"), a large-scale military exercise in the Far East, and simulated a low-yield nuclear strike consistent with its policy of using short-range nuclear weapons in regional conflicts.³¹ The enemy was not named explicitly but it is clear that the target of

22. William Perry, "The July Summit and Beyond: Prospects for U.S.–Russia Nuclear Arms Reductions," testimony before the Committee on Foreign Affairs, U.S. House of Representatives, June 24, 2009, at <http://www.internationalrelations.house.gov/111/50635.pdf> (March 7, 2011).
23. BBC News Europe, "Russia to Move Missiles to Baltic," November 5, 2008, at <http://news.bbc.co.uk/2/hi/7710362.stm> (April 20, 2011).
24. Viktor Litovkin, "General Gareyev: Russia Changing its Military Doctrine," RIA Novosti, January 18, 2009, at <http://en.rian.ru/analysis/20070118/59307373.html> (March 7, 2011).
25. Jacob W. Kipp, "Russia's Nonstrategic Nuclear Weapons," Foreign Military Studies Office, May 2001, at http://www.ciaonet.org/cbr/cbr00/video/cbr_ctd/cbr_ctd_06.html#txt19 (March 7, 2011).
26. Timothy D. Miller and Jeffrey A. Larsen, "Dealing with Russian Tactical Nuclear Weapons: Cash for Kilotons," *Naval War College Review*, Vol. LVII, No. 2 (Spring 2004), p. 67, at <http://www.usnwc.edu/getattachment/ca6d4f28-32ce-4c88-9917-371ec43e1bfe/Dealing-with-Russian-Tactical-Nuclear-Weapons--Cas> (March 2, 2011).
27. Sam Gardiner, "Interview with Democracy Now," November 11, 2008, at <http://www.informationclearinghouse.info/article20492.htm> (March 2, 2011).
28. Miller and Larsen, "Dealing with Russian Tactical Nuclear Weapons: Cash for Kilotons," p. 67.
29. Stephen Blank, "European Proposal on Tactical Nuclear Weapons Highlights Russian Nuclear Dilemmas," *Eurasia Daily Monitor*, Vol. 7, No. 33 (February 18, 2010), at [http://www.jamestown.org/programs/edm/single/?tx_ttnews\[tt_news\]=36056&cHash=349320ee5c](http://www.jamestown.org/programs/edm/single/?tx_ttnews[tt_news]=36056&cHash=349320ee5c) (March 2, 2011).
30. Matthew Day, "Russia 'Simulates' Nuclear Attack on Poland," *The Telegraph*, November 1, 2009, at <http://www.telegraph.co.uk/news/worldnews/europe/poland/6480227/Russia-simulates-nuclear-attack-on-Poland.html> (March 7, 2011).
31. Roger McDermott, "Reflections on Vostok 2010: Selling an Image," World Security Network, July 20, 2010, at http://www.worldsecuritynetwork.com/showArticle3.cfm?article_id=18355&topicID=63 (March 8, 2011).

this exercise was China; the Russians worry about the numerical and potential technological disparity between the two countries.

Assumption #3: Emphasizing nuclear weapons will lessen Russia's defense budget constraints. The Russian military industrial base is undergoing a radical reform that will significantly reshape its personnel, technology, and organization. The goal of this reform is to reduce the Soviet-era military bureaucracy and develop small, but well-equipped, rapid deployment forces.³² Russian military spending is limited at times due to the country's poor economic performance. Especially after the recent global economic crisis, Russia found it challenging to provide the funding to maintain a large and effective conventional army.³³ The ambitious new \$640 billion procurement package seeks to overcome these difficulties.³⁴ In the meantime, Moscow will continue to regard Russia's nuclear weapons as a force equalizer against more technologically advanced or powerful nations.

