

The Post-START Negotiations

Throughout 2009, President Barack Obama and his senior foreign policy advisers sought to “reset” relations with Russia by, among other means, returning to the traditional approach toward bilateral strategic arms control negotiations pursued by U.S. administrations during the 1980s and 1990s. Early in the administration’s term, two influential bipartisan study groups organized by the Council on Foreign Relations and the U.S. Institute of Peace also endorsed negotiating additional U.S.-Russian nuclear arms control agreements.¹ After an initial internal review and successful talks between Secretary of State Hillary Clinton and Russian Foreign Minister Sergey Lavrov in Geneva on March 6, the Obama administration decided to try to negotiate new limits on their long-range ballistic missiles and bombers before the START accord expired on December 5, 2009. The Russian government, having urged such talks for several years, concurred with this timeline.

Meeting this ambitious goal proved too challenging. The December 5 deadline came and went without a new accord to take START’s place. Russian and U.S. officials could not reach agreement regarding the precise number of strategic nuclear delivery vehicles (SNDVs) each side could retain, the number of warheads they could carry, the rules for counting these systems, how to verify any agreement, and other issues.

Russian and American negotiators were also unable to negotiate a legally binding “bridging mechanism” that would have continued all of START’s verification measures and other provisions pending the adoption of a new treaty. As a result, some of the START procedures have been discontinued. Nonetheless, the day the treaty expired, Russia and the United States issued a joint statement that they would continue to be guided by the treaty’s main provisions pending negotiation of a follow-on accord. Citing their “firm intention” to approve a new treaty as soon as possible, they expressed their commitment, “as a matter of principle, to continue to work together in the spirit of the START treaty following its expiration.”²

Despite the missed deadline, the two governments have made considerable progress on a new agreement. On January 24, Russian President Dmitry Medvedev optimistically observed that 95 percent of the questions had been resolved.³ The parties still look to sign the post-START accord in the next few weeks and its probable entry into force, following legislative ratification in both countries, later this year.⁴ The expectation is that the governments will also sign a legally binding bridging mechanism at the same time they sign the new post-START accord itself.⁵

Background

President Obama and his Russian counterpart, Dmitry Medvedev, launched their bilateral strategic arms control negotiations when they met at the U.S. ambassador’s residence in London on the April 1, immediately before the G-20 summit. They issued two declarations—one on strategic arms control and the other on the general framework of their bilateral relationship. The latter text, though less ambitious than the Sochi Strategic Framework Declaration adopted by Presidents George Bush and Vladimir Putin in April 2008, contained several provisions affirming that the two governments would cooperate on important arms control and regional security issues. These shared goals included strengthening the Nuclear Nonproliferation Treaty

(NPT) and the International Atomic Energy Agency (IAEA), furthering the Global Initiative to Combat Nuclear Terrorism, implementing UN Security Council Resolution 1540, negotiating a Fissile Materials Cut-off Treaty (FMCT), bringing into force the Comprehensive Test Ban Treaty (CTBT), reducing civilian use of Highly Enriched Uranium while promoting the peaceful development of nuclear energy as well as multilateral approaches to the nuclear fuel cycle, securing approval of the U.S.-Russian nuclear cooperation agreement, and resolving regional nuclear disputes in Korea and Iran.⁶

Negotiations on a post-START accord began with an informal meeting in Rome on April 24. Rose Gottemoeller, the new Assistant Secretary of State for Verification and Compliance and the chief U.S. negotiator for strategic nuclear arms control issues, headed the U.S. team. The chief Russian strategic weapons negotiator was Anatoly Antonov, director of the Foreign Ministry Department of Security and Disarmament. Lavrov then discussed how these negotiations might proceed when he met with Medvedev and Clinton during his May 7 visit to Washington. The U.S. and Russian delegations held their first formal negotiating session in Moscow on May 19-21. Since then, the negotiators have held many more rounds of formal and informal talks, which were reinforced by additional bilateral discussions between senior U.S. and Russian officials, including direct exchanges between presidents Obama and Medvedev.

