

Background

No. 2428
June 24, 2010



Published by The Heritage Foundation

New START: Potemkin Village Verification

The New START Working Group

Abstract: *The United States and Russia signed a new Strategic Arms Reduction Treaty (New START) on April 8, 2010, in Prague. An assessment by the New START Working Group concludes that New START's verification measures are less rigorous than in its predecessor treaty, simply called START. This is particularly worrisome because as deployed U.S. strategic nuclear warheads come down under New START, national security demands that verification become more, not less, reliable. U.S. Senators, who must decide whether to consent to the ratification of New START, need to pay particular attention to the question about the adequacy of its verification regime to confirm that the Treaty's 1,550 limit on Russian deployed strategic nuclear warheads will be met and to provide transparency into the Russian development and deployment of new strategic nuclear forces. These Senators will need to ask hard questions and get satisfactory answers regarding verification prior to voting on granting consent to the ratification of New START.*

Proponents and critics of deep nuclear reductions and the goal of "nuclear zero" agree on the need for increasingly comprehensive and intrusive verification measures as nuclear forces are reduced. As nuclear force levels decrease, the potential leverage from cheating increases. It is therefore difficult to understand why the current Administration, with its stated step-by-step approach to deep nuclear reductions, has negotiated a nuclear arms reduction treaty that eviscerates the verification measures of the now expired START treaty.

Talking Points

New START has a verification regime that is less stringent than that found in the now-expired START, despite the fact that New START will result in a smaller U.S. strategic nuclear arsenal and leaves less margin for cheating without jeopardizing U.S. security. Senators reviewing the treaty should be particularly concerned about these shortcomings with New START's verification regime:

- The elimination of START's verification measures for monitoring mobile ICBMs;
- The weakening of the exchange provisions for missile telemetry;
- Reductions in the number and overall effectiveness of inspections;
- Deficiencies in the verification regime's ability to confirm the number of deployed ICBM and SLBM warheads;
- Elimination of the limits on the size and power of ballistic missiles, which constrain the maximum number of warheads that can be carried on a missile;
- Weaker procedural requirements for eliminating strategic nuclear delivery vehicles and launchers.

This paper, in its entirety, can be found at:
<http://report.heritage.org/bg2428>

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.

The New START Treaty's verification regime is not even a pale reflection of the verification regime for the original START Treaty. The decline of verification standards is striking when one remembers the late 1990s, when U.S. President William Clinton and Russian President Boris Yeltsin were discussing a START III agreement, limiting strategic nuclear forces to 2,000–2,500 warheads. For this decrease in strategic nuclear forces, increasingly stringent verification measures were considered mandatory. While it is not known what the Obama Administration proposed for New START, they certainly did not come away from the negotiating table with a treaty and a verification regime appropriate for low levels of nuclear forces.

The Obama Administration is the only U.S. government since the Reagan Administration that has submitted an arms control treaty for advice and consent without also providing the Congress a report on Russian compliance with past and current arms control agreements. Past reports are well worth reading. They document a disturbing pattern of Soviet/Russian non-compliance with arms control agreements.

Before the full extent of the gutting of START verification provisions was apparent, former Under Secretary of State for Arms Control and International Security John Bolton noted, "Verification issues... remain substantially unclear. Moreover, while important in any arms-control treaty, verification becomes even more important at low warhead levels.... At present, we know only that we have lost important START requirements for on-site inspections, telemetry exchanges, and production monitoring."¹ Verification measures must also be supplemented by a vigorous compliance policy. New START contains neither.

The now-expired START I verification regime itself was not designed for the Obama Administration policy goal of moving toward zero nuclear weapons. The verification measures of START I were designed to provide some confidence that any cheating on a treaty which allowed 6,000 accountable nuclear warheads would not be significant.

(Note: because of the counting rules for bomber weapons in START, an actual force of significantly more than 6,000 strategic nuclear warheads could be deployed.) The Moscow Treaty, signed in 2002, did not include a verification regime and relied on established verification measures provided by START. It therefore seems reasonable to expect that the New START Treaty would include verification and enforcement provisions at least as comprehensive as those from START, and perhaps more so.