Assumption #4: Ambiguity over Russia's short-range nuclear weapons is in itself a deterrent. None of the arms control treaties negotiated between the U.S. and the Soviet Union, later the Russian Federation, covered short-range nuclear weapons. These weapons are only subject to an informal regime based on unilateral declarations issued by George H. W. Bush and Mikhail Gorbachev and Boris Yeltsin in 1991 and 1992, respectively. These statements, known as Presidential Nuclear Initiatives (PNIs), led to the withdrawal

of certain short-term systems from the European theater, centralization of short-range nuclear weapons in storage facilities, and the destruction of some short-range nuclear weapons. Yet these initiatives lack verification mechanisms; therefore, it is impossible to determine to what extent Russia has abided by the PNIs. Some experts and officials suggest that Russia has not fulfilled its obligations under the PNIs.³⁵

Currently, the United States retains only about 200 of its estimated 500 short-range nuclear weapons in Europe.³⁶ Russia reportedly has deployed 5,390 short-range nuclear weapons, including artillery shells, gravity bombs, short-range missiles, air-launched and sea-launched cruise missiles, nuclear land mines, ship-to-ship missiles, and torpedoes.³⁷ Ambiguity over the number of weapons it possesses keeps potential challengers guessing about the state of its nuclear weapons capabilities.³⁸ In turn, so goes the Russian assumption, this increased uncertainty may dissuade Moscow's opponents from attack.

Assumption #5: That the United States is in a poor negotiating position. Given the importance of nuclear weapons in the Russian military doctrine, the agreement to restrict Russian weapons will be difficult to achieve, even if the Obama Administration offers far-reaching concessions. Sergei Ryabkov, Russia's Deputy Foreign Minister, stated that "Talks about tactical nuclear missiles are impossible without a set of other issues: an imbalance of conventional forces, missile defense, and the deployment

-
32. Pavel Baev, "Military Reform Against Heavy Odds," Peterson Institute for International Economics, at http://www.piie.com/publications/chapters_preview/4976/08iie4976.pdf (March 2, 2011).
33. The stability of economic growth in Russia is significantly dependent on the country's revenue from energy exports and thus is vulnerable to price fluctuations in global energy markets. Such dependence can potentially have negative implications on the long-term ability of the Russian government to support its military capabilities.
34. RIA Novosti, "Defense Ministry Submits \$640 Billion Arms Buy Plan to Government," December 8, 2010, at http://en.rian.ru/military_news/20101208/161683131.html (March 8, 2011).
35. Press release, "Press Roundtable at Interfax with Stephen G. Rademaker, Assistant Secretary of State for Arms Control," U.S. Department of State, October 6, 2004, at <http://2001-2009.state.gov/t/isn/rls/rm/37275.htm> (March 2, 2011).
36. Center for Arms Control and Non-Proliferation, "U.S. Tactical Nuclear Weapons in Europe Fact Sheet," January 2011, at http://armscontrolcenter.org/policy/nuclearweapons/articles/US_Tactical_Nuclear_Weapons_Fact_sheet/ (March 2, 2011).
37. R. Norris and H. Kristensen, "Russian Nuclear Forces, 2010," *Bulletin of the Atomic Scientists* (January/February 2010), p. 79.
38. Miller and Larsen, "Dealing with Russian Tactical Nuclear Weapons."

of arms in space.”³⁹ He went on to conclude, “It would be better to start from withdrawal of U.S. tactical nuclear weapons from Europe and from dismantling related infrastructure.”⁴⁰ The Russian Duma, the lower house of the Russian parliament, is reluctant to reduce the short-range arsenal unless the United States and NATO meet Russian preconditions.⁴¹

Assumption #6: Russia’s short-range nuclear stockpile does not pose a proliferation risk. The threat of nuclear proliferation pertains to short-range nuclear weapons as well as to weapon-grade material, technologies, and expertise involved in designing and creating nuclear weapons. The risk of a terrorist organization acquiring nuclear weapons is real, according to George Tenet, former Director of the Central Intelligence Agency, who said, “We also believe that bin Laden was seeking to acquire or develop a nuclear device.”⁴² Short-range nuclear weapons are a special concern for proliferation experts because of “their large number, the risks of early and/or unauthorized use, and their vulnerability to theft.”⁴³ Today, the threat of proliferation for these nuclear weapons is more prominent than for long-range warheads since they are currently not subject to any international regime.⁴⁴ For their part, the Russians insist that their short-range nuclear weapons are under reliable control and are effectively secured.⁴⁵ So far, the Russians have provided precious little transparency in this area.