At their July 6, 2009 summit in Moscow, the two presidents issued a “joint understanding” that provides a general framework for governing their next bilateral strategic arms control agreement. The document met the minimum requirements of their April 1 agreement at London and confirmed that, in their post-START treaty, Russia and the United States would reduce their nuclear warheads and SNDVs below the level of any previous bilateral nuclear agreement. In terms of the number of warheads, they committed to reducing to a level of between 1,500 and 1,675, a slight decrease from the 2002 Moscow Treaty’s level of 1,700-2,200. For SNDVs, they established a range of between 500 and 1,100, a level below the 1,600 total allowed in the 1991 START agreement. The two governments indicated they aimed to reach specific warhead and SNDV limits (rather than a range) before the treaty is concluded.

It is perhaps surprising that the Russian and U.S. governments would commit to reach these limits only seven years after the new treaty entered into force. In early 2009, some people on the U.S. side suggested they expected to achieve those levels more rapidly, and then they would try to achieve another treaty in a few years with much lower limits. The number of Russian and U.S. SNDVs would likely fall to the upper levels in the July 6 framework agreement by 2016 or 2017 in any case, even without a new treaty, since both countries have been steadily reducing their nuclear forces since the end of the Cold War for economic, political, and other reasons.

Several considerations have sustained both governments’ interest in negotiating a START follow-on agreement. First, Russian and U.S. leaders seemed eager to improve bilateral relations following several years of deteriorating ties. Second, a pair of deadlines—the expiration of START in December 2009 and the convening of the Nuclear Nonproliferation Treaty (NPT) Review Conference in May 2010—ensured that nuclear arms control remained a recurring feature of the Russian-U.S. security agenda in 2009. Without an extension of START or a comparable follow-on agreement, the governments of Russia and the United States would have to rely primarily on less effective national means of verification after December 5, 2009. Third,

both the Russian and U.S. governments have stressed the strong connection between their bilateral strategic arms control negotiations and their support for the NPT and for meeting other nonproliferation obligations. The April 1 Russian-U.S. statement on strategic cooperation observed, “As leaders of the two largest nuclear weapons states, we agreed to work together to fulfill our obligations under Article VI of the Treaty on Non-Proliferation of Nuclear Weapons (NPT) and demonstrate leadership in reducing the number of nuclear weapons in the world. We committed our two countries to achieving a nuclear free world, while recognizing that this long-term goal will require a new emphasis on arms control and conflict resolution measures, and their full implementation by all concerned nations.”⁷ On the U.S. side, President Obama and his advisers hoped that progress in the U.S.-Russian talks would strengthen their efforts to limit the spread of nuclear weapons to other countries, especially Iran.⁸

Factors Impeding Negotiations

One reason for the difficulty in reaching agreement was that the Russian and U.S. governments initially had sharply different visions of what should be covered in a START follow-on treaty. The Obama administration wanted to limit the topics in the talks in order to increase the prospects of negotiating and ratifying an agreed text by early December 2009. U.S. negotiators sought to concentrate on limiting strategic offensive weapons while addressing as few other issues as possible. In her confirmation hearing, Gottemoeller said that the administration wanted to “keep the agenda tight” and “focused.”⁹ Senator Richard G. Lugar, an influential Republican arms control expert, also argued for limiting the range of issues.¹⁰ In contrast, Russian negotiators advocated addressing a wide range of issues. For example, they successfully insisted on restricting the number of nuclear warheads as well as SNDVs.