In 1991, the State Department summarized the key START verification provisions as follows:

—NATIONAL TECHNICAL MEANS (NTM) - START provides for the use of, and non-interference with, national technical means of verification, e.g. satellites. There are explicit provisions prohibiting interference with NTM, or use of concealment measures that impede verification by NTM.

—TELEMETRY - Parties are prohibited from engaging in any practice that denies full access to telemetric information during missile flight tests, with certain limited exceptions. Moreover, Parties are obligated to exchange telemetry tapes, interpretative data and acceleration profiles for every test flight.

—DATA EXCHANGE AND NOTIFICATIONS - Prior to Treaty signature, the sides will exchange data on numbers, locations, and the technical characteristics of START-accountable weapons systems and facilities and will provide regular notifications and data updates thereafter.

—COOPERATIVE MEASURES - Seven times a year, either party may request the other to display in the open road-mobile launchers, rail mobile launchers and heavy bombers at bases specified by the inspecting Party. Additional cooperative measures may be requested following an operational dispersal.

—CONTINUOUS MONITORING ACTIVITIES - START establishes continuous monitoring at the perimeter and portals of each

1. John R. Bolton, "A Treaty for Utopia," National Review Online, May 3, 2010, at <http://article.nationalreview.com/431722/a-treaty-for-utopia/john-r-bolton?page=4> (June 22, 2010).

side's mobile ICBM [intercontinental ballistic missile] assembly facilities. The US has the right to establish a monitoring facility at Votkinsk, which is the final assembly facility for the SS-25, and at Pavlograd, which is the final assembly facility for the SS-24. The Soviet side has the right to monitor the Thiokol Strategic Operations facility at Promontory, Utah, the final assembly facility for the accountable stage of the Peacekeeper. Such monitoring would also be established at any future facilities at which mobile ICBM assembly takes place.

— ON-SITE INSPECTIONS (OSI) - There are twelve types of OSI and exhibitions. These are: baseline data inspections, data update inspections, new facility inspections, suspect site inspections, reentry vehicle inspections, post-exercise dispersal inspections, conversion or elimination inspections, close-out inspections, formerly declared facility inspections, technical characteristics exhibitions, distinguishability exhibitions and heavy bomber baseline exhibitions.

— COMPLIANCE - Compliance concerns may be raised by either side in the Joint Compliance and Inspection Commission (JCIC) or any other appropriate forum.²

Of the above provisions from START, only two survived relatively intact in New START: 1) the reliance on national technical means of verification; and 2) the requirement for a compliance commission. Continuous monitoring of mobile ICBM production has been eliminated. Data exchanges and notifications have been substantially reduced. Cooperative measures required by START are completely gone.

Which changes matter most? If the New START verification regime is compared with that of START I, the most significant of the changes are the elimi-

nation of verification measures for mobile ICBMs and the weakening of telemetry exchange provisions. Under New START, telemetry exchanges amount to nothing more than a symbolic gesture.³

As with the START Treaty, key verification challenges are associated with verifying the number of warheads deployed on ballistic missiles and providing the ability to detect a covert nuclear force, with particular emphasis on verification for mobile ICBMs. Both tasks are difficult and both become more important, not less, as nuclear forces are reduced. The verification of actual (and potential) deployed ballistic missile warheads is made much more difficult by the elimination of START limits on the size and power (e.g., throw weight) of ballistic missiles, and the removal of all constraints on the number of warheads that can be tested on ballistic missiles and deployed bombers.

Concerns with verification provisions contained in START but eliminated from New START, as well as the provisions associated with verification in New START, are discussed in more detail below.

The Demise of the START I Telemetry Regime

The START I Treaty required the broadcast of telemetry from *every* flight test and provision of telemetry tapes and interpretive data from every flight test.⁴ In contrast, New START requires telemetry from at most five flight tests per year. Agreement on the precise number of telemetry exchanges and for which flight tests telemetry will be provided will occur in the Bilateral Consultative Commission (BCC).⁵ Moscow will be free to determine which of its flight tests it will select to meet this goal. The Russians are likely to provide telemetry data on flight tests of Russia's aging missiles rather than from its development tests of new ICBMs and SLBMs (submarine-launched ballistic missiles).

The START I Treaty contained very strong restrictions on the encryption of telemetry.⁶ These have

2. "START: Basic Provisions of the Treaty," July 29, 1991, at <http://dosfan.lib.uic.edu/acda/factshee/wmd/nuclear/start1/strtbasi.htm> (June 22, 2010).