The U.S.–Russia asymmetrical short-range nuclear weapons imbalance raises the question of whether the overall military balance of power exacerbates instability in Europe and makes wartime escalation and proliferation threats more likely. Therefore, it would be misguided under the current conditions to zero-out U.S. short-range nuclear weapons or withdraw them from Europe. The negotiations team should strive to achieve an effectively verifiable and transparent regime in which both countries can adequately address their security challenges in the rapidly changing multi-threat international environment.

Ten Problematic Provisions to Avoid in a New Treaty

The short-range nuclear weapons imbalance between Russia and NATO countries, combined with the opacity of Russia’s military intentions, represent a daunting challenge for U.S. strategic security interests. On the basis of the Obama Administration’s likely assumptions regarding the next arms control treaty with Russia, it is possible to envision the potential key provisions in the next treaty. These key provisions are also likely to favor Russia, since the Administration will have to overcome Russia’s views on the role of nuclear weapons by agreeing to many of Russia’s demands. Such concessions could result in a treaty that exposes the U.S. to greater security risks. These potential concessions are:

39. NTI Global Security Newswire, “Russia Rejects Immediate Talks on Tactical Nuke Cuts,” February 8, 2011, at http://gsn.nti.org/gsn/nw_20110208_1126.php (March 8, 2011), and Interfax, “Russia Urges U.S. to Withdraw Tactical Nuclear Weapons from Europe (Part 2),” February 7, 2011, at <http://www.interfax.com/newsinf.asp?y=2011&m=2&d=7&pg=6&id=220499> (March 8, 2011).

40. RT, “Fulfillment of New START Depends on US Missile Defense Plans – Foreign Ministry,” February 7, 2011, at <http://rt.com/politics/ryabkov-start-nuclear-plans/> (February 28, 2011).

41. Law of the Russian Federation: “On ratification of the Treaty between the Russian Federation and the United States on measures for further reduction and limitation of strategic Arms,” adopted by the State Duma, January 25, 2011, at <http://www.rg.ru/2011/02/01/snv-dok.html> (March 8, 2011).

42. ABC News, “Tenet: Al Qaeda Remains a Serious Threat,” February 6, 2011, at <http://abcnews.go.com/US/story?id=91936&page=3> (February 28, 2011).

43. William Potter and Nikolai Sokov, “Tactical Nuclear Weapons: The Nature of the Problem,” CNS Reports, James Martin Center for Nonproliferation Studies, January 4, 2001, at http://cns.miis.edu/reports/tnw_nat.htm (March 2, 2011).

44. *Ibid.*

45. Press conference, Alexander Yakovenko, spokesman of Russia’s Ministry of Foreign Affairs, answers a Russian media question, RIA Novosti, October 7, 2004, at <http://www.partnershipforglobalsecurity.org/PrinterFriendly.asp?Doc=t1072004124807PM.html#1L> (February 28, 2011).

Potential Concession #1: Provisions that focus on limiting strategic delivery systems first and foremost. Given the direction in which the U.S. and Russia are moving with their strategic offensive forces under New START, it is possible that the next treaty's central limit on such forces will focus on strategic delivery systems more broadly defined. On this basis, the limit is likely to be in the range of 400 deployed strategic delivery systems for the United States and for Russia. This number would represent a reduction of a little less than 50 percent from levels permitted by New START—if only strategic offensive arms are counted. In the next arms control treaty, however, the application of the limit on strategic delivery systems may well apply to both offensive and defensive arms. That is, not only would intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles (SLBMs), and heavy bombers be covered, but missile defense interceptors designed to counter long-range missiles would be included as well.

By applying the description of a minimal deterrence posture for U.S. strategic nuclear forces and extending it to defensive forces, the U.S. could agree to retain, over the length of the next treaty, some 350 ICBMs and 30 heavy bombers in its strategic offensive nuclear force.⁴⁶ The SLBMs would be phased out entirely. The remaining 20 slots for delivery vehicles under the limit would be for Ground-based Midcourse Defense (GMD) missile defense interceptors. The Russian strategic nuclear force would consist of something like the following: 240 ICBMs, 140 SLBMs, and 20 bombers. It is important to point out that the 100 missile defense

interceptors the Russians maintain around Moscow would likely be excluded from the ceiling under a “grandfathering” clause. This will be justified on the basis that New START grandfathered earlier U.S.