Another reason for the missed deadline was that, as urged by the Russian side, the Obama team decided to return to the detailed format of legal treaty documents like START rather than that of the 2002 Moscow Treaty (the Strategic Offensive Reductions Treaty, often abbreviated as SORT), which resembled a simple memorandum of understanding. A further complication on the American side was the requirement in the FY 2008 National Defense Authorization Act (P.L. 110-181, Sec. 1070) that the next U.S. administration conduct a Nuclear Posture Review (NPR), during its first year in office. The assessment, the first since 2001-02, is tasked to address the many political, military, and other issues that could affect the appropriate size and composition of the U.S. nuclear arsenal and its ability to achieve U.S. nuclear deterrence and arms control goals during the next five to ten years. The review is a complicated exercise involving several U.S. government agencies, especially offices in the Departments of Defense, Energy, and State. Since the NPR “will provide a basis for the negotiation of a follow-on agreement to the Strategic Arms Reduction Treaty,” it would prove difficult to secure Senate approval of a new Russian-American strategic arms control agreement that mandates substantial reductions or other major changes in U.S. nuclear forces until the NPR is completed.¹¹ A final complication was that the new U.S. government understandably became preoccupied by other security issues—especially the regional conflicts in Iraq and Afghanistan, as well as the problems of Iran and Korea—that drew attention away from the post-START negotiations.

Issues Awaiting Resolution

The post-START agreement must resolve several important issues. First, Russian and U.S. negotiators need to concur on the number of warheads and SNDVs they may deploy and which nuclear warheads and delivery systems fall within the categories covered by the next treaty. Second, they have to decide how to treat other types of warheads, such as those on shorter-range systems or conventional warheads that may be placed on SNDVs. Third, Russia and the United States must agree on how to treat strategic defenses in the next treaty. Finally, they must negotiate mutually acceptable means to verify these and other provisions.

Strategic Delivery Systems

The wide range in the limits under consideration in the July 6 framework declaration for the number of permissible SNDVs (500-1,100) reflects sharp disagreement between Moscow and Washington. The Russians favor the lower figure since they only possess some 800 START-accountable SNDVs and want to eliminate any surplus missiles. The Americans, however, have somewhat over 1,100 SNDVs according to START counting rules and prefer to download and store the number of warheads on each SNDV rather than concentrate the warheads on fewer launchers. The Russians worry that, in a crisis, the United States could simply take nuclear warheads that had previously been downloaded out of storage and upload them onto its larger number of long-range missiles, which have considerable unused carrying capacity.¹²

The United States could reduce its START-accountable SNDVs below 1,100 without further physical reductions if a follow-on agreement employed new counting rules. Such rules, like the methodology used in the SORT agreement, formally exclude SNDVs converted to conventional-only roles as well as so-called "phantom" systems. This latter group consists of former SNDVs that no longer carry strategic nuclear warheads or which now carry a lower number than when the START treaty was signed in 1991, but were not eliminated or reduced according to START procedures and therefore still count against its ceilings. For instance, START still presumes that all U.S. Trident missiles carry eight strategic warheads, although they probably only carry on average half that total.¹³ The 50 MX ICBM silos are also no longer in use since the United States retired the MX missiles from service, but the silos have not been destroyed. A number of B-52s, such as several at the Davis Monthan Air Force Base, are no longer useable, with their wings removed or missing other essential components, but they have not been destroyed according to START's specific criteria. The START totals also count former U.S. SNDVs that have been converted to carry conventional warheads, such as the B-1 bombers and four of the Trident submarines that no longer carry ballistic missiles.

Altogether, these phantom SNDVs may amount to 100 ICBM silos, 96 SLBM launch tubes on four Trident strategic submarines, and almost 150 strategic bombers, for a total of approximately 300 START-accountable warheads.¹⁴ If they could be dealt with separately, the U.S. SNDV requirement would drop from 1,100 to 800, closing half of the gap between the July U.S. proposal (1,100) and the Russian proposal (500). The two sides might then compromise by permitting each side to possess somewhat fewer than 800 SNDVs. Many U.S. officials, strategic experts, and U.S. Senators would resist a lower figure that would likely require the United States to abandon one or