3. The START Treaty, Article XI and XII.

4. The START Treaty, Article XI.

5. The New START Treaty, The Protocol, Part 7, paragraphs 1 through 3.

been eliminated for New START. Thus, it is clearly legal to encrypt all telemetry for every flight test for which a party does not intend to provide telemetry tapes. This is very likely to be the case for all flight tests for new development or modern Russian ICBMs and SLBMs. Our understanding of the new and modified Russian missiles is therefore likely to decline dramatically over time. This will have profound implications. The demise of the START I telemetry regime will deny the United States the technical information needed to make intelligent decisions with regard to Moscow's compliance with the Treaty and to evaluate the potential threat posed by Russian nuclear forces.

Reducing the Number and Effectiveness of Inspections

The total number of inspections has been dramatically reduced in New START. Under START there were 12 different types of inspections.⁷ In New START there are two⁸ types of inspections that apply to both the United States and Russia. Several "special" inspections are accorded to Russia and involve only the inspection of sites in the United States. Russian Chief of the General Staff General Nikolay Makarov observed, "The previous treaty stipulated no less than 28 inspections per year. There will be 18 annual inspections now, in units on and off combat alert."⁹

Inspections to verify the "elimination" of nuclear weapon delivery systems have been fundamentally changed from those in START I. Of significance is the elimination of the START requirement to allow the other party to observe the destruction of all stages of a mobile ICBM; this has been replaced with the lesser provision of, twice a year, permitting

the other party to view the debris from half the eliminated first stages.¹⁰ This opens up the possibility that the debris will be reused in subsequent displays, creating the illusion of eliminations that may not have happened and cannot be verified.

For those inspections that remain in New START, the few inspections that produce data will be largely irrelevant to verifying compliance with the Treaty. Both types of inspections allowed in New START are stated as being for the purpose of counting non-deployed ICBMs.¹¹ However, counting provisions will not provide a comprehensive means of determining relevant counts toward treaty limits. START I limits on non-deployed mobile ICBMs are missing from New START.¹² And, inspections at bomber bases under New START serve no apparent purpose associated with verification—bombers are each counted as having only one warhead regardless of how many warheads they actually carry.

Short-notice verification inspections have essentially been abolished, providing more time to hide or remove items from the inspection site. Under START I, the inspected party had nine hours after the declaration of an inspection at a site to be ready to receive the inspectors.¹³ Under New START, the time allowed for site preparation has been expanded to 24 hours after the declaration of an inspection at a site.¹⁴ This is a major difference that degrades verification.

The evisceration of the inspection regime with regard to monitoring mobile ICBMs is glaring. START I provided that, "Deployed road-mobile launchers of ICBMs and their associated missiles shall be based only in restricted areas. A restricted area shall not exceed five square kilometers in size

6. The START Treaty, Article X, paragraph 6, and The Telemetry Protocol, Section III, paragraph 2.

7. "START: Basic Provisions of the Treaty." Also see The New START Treaty, Article XI, paragraphs 2 and 3.

8. The New START Treaty, Article XI.

9. "New START Treaty Cuts Number of Annual Inspections to 18," Interfax, April 12, 2010, Open Source Center, Doc ID CEP20100412964211.

10. START Treaty, The Protocol, Section II, paragraph 3.

11. The New START Treaty, Article XI, paragraphs 2 and 3.

12. The START limits on non-deployed mobile ICBMs are contained in Article IV, paragraph 1.

13. The START Treaty, The Inspection Protocol, Section VI, paragraph 14.

14. The New START Treaty, The Protocol, Section 5, paragraph 7.

and shall not overlap another restricted area. No more than ten deployed road-mobile launchers of ICBMs and their associated missiles may be based or located in a restricted area. A restricted area [RA] shall not contain deployed ICBMs for road-mobile launchers of ICBMs of more than one type of ICBM.”¹⁵ All of these restrictions are gone in New START. Now, there is no limit on the size of missile bases.¹⁶ New START states that, “The inspected Party shall not remove mobile launchers of ICBMs from basing areas.”¹⁷ The entire country can now be a missile base.