Hypothetical Scenario of U.S. and Russian Strategic Forces Under Minimal Deterrence Posture

U.S. Strategic Delivery Vehicles*

	Vehicles	Warheads per Delivery Vehicle***	Total Warheads	Declared Service Life
ICBMs (Minuteman III)	350	1	350	2030
Bombers (B-52, B-2)	30	16	480	2040
Ground-based midcourse defense interceptors	20	1	20	2035
TOTAL	400	About 2 warheads/kill vehicles per delivery vehicle	850	All strategic delivery vehicles phased out by 2040

400 Russian Federation Strategic Systems Options

	Vehicles	Warheads per Delivery Vehicle***	Total Warheads	Declared Service Life
SLBMs				
SS-N-23 (Sineva)	160	10	1,600	2060
SS-N-32	80	6	460	2060
ICBMs (RS-24)	140	6	840	2050
Bombers**				
TU-160 Blackjack	10	16	160	2040
TU-95 Bear	10	6	60	2040
TOTAL	400	About 9 warheads/kill vehicles per delivery vehicle	3,120	All strategic delivery vehicles phased out by 2060

* Based on NRDC/FAS concept of a minimal deterrence posture

** Does not assume a new heavy bomber for Russia

*** Declared number based on estimated maximum capacity

Sources: Hans M. Kristensen, Robert S. Norris, and Ivan Oelrich, "From Counterforce to Minimal Deterrence: A New Nuclear Policy on the Path Toward Eliminating Nuclear Weapons," Federation of American Scientists and the Natural Resources Defense Council, *Occasional Paper No. 7*, April 2009; and Congressional Research Service reports on strategic and short-range nuclear weapons: Amy Woolf, "Nonstrategic Nuclear Weapons," *CRS Report for Congress*, February 2, 2011, at <http://www.fas.org/sgp/crs/nuke/RL32572.pdf> (May 17, 2011), and Amy Woolf, "U.S. Strategic Nuclear Forces: Background, Developments, and Issues," *CRS Report for Congress*, March 10, 2011, at <http://www.fas.org/sgp/crs/nuke/RL33640.pdf> (May 17, 2011).

Table 1 • B 2564  heritage.org

46. Kristensen, Norris, and Oelrich, "From Counterforce to Minimal Deterrence," p. 44.

fielding of missile defense interceptors in ICBM launchers, which otherwise would have been prohibited under New START. This way, the Russians would be permitted to impose severe restrictions on U.S. defenses against long-range missiles. The overall effect would be that the Russians could undermine the U.S. advantage in offensive and defensive delivery vehicles and achieve an outcome that favors them. (See Table 1.)

Potential Concession #2: No central limit on strategic nuclear warheads. The next arms control treaty may impose only independent limits on warheads and kill vehicles based on their aggregate numbers attributed to each applicable delivery system. Unlike New START, it would not include an overall ceiling on attributed strategic nuclear warheads for each side. Rather, the limitation on warheads will be derived from the declared maximum carried by the limited delivery vehicles deployed by each side. Accordingly, the U.S. would have 590 warheads on offensive systems by declaring that its ICBMs will carry one warhead each and that its bombers would carry no more than eight warheads each. It would have 20 kill vehicles attributed to its 20 ground-based missile defense systems for countering long-range missiles. The Russian strategic nuclear force would include over 3,000 warheads on offensive delivery systems as follows: 2,060 attributed warheads on 240 ICBMs, 840 attributed warheads on 140 SLBMs, and 220 attributed warheads on 20 bombers. This requirement would allow the Russians to exploit their expected advantage in multiple warhead missiles in the future. (See Table 2.)

Potential Concession #3: Skewed requirements for data declarations on strategic nuclear delivery systems. The Administration, in moving toward a minimal deterrence posture for U.S. nuclear forces and garnering substantive commitments to nuclear disarmament from Russia, is likely to propose that both sides include data declarations about essential characteristics of their current and projected strategic delivery systems, both offensive and defensive. Among other elements, the declarations would necessarily include the maximum number of warheads carried by each delivery vehicle and their service lives, absent service life extension programs.

