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New START: Beyond the Rhetoric

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The recently inked United States–Russia Strategic Arms Reduction Treaty (New START) has ignited the op-ed pages of prominent newspapers and Web sites across the country over the last few days. The Senate must now reflect on the value of the arms control pact—which that legislative body must decide whether to ratify or not—to American national security.

Some have defended or attacked the treaty on its merits, while others have sought to categorically dismiss those with differing views as “opposed to arms control” or as “politically motivated.”¹ Unfortunately, these claims miss the point of debate: whether this treaty is good for America or not.

Real, Substantive Concerns. Suffice it to say that liberals and conservatives have both supported arms control treaties that advance the U.S. national interest and are consistent with the Constitution’s requirement that the federal government provide for the common defense. In the past, the American left has certainly given arms control pacts promoted by Republican Presidents a thorough examination. The idea that some are opposing New START just to score political points distracts from the critical issues at hand.

But setting these matters aside for a moment, there are real, substantive matters in New START that need to be addressed. For instance, treaty proponents insist that nothing will impede the U.S.’s ability to deploy missile defenses. Unfortunately, as President Ronald Reagan would say, this is just not so.

The treaty imposes significant limitations on U.S. ballistic missile defenses, and new limitations con-

tinue to be unmasked as the treaty is scrutinized. Considering the rising threat from Iran’s nuclear and missile programs, not to mention North Korea’s existing threat, limiting America’s ability to defend itself should be a non-starter.

Significant Limitations. First, there is the Kremlin’s post-signing statement on New START, which says that any “qualitative” or “quantitative” change to American missile defenses would lead to a possible withdrawal of the Russian federation from the treaty. The Russian position clearly indicates that there are irreconcilable differences on treaty interpretation when compared to the U.S. unilateral statement.² By this statement, the Russians are effectively forcing the U.S. to choose between improving its missile defenses and keeping the treaty intact. That is a false choice.

Then, there is the treaty’s preambular language itself, which states:

Recognizing the existence of the interrelationship between strategic offensive arms and strategic defensive arms [missile defense], that this interrelationship will become more important as strategic nuclear arms are reduced, and that current strategic defensive arms do not undermine the viability and effectiveness of the strategic offensive arms of the Parties.

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Supporters of the treaty dismiss concerns over the preamble, stating that it has no legal standing, “limits nothing” with regard to missile defense, and simply “notes the relationship between the offense and defense, a strategic reality that has been recognized for more than 40 years.” Others, however, see this as a clear restriction on the development of missile defense.

Adding to incredulity about the treaty is that additional limits on missile defense continue to be revealed. It is worth remembering that the Obama Administration originally asserted that New START would impose *no* limitations on missile defense but has now backtracked to insist the treaty would have no *specific* restrictions. Then, Administration officials later ceded that Article V is a restriction but will not affect the Obama Administration’s missile defense plans, which are still under development. (Article V prohibits the conversion of intercontinental ballistic missile [ICBM] and submarine-launched ballistic missile [SLBM] launchers into missile defense launchers.)

The newest constraint is one on test-target missiles and launchers, which are used to develop and improve missile defense systems. The Obama Administration has yet to address this issue, but testing restrictions are unacceptable and would undermine America’s national security, especially as unforeseen threats develop. American defense policy and capabilities should be adaptable to future security challenges.

When viewed together, it is clear that New START’s preamble, the Russian unilateral statement, and remarks by senior Russian officials suggest an

attempt by Russia to limit or constrain future U.S. missile defense capabilities. This is significant, considering the nuclear and ballistic missile non-proliferation challenges America faces today—and may face in the future.

Rail-Mobile ICBMs and Launchers. Beyond missile defense, there are also concerns about the exclusion of mobile Russian rail-based ICBMs and launchers from New START language, worries that have regrettably been categorically dismissed in some circles. This is especially troubling since there appears to be a growing Russian interest in these rail-based systems, according to official Russian sources.³ It is clear that these systems would *not* be covered under New START’s definitions. In the absence of New START limitations on rail-mobile ICBMs and launchers, the Russians could deploy an unlimited number of these systems.⁴

Critics are also bothered by the fact that New START allows the Russians to increase the number of delivery systems (e.g., missiles and bombers) while the Americans must decrease their holdings. The treaty also limits the development of the Prompt Global Strike, a strategic missile armed with a conventional warhead that could be launched in as little as 60 minutes for use against targets such as a terrorist stronghold when other U.S. forces are not immediately available. The treaty also fails to account for Russia’s enormous tactical nuclear arsenal, which might be up to 10 times larger than America’s.

Arms control agreements should be adequately verifiable as well. Paula DeSutter, former Assistant

1. For examples of the debate, see Steven Pifer and Strobe Talbott, “New START Is No Mistake,” *The Washington Post*, July 7, 2010, at <http://www.washingtonpost.com/wp-dyn/content/article/2010/07/07/AR2010070703037.html> (July 13, 2010); Barron Young Smith, “The New Republic: Mitt Romney, The Non-STARTer,” National Public Radio, July 9, 2010, at <http://www.npr.org/templates/story/story.php?storyId=128403992> (July 12, 2010).
2. For both unilateral statements see Russian Presidential Executive Office, “Statement by the Russian Federation on Missile Defence,” April 8, 2010, at http://eng.news.kremlin.ru/ref_notes/4 (July 13, 2010); United States Department of State, “Statement by the United States of America Concerning Missile Defense,” April 7, 2010, at <http://www.state.gov/documents/organization/140406.pdf> (July 13, 2010).
3. See for example, RIA Novosti, “New Russian-U.S. Arms Reduction Treaty Hampered by Differences,” November 16, 2009, at <http://en.rian.ru/analysis/20091116/156858364.html> (July 13, 2010); Moscow Interfax-AVN Online, “Russian Strategic Missile Troops Will Have to Make Do with Limited Funding—Official,” December 8, 2009.
4. The New START Working Group, “An Independent Assessment of New START Treaty,” April 30, 2010, Heritage Foundation Backgrounder No. 2410, pp. 3–4, at <http://www.heritage.org/Research/Reports/2010/04/An-Independent-Assessment-of-New-START-Treaty>.

Secretary for Verification, Compliance and Implementation at the U.S. State Department, points out that New START has glaring holes in its verification regime. According to DeSutter, New START is “much less verifiable than the original START.” Moreover, “the Russians can do so much under this treaty to advance and expand their strategic forces over the length of the New START treaty and our ability to determine whether or not they are doing that and whether it violates the treaty is very, very low.” An assessment that says it is “effectively verifiable would be incorrect,” said DeSutter.⁵

Another move by the Obama Administration not inspiring confidence is that despite questions about the treaty, the White House refuses to release the New START negotiating record to the Senate for review. Important questions have been raised about how provisions of the treaty were included and how the treaty fails to include subjects that are germane. Some have insisted that such a disclosure would be unprecedented, but the Reagan Administration released both the negotiating record for the 1987 Intermediate-range Nuclear Forces treaty and the

Nixon-era 1972 Anti-Ballistic Missile treaty to the Senate at the request of Democratic Senators.

Sacrificing American Security. There is no doubt that the concerns noted above need to be addressed. But, in the end, the Obama Administration views New START as the crown jewel of its effort to “reset” U.S.–Russian relations, making them anxious for the Senate to ratify the treaty. Yet America’s national security should not be a sacrificial lamb to better ties between Moscow and Washington. Accordingly, the U.S. Senate should give New START a careful and thorough vetting and be careful not to rush its constitutional duty to review treaties.

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5. The Honorable 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>.