Increasing reliance by Moscow on mobile ICBMs and past treaty violations associated with mobile missiles compels increased vigilance here, not less. Russian violations of START I inspection procedures relating to mobile ICBMs included the following:

- “Russia prevented U.S. inspectors from exercising their Treaty right to measure launch canisters for SS-24 ICBMs contained in rail-mobile launchers that are located within the boundaries of an inspection site, in contravention of paragraphs 1 and 6 of Annex 1 to the Inspection Protocol.”
- “Notwithstanding the interim policy arrangement, Russia’s practice of locating deployed SS-25 road-mobile launchers outside their declared RAs for long periods of time constituted basing in a manner that violated the provisions of paragraphs 1 and 9 of Article VI of the Treaty.”¹⁸

The 2005 State Department arms control compliance report to Congress documented these violations. It stated, “Russia’s practice of locating deployed SS-25 road-mobile launchers outside

their declared RAs for long periods of time constituted basing in a manner that violated the provisions of paragraphs 1 and 9 of Article VI of the Treaty.”¹⁹ Eventually, Russia agreed to allow inspections, including reentry vehicle inspections, at the facility where the missiles and launchers were illegally deployed.²⁰ From the standpoint of verification, the importance of this issue is that it demonstrated Russian ability to operate mobile ICBMs for extended periods of time from facilities very unlike their normal bases. This has significant implications for the feasibility of a covert mobile ICBM force under New START’s seriously degraded verification regime.

Negotiators for the Obama Administration apparently were unconcerned about potential cheating by Russia. Under the New START Treaty, “Mobile launchers of ICBMs located at a maintenance facility may not be designated for inspection to confirm the declared number of reentry vehicles emplaced on deployed ICBMs contained on such mobile launchers of ICBMs.”²¹ This opens up a loophole that has the potential to undermine the already weak New START verification regime. Maintenance facilities and the mobile launchers and warheads within are off-limits to inspectors.

Since the New START database is currently completely blank, we do not know how the Russians will declare even their existing mobile missile facilities. If they classify many of them as maintenance facilities, the deployed missiles present at these facilities would be exempt from reentry vehicle inspections and the number of warheads present, included those loaded on missiles, could not be confirmed.

15. The START Treaty, Article VI, paragraph 1.

16. The New START Treaty, The Protocol, Part I, definition 27(a).

17. The New START Treaty, The Protocol, Annex on Inspection Activities, Part VI, Section I, paragraph 1(f).

18. U.S. Department of State, Bureau of Verification and Compliance, *Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments*, at <http://www.state.gov/t/vci/rls/rpt/51977.htm> (June 22, 2010), and Bill Gertz, “START ‘Cheating,’” at <http://www.gertzfile.com/gertzfile/ring102209.html> (June 22, 2010).

19. U.S. Department of State, *Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments*.

20. *Ibid.*

21. The New START Treaty, The Protocol, Part V, Section VI, paragraph 6(a).

Verification of the Number of Deployed Warheads on ICBMs and SLBMs

Verifying the number of warheads deployed on ballistic missiles is one of the central verification tasks common to nuclear arms control treaties. As noted above, the exemption of mobile ICBMs at maintenance facilities from reentry vehicle inspections has the potential to exempt a portion of, and even the entire, mobile ICBM force from inspections. The MIRVed version of the SS-27,²² the missile that the Russians call the RS-24, is a mobile ICBM.²³ The Russian Defense Ministry has stated that, “The new RS-24 system can carry up to 10 different nuclear [war]heads and plans are for it to replace the old R-18 and R-20 systems.”²⁴ The New START treaty would allow the Russians to exempt them from inspection by declaring their bases to be maintenance facilities; if so, a large portion of the Russian inventory of deployed nuclear warheads would not be counted.

Some inspections in both START and New START require the visual counting of the number of reentry vehicles actually deployed on U.S. and Russian missiles. START allows the inspected party to place covers over the reentry vehicles (RVs). However, such covers must not hamper inspectors in ascertaining that the front section contains no more RVs than the number of warheads attributed by START to a missile of that type. In the past, Russia violated this provision. As noted in the most recent (2005) State Department compliance report, “Russian RV covers, in some instances, are too large; consequently, they fail to meet this requirement.”²⁵ One would have hoped that the negotiators for the Obama Administration would have made an effort to correct the problematic

START I procedure and limit the size of RV covers. That did not happen.