Hypothetical Outcome for Short-Range Systems Under Arms Control Treaty

In this scenario, both the U.S. and Russia reduce their arsenals by 1,000 missiles.

U.S. Short-Range Weapons

Tomahawk SLCM	100
B61-3, B61-4	400
Total U.S. Short-Range Weapons	500
<i>Eliminated</i>	<i>-500</i>
Remaining	0

U.S. Short-Range Missile Defense Interceptors

THAAD	431
PAC-3	791
SM-3 IA and IB	436
Total U.S. Short-Range Interceptors	1,658
<i>Eliminated</i>	<i>-500</i>
Remaining	1,158

Russian Tactical Weapons

Short-Range Weapons	3,800
Short-Range Missile Defense Interceptors	0
Total Russia Tactical Nuclear Weapons	3,800
<i>Eliminated</i>	<i>-1,000</i>
Remaining	2,800

Sources: Robert S. Norris and Hans M. Kristensen, "Nuclear Notebook: U.S. Strategic Forces, 2009," April 2009, at <http://www.thebulletin.org/files/065002008.pdf> (March 9, 2011), and William Perry, James Schlesinger, et al., "America's Strategic Posture," 2009, at http://media.usip.org/reports/strat_posturereport.pdf (March 10, 2011).

Table 2 • B 2564  heritage.org

The warhead declaration would establish indirect ceilings on deployed strategic nuclear warheads, strategic conventional warheads, and defensive kill vehicles by each side under the next treaty.

The requirement for declarations on the service lives of the delivery vehicles is a key reason why this treaty would represent a major departure from previous strategic nuclear arms control agreements between the U.S. and Russia. These declarations, coupled with a general prohibition on modernization discussed below, would provide a specific

timeline for each side to cease to possess deployed strategic weapons. Research, development, testing, and deployment of strategic armaments for either nation outside the declared forces would be strictly prohibited. Consequently, U.S. weapon systems deployed in the late 1980s and early 1990s would be retired long before the Russian systems being deployed now because these Russian systems could be further modernized.

Potential Concession #4: A general prohibition on strategic modernization, subject to a “grandfathering rule.” The Russians could maintain their advantage in strategic nuclear weapons for decades to come because of the skewed nature of grandfathering provisions. The data declarations provided by the two sides, discussed above, could be linked to a general prohibition on strategic modernization. That prohibition would be grandfathered to permit modernization within the descriptions provided in the declarations. For example, Russia could be permitted under the next treaty to continue to develop and deploy Bulava SLBMs, but only within the strict confines of the data declaration. The Bulava could also be developed to carry no more than a specific number of warheads and deployed only for the declared service life of the missile. (See Table 1.) Other characteristics, such as accuracy, throw weight, and maximum destructive power, would likely be included as well. Any additions to the missile over the declared characteristics would be strictly prohibited. This restriction could extend to a prohibition on the service life extension programs to permit the missile to remain in the deployed force beyond the declared service life.

Another example would be the U.S. GMD interceptor, a defensive system. In this case, the data declaration would include, but not be limited to, a declared service life of about 20 years and one kill vehicle on each interceptor.⁴⁷ As with offensive systems, modernization efforts outside the declared characteristics would be strictly prohibited.

Notably, however, a general prohibition on strategic modernization, both on the offensive and defensive side of the equation, is inconsistent with relevant provisions in the Senate resolution of ratification for New START.

It is critical for Senators to also keep in mind that paragraph 2 of Article XIV of New START states that New START may be superseded by a future treaty. Indeed, the Senate should expect that the next treaty will supersede New START. On this basis, both as a political and legal matter, Senate conditions to the ratification of New START will expire with the entry into force of the next arms control treaty with Russia.

Potential Concession #5: A limit on short-range nuclear weapons and missile defenses for countering short-range missiles, codifying Russia’s advantage. Because the next treaty may cover all types of nuclear weapons, and because the defenses are incompatible with nuclear disarmament, Russia will be permitted to codify its advantage in short-range nuclear weapons and impose constraints on U.S. defenses against short-range and intermediate-range missiles. The Administration is now operating under a requirement imposed by the Senate’s resolution of ratification for New START to initiate negotiations with Russia on what are erroneously called non-strategic or tactical nuclear weapons.⁴⁸ In fact, this category of weapons consists of shorter-range nuclear weapons. Any use of these weapons is strategic because it will necessarily have profound implications for relations among all belligerent states and is likely to alter the balance of power beyond the military theater in which it was used. The resolution required the President to certify that it is his policy to initiate negotiations on these weapons not later than one year following the entry into force of New START, following consultations with NATO allies; that the purpose of the negotiations would be to address the disparity between the U.S. and Russia in this category of weapons; and that the negotiations would not include limitations

47. Press release, “Pentagon Faces Questions on Missile Defense Plan, Budget,” Capitol Hill Press Releases, December 14, 2009, at <http://www.allbusiness.com/government/government-bodies-offices-government/14087866-1.html> (March 8, 2011).

48. *Congressional Record*, “Treaty with Russia on Measures for Further Reduction and Limitation of Strategic and Offensive Arms—Continued,” p. S10983.

on defensive missiles. President Obama issued the required certification on February 2, 2011.⁴⁹

While there is little doubt that the Obama Administration wants negotiations that reduce Russia's advantage in short-range nuclear weapons, it is clear Russia will not accept such an outcome in the next treaty absent key concessions from the White House. Therefore, questions will arise over what Russian demands the Administration will accept in order to obtain an agreement. It appears that it will accept the two items the Senate resolution sought to preclude: a codification of Russia's advantage in short-range nuclear weapons and limits on missile defenses for countering shorter-range missiles. Why? Because the Administration gave no indication during the New START negotiations that it viewed Russia's advantage in these weapons with alarm or that it believed this imbalance destabilizing. Indeed, a minimal deterrence posture is based on the assumption that such disparities are relatively unimportant and can be safely ignored.

Regarding missile defenses, a minimal deterrence posture requires that defensive systems be reduced in tandem with offensive systems. This has been Russia's position all along. Using a 1,000-unit benchmark for elimination, it would be safe to assume that the United States will reduce its shorter-range nuclear weapons to zero and the remaining reductions may come out of its arsenal of defensive interceptors for countering shorter-range missiles, such as Patriots, Standard Missile-2 and Standard Missile-3 interceptors, and Terminal High Altitude Area Defense (THAAD) interceptors, and in the future some variant of the Medium Extended-Range Air Defense System (MEADS).⁵⁰

Accordingly, the next arms control treaty may include provisions limiting shorter-range nuclear

weapons and missile defense systems for countering shorter-range missiles. The Russians, however, are unlikely to agree to a provision that permits a verifiable accounting of the number of such weapons in its arsenal. Therefore, the agreement likely will state that each party will destroy a specific number of such weapons, such as the 1,000 alluded to above, absent any reference to the overall numbers of either side. The omission of Russia's remaining short-range weapons will be justified on the basis that this is an appropriate way to initiate a process for eliminating them.

Potential Concession #6: A reduction in non-deployed nuclear warheads. On May 3, 2010, the Obama Administration released a "Fact Sheet" declaring that the size of the U.S. nuclear weapons stockpile, as of 2009, was 5,113—excluding weapons retired and awaiting dismantlement.⁵¹ Russia did not follow suit. Nevertheless, the next arms control treaty is likely to include a provision for initiating elimination of non-deployed nuclear weapons on both sides.

Given Russia's unwillingness to reveal the overall size of its nuclear weapons stockpile, the next arms control treaty would almost certainly apply the same general approach for eliminating shorter-range nuclear weapons and defensive interceptors for countering shorter-range missiles. This is, the number of such weapons to be eliminated—such as 1,000 weapons—would be stipulated absent a verified accounting of the overall numbers on both sides. This way, the Russians will be able to maintain a stockpile of more modern and capable nuclear weapons.

Potential Concession #7: A weak verification regime. As the numbers of nuclear weapons decrease, verification requirements must be more

49. The White House, "Message from the President on the New START Treaty," Office of the Press Secretary, February 2, 2011, at <http://www.whitehouse.gov/the-press-office/2011/02/02/message-president-new-start-treaty-0> (February 22, 2011).