Limits on the Size and Power of Ballistic Missiles Have Been Eliminated

The numerous collateral constraints on maximum warheads deployment per missile, missile launch weight limitations, throw-weight limitations, and limits on reentry vehicle testing which were the basis of effective constraints in START I, are missing from New START.

The elimination of all the START I restrictions on the size and power of ICBMs and SLBMs and the restrictions on the maximum number of warheads actually released from missiles during testing raises new concerns over the maximum number of warheads deployable on a ballistic missile. The elimination of the previous requirements for disclosure of ICBM and SLBM launch, throw-weight and the maximum number of warheads tested will make estimating this information for newly developed Russian missiles more difficult (and could raise additional concerns if existing Russian missiles are loaded with smaller and lighter warheads).²⁶ The virtual elimination of the START telemetry regime makes it easier for Russia to hide such actions.

The Senate should take a particularly good look at the implications of the 8th Agreed Statement in New START on “extra objects” deployed on ICBMs and SLBMs. START I required proof they were not nuclear warhead reentry vehicles.²⁷ New START deletes this requirement. New START provides that, “The Parties shall have the right to confirm that such nonnuclear objects are not nuclear-armed reentry vehicles, using procedures contained in the Annex on Inspection Activities to this Protocol.”²⁸

22. A version with the ability to deploy multiple independently targetable reentry vehicles.

23. “Russia to deploy regiment of RS-24 ballistic missiles in late 2009,” *RIA Novosti*, May 7, 2009, at <http://en.rian.ru/russia/20090507/121477681.html> (June 22, 2010).

24. “Commentary by Epoka e Re Publisher and Chief Editor Muhamet Mavraj: “Independence or War,” *Pristina Epoka e Re in Albanian*, May 31, 2007, Open Source Center, Doc ID EUP20070601027002.

25. *Ibid.*

26. This information is included in the START Treaty Memorandum of Understanding Section 1. It is not included in the New START Protocol, Part 2.

27. The START Treaty, The Inspection Protocol, Annex 3, paragraph 12.

28. The New START Treaty, The Protocol, Agreed Statement 8, paragraph 3.

These procedures involve the use of neutron detectors to determine that the extra objects are not nuclear.²⁹ The problem with neutron detectors is that they may not be adequate for detecting nuclear warheads based upon highly enriched uranium. According to a newly published Defense Threat Reduction Agency report, “discovery rates of highly-enriched uranium (HEU) remain low partly due to over-reliance on electronic radiation portal monitors, which often fail to detect HEU....”³⁰ In light of unlimited Russian throw-weight of missiles allowed under New START, the effectiveness of the allowed radiation detection equipment may be very important for the effectiveness of the regime. With neutron detectors, Russian nuclear warheads based on HEU designs may register as non-nuclear.

The combination of unlimited ballistic missile throw-weight, the ability to flight test an unlimited number of reentry vehicles on ballistic missiles, a new heavy ICBM, oversized RV covers, or highly enriched uranium nuclear warheads declared to be non-nuclear objects creates the possibility of almost unlimited cheating. This is not a theoretical threat. Russian missiles are routinely reported in the Russian press as being able to carry many more warheads than Moscow declared under START. Under START, the Bulava 30 was declared to be able to carry a maximum of six warheads per missile.³¹ Russian sources now claim that Moscow can load 10 warheads on the Bulava 30 (and the MIRVed SS-27). According to one Russian press report the intent was to integrate “10 super-lightweight warheads for the Bulava’s nose section....”³² Also, during the New START negotiations *ITAR-TASS*, a

Russian government news agency, reported that, “An SS-18 missile can deliver up to 36 warheads, whereas a Minuteman-III missile could deliver no more than 3 warheads.”³³ (Note: the SS-18 was accountable at 10 warheads under START I.)³⁴ Without telemetry we may not be able to detect the development of small reentry vehicles of the type reported in the Russian press if the Russians test in a manner that minimizes our collection.