50. It is interesting to note that on February 11, 2011, the Obama Administration announced that it is phasing out work on MEADS, which could signal that the Administration is already preparing for an outcome in arms control negotiations with Russia that will curtail short-range missile defense systems.

51. U.S. Department of Defense, "Increasing Transparency in the U.S. Nuclear Weapons Stockpile," Fact Sheet, May 3, 2010, at <http://www.defense.gov/news/d20100503stockpile.pdf> (February 22, 2011).

52. Paul Kerr, Mary Beth Nikitin, Amy Woolf, and Jonathan Medalia, "2010 Non-Proliferation Treaty (NPT) Review Conference: Key Issues and Implications," May 3, 2010, at <http://www.fas.org/sgp/crs/nuke/R41216.pdf> (March 1, 2011).

stringent because the benefits of cheating increase. But Russia has never agreed to a verification regime for their short-range nuclear weapons. Under a relatively weak verification regime, Russia would be able to hide important aspects of its nuclear weapons capability. The next arms control treaty is likely to carry over the weak regime now in place for New START. However, it will have to include additional provisions, which will result in an even weaker verification system than found in New START in the following areas:

- Measures for verifying reductions in missile defense systems for countering long-range missiles;
- Measures for verifying the prohibition on undeclared research, development, testing, and deployment activities for strategic offensive and defensive arms;
- Measures for confirming the elimination of identified short-range nuclear weapons;
- Measures for confirming the elimination of identified missile defense interceptors for countering shorter-range missiles; and
- Measures for confirming the elimination of non-deployed nuclear weapons.

Potential Concession #8: A statement in the preamble declaring that the Non-Proliferation Treaty is a disarmament treaty. President Obama's goal is to move toward a world without nuclear weapons. The danger with such an approach is that the U.S. would weaken its overall nuclear deterrence posture while other nations do not follow suit. The logical approach to negotiating a nuclear disarmament agreement would be to open a multilateral negotiation for drafting such an agreement from scratch. Unfortunately, this approach is inconsistent with an aspiration of concluding such an agreement prior to Obama's departure from office, even if he wins a second term.

Thus, it is not surprising that the Administration encouraged the member states at last year's review conference of the Non-Proliferation Treaty (NPT) in New York to raise the general goal of nuclear

disarmament in Article VI of the NPT to the position of a central pillar.⁵² This move came despite the fact that nuclear disarmament is not the object and purpose of the NPT and there is no historical evidence that the NPT was intended to be a nuclear disarmament treaty. Nevertheless, the Administration is likely to press the Russians to include, in the next arms control treaty's preamble, a recognition that the NPT already constitutes a nuclear disarmament treaty—because, after all, non-proliferation is achievable only in the context of nuclear disarmament. This provision could go on to note that the additional step needed for achieving nuclear disarmament is an expansion of the safeguards regime of the International Atomic Energy Agency (IAEA) to confirm the elimination of nuclear weapons worldwide. Proponents will likely assert that the NPT was effectively amended through this reinterpretation.

Potential Concession #9: A statement in the preamble committing parties to redress the conventional weapons imbalance, starting in Europe. Because conventional superiority is incompatible with a minimal deterrence posture, there is a danger that the U.S. conventional superiority will be sacrificed on the altar of arms control. The Administration may accept Russia's demand to acknowledge an interrelationship between conventional and nuclear arms and that the reduction and eventual elimination of nuclear weapons requires that the parties first redress the existing imbalance in conventional arms. Accordingly, the Administration could accept a clause that commits both parties to a renegotiation of the 1990 Conventional Forces in Europe (CFE) Treaty with the aim of restoring the conventional balance between Russia and NATO in the European theater. Recent remarks from Secretary Gates confirm that some activity with regard to conventional arms control is already taking place.⁵³

Potential Concession #10: Provisions for unlimited duration and no withdrawal. The Obama Administration believes that if it disarms, other governments will follow. It is possible to envision an outcome that imposes restrictions on the U.S. that put this nation at a disadvantage relative to not only Russia but other adversaries as well over

53. Press Release, "Joint Press Statement by Secretary Gates and Minister Serdyukov."

the long term.⁵⁴ The Administration likely sees the next treaty as the last of the bilateral arms control treaties between the U.S. and Russia. At the same time, it recognizes that such a treaty as described here will require a lengthy implementation period and cannot afford backsliding. Accordingly, this treaty is likely to be one of unlimited duration that prohibits either party from withdrawing. However, it may permit its expiration following the full implementation of the reinterpreted NPT as a nuclear disarmament treaty.