The Abolition of the START Verification Regime for Mobile ICBMs

In addition to abolishing all START limitations on mobile ICBMs, New START also abolishes the dedicated verification regime for mobile ICBMs. Most significantly, this includes the right under START I to “continuous monitoring activities at production facilities for ICBMs for mobile launchers of ICBMs to confirm the number of ICBMs for mobile launchers of ICBMs produced.”³⁵ This START I provision allowed an exact count of the number of mobile ICBMs that exited production facilities. Also gone are the START requirements for “cooperative measures” to enhance the capability of national technical means (NTM) to monitor mobile missiles at ICBM bases (called “restricted areas” in START I), the restriction on the size of ICBM bases, the restriction on the size of deployment areas for road-mobile ICBMs, and the restriction that limits an ICBM base to one type of mobile ICBM.³⁶ Also eliminated is the START I provision that granted each party the right to “conduct suspect-site inspections to confirm that covert assembly of ICBMs for mobile launchers of ICBMs or covert assembly of first stages of such ICBMs is not occurring.”³⁷ According to

29. The New START Treaty, The Protocol, Annex on Inspection Procedures, Section VI, paragraph 6.

30. “Criminal Networks, Smuggling, and Weapons of Mass Destruction Conference Report,” Defense Threat Reduction Agency, March 2010, p. 6.

31. “Bulava has six warheads,” April 3, 2006, at http://russianforces.org/blog/2006/04/bulava_has_six_warheads.shtml (June 22, 2010).

32. “Bulava To Go for Remodeling,” Moscow SpaceNews.Ru in Russian, June 3, 2008, Open Source Center, Doc ID CEP20090604358010.

33. “Russia Strategic Missile Forces Launch Command-staff Exercise,” *ITAR-TASS*, March 11, 2010, Open Source Center, Doc ID CEP20100310950036.

34. U.S. Department of State, Bureau of Verification, Compliance, and Implementation, “START Aggregate Numbers of Strategic Offensive Arms,” October 1, 2009, at <http://www.state.gov/t/vci/rls/130149.htm> (June 22, 2010).

35. The START Treaty, Article XI, paragraph 14.

36. The START Treaty Article VI, paragraphs 1-3, and Article XII, paragraph 1(a).

Under Secretary of State Ellen Tauscher, mobile ICBMs would be verified through, “data exchanges, exhibitions, and inspections that will be part of it, and national technical means will be part of it.”³⁸ If considered sufficient, these provisions would not have been necessary for the START Treaty.

Data exchanges do not *verify* anything. They only provide data that must be verified. No cheater would be expected to provide accurate notifications of activity that was to be hidden. Exhibitions are not related to monitoring the number of mobile ICBMs, but rather confirming the accuracy of declared dimensional data for mobile ICBMs and their launchers. Inspections merely provide a snapshot in time of the number of mobile launchers located at mobile ICBM bases. Verification of numbers of mobile ICBMs requires active measures to lessen the likelihood of covert bases. The elimination of declared mobile ICBM deployment areas makes finding covert bases much more difficult for national technical means. With New START, mobile ICBMs could be located almost anywhere in Russia.

The prospect of cheating by Russia is not hypothetical. During the Reagan Administration the Soviet Union was believed to have covertly deployed the SS-16, their first mobile ICBM.³⁹ U.S. NTM was not adequate to reach a “definitive conclusion” on the issue.⁴⁰ The last available compliance report from the State Department recorded several violations by Russia of verification procedures for the START Treaty relating to mobile ICBMs. The report concluded:

- “Russia prevented U.S. inspectors from exercising their Treaty right to measure launch canisters for SS-24 ICBMs contained in rail-mobile launchers that are located within the boundaries of an inspection site, in contravention of

paragraphs 1 and 6 of Annex 1 to the Inspection Protocol.”

- “Notwithstanding the interim policy arrangement, Russia’s practice of locating deployed SS-25 road-mobile launchers outside their declared RAs for long periods of time constituted basing in a manner that violated the provisions of paragraphs 1 and 9 of Article VI of the Treaty.”
- Road Mobile Launcher Accountability: “Russia continues to violate START provisions relevant to these obligations.”⁴¹

The last of these is particularly important. According to the State Department report, “Russia has failed to declare certain road-mobile launchers of ICBMs when they first leave their production facility, as required by the Treaty. Russia has moved some of these launchers to an undeclared ‘break-in’ area located over 60 miles from the production facility without declaring that they have left the production facility and are accountable under the Treaty.”⁴² The undeclared departure of mobile launchers from a production facility was a violation of START; it also would be a violation under New START. An important consideration is whether this type of violation would be detected under the New START regime. Probably not. On-site portal monitoring has been eliminated and all of Russia is now a mobile ICBM deployment area.⁴³

Virtual Elimination of Delivery Vehicles

The START I requirements for treaty-compliant elimination for launchers have been weakened significantly. Under START, specific procedures were required for a weapon to be eliminated and removed from accountability. For example, gone is the START I requirement to cut off the last 0.78 meter of a mobile ICBM launcher.⁴⁴ This action was

37. The START Treaty, Article XI, paragraph 5.

38. Ellen Tauscher, “New START Treaty and the Obama Administration’s Nonproliferation Agenda,” March 29, 2010, at <http://www.state.gov/t/us/139205.htm> (June 22, 2010).

39. “The President’s Report to the Congress on Soviet Noncompliance with Arms Control Agreements” (Washington D.C.: The White House, January 23, 1984), p. 4.

40. *Ibid.*

41. *Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments.*

42. *Ibid.*

43. *Ibid.*

designed to complicate attempts to restore the launcher and improve the ability to detect restoration. This was considered one of the most important of the START I elimination requirements because the elimination procedure damaged the launcher beyond repair. For elimination of mobile missile launchers under New START, a party to the treaty can use almost any procedure without serious consideration of verification or irreversibility potential. Cutting a wire would probably be enough to comply with New START. Without well-defined elimination procedures, most “eliminated” launchers could easily be restored to service.⁴⁵

For solid fuel ICBMs, including mobile ICBMs, inspectors do not have the opportunity to observe eliminations (as was the case for mobile ICBMs under START⁴⁶). Instead, they are allowed to view a portion of debris from elimination.⁴⁷ New START provides that:

A Party carrying out an elimination of solid-fueled ICBMs, solid-fueled SLBMs, or mobile launchers of ICBMs shall conduct, within a calendar year, two accumulations of eliminated solid-fueled missiles and two accumulations of eliminated mobile launchers of ICBMs at the appropriate conversion or elimination facility. These accumulations shall be conducted in such a manner that no less than 50 percent of the total number of missiles and no less than 50 percent of the total number of mobile launchers of ICBMs scheduled for elimination during a calendar year will be made available for inspection during the two inspections conducted during the period of time specified in subparagraph (a) of this paragraph at each appropriate facility. Each such accumulation shall contain approximately 25 percent of the total number of solid fueled ICBMs or solid-

fueled SLBMs, or approximately 25 percent of the total number of mobile launchers of ICBMs, scheduled for elimination during the corresponding calendar year.⁴⁸

Under START I the entire mobile missile had to be eliminated with inspectors present during final stages of elimination.⁴⁹ New START procedures to observe debris, instead of observing actual eliminations, appears ridiculous if this measure is intended to provide verification. Even worse, is the provision that limits observation of debris to only half of the missiles.

Conclusion

The New START verification regime is not sufficient to detect large-scale cheating by the Russian Federation. As past experience has shown, inadequate verification measures are likely to be exploited. If Russia has the necessary resources, it can deploy many more warheads and missiles than allowed by the treaty with little risk of detection. To state that this Treaty begins to establish a basis for further reductions leading toward eliminating nuclear weapons is absurd. If the current Administration intends to pursue deeper nuclear reductions leading to nuclear elimination, verification regimes more intrusive and demanding than the now-expired START verification regime will be needed. The weak verification measures in the New START Treaty are a step in the wrong direction.

—*The New START Working Group has been established by The Heritage Foundation to educate the Senate and the American people on the content of New START and its implications for the national security of the United States. The Working Group will include analysts from The Heritage Foundation and other organizations. The Working Group’s papers will in some cases be authored by an individual participant. In other cases, as for this Background, the Working Group itself will be the author of record.*

44. The START Treaty, The Conversion and Elimination Protocol, Section III, paragraph 3(e).

45. The New START Treaty, The Protocol, Part 3.

46. The START Treaty, The Conversion or Elimination Protocol, Section 1.

47. The New START Treaty, The Protocol, Part 3, Section 2, paragraph 3.

48. The New START Treaty, The Protocol, Section VII, paragraph 4(b).

49. *Ibid.*