Why Senators Should Express Their Concerns Now

The Senate's constitutional role in advising on, and consenting to, treaties provides a critical check on the executive branch. Many questions remain about how New START was negotiated, and Senators should be concerned as well about how the next treaty will be negotiated. Members should be wary that a new treaty with Russia could limit U.S. capabilities in a way that makes this nation more, not less, vulnerable. In addition, New START states that it may be superseded by the next treaty. Both as a political and legal matter, the Senate's conditions to the ratification of New START will thus expire with the entry into force of the next arms control treaty with Russia.

Unlike what was stated often during the debate over New START, it is not always better to have an arms control treaty with Russia than not to have one.⁵⁵ Specifically, Senators should express their concern if a proposed treaty with Russia contains any of the following:

- A provision establishing a minimal deterrence posture for the U.S.;
- A provision securing significant Russian advantages in the major components of a broader nuclear deterrent, including, but not limited to, complete weapons systems, delivery vehicles, warheads, projected weapons life expectancies, and stockpiles;

- A provision or collection of narrow provisions that impose a general prohibition on the modernization of the nuclear weapons complex, the weapons and their delivery systems;
- A provision limiting U.S. missile defense capabilities in any way;
- A provision imposing additional restrictions on conventionally armed offensive strategic weapons beyond those found in New START;
- A provision linking nuclear reductions to the need for general limits on U.S. conventional military capabilities;
- A provision re-interpreting the NPT as a nuclear disarmament treaty that should otherwise be negotiated as an amendment to the NPT subject to Senate consent;
- A collection of provisions that, taken together, make the treaty inadequately verifiable;
- A provision that denies parties the right to withdraw; and/or
- A provision making the treaty an agreement of unlimited duration.

Russia views its nuclear arsenal generally, and its short-range nuclear arsenal in particular, as a vital and legitimate means to counterbalance conventional superiority by NATO and a variety of plausible threats from China, as well as a powerful deterrent in regional conflicts. It is all but certain to make far-reaching demands like the provisions above, which will result in another treaty that is lopsided in Russia's favor and leaves the U.S. exposed to threats by other countries and non-state actors.

It is never too early in the arms control treaty process for Senators, individually and in groupings, to exercise their power to advise the President and his Administration. This is the case, in part, because the Administration can make significant concessions even in the course of organizing future negotiations. Senators should make their concerns known even

54. Julian Borger, "Barack Obama Ready to Slash U.S. Arsenal," *The Guardian*, September 20, 2009, at <http://www.guardian.co.uk/world/2009/sep/20/barack-obama-us-nuclear-weapons> (April 20, 2011).

55. Rose Gottemoeller, "New START Treaty," testimony before the Armed Services Committee, U.S. Senate, July 29, 2010, at <http://armed-services.senate.gov/statemnt/2010/07%20July/Gottemoeller%2007-29-10.pdf> (May 3, 2011).

absent a public statement by the President regarding the U.S. negotiating stance. Indeed, this is precisely the path that 41 Senators took on March 22, 2011, in sending President Obama a letter expressing their concerns about what may be contained in a new arms control treaty with Russia. Given U.S. national security interests and the actions of the Administration regarding arms control to date, most particularly in negotiating and bringing into force a lopsided New START agreement, their prerogatives in this process should be clear.

—*Baker Spring* is E. M. Kirby Research Fellow in National Security Policy in the Douglas and Sarah Allison Center for Foreign Policy Studies, a division of the Kathryn and Shelby Cullom Davis Institute for International Studies, at The Heritage Foundation. He is also a member of the New START Working Group. *Ariel Cohen, Ph.D.*, is Senior Research Fellow in Russian and Eurasian Studies and International Energy Policy in the Allison Center. The authors are grateful to *Michaela Bendikova*, a Research Assistant in the Allison Center, for her assistance in preparing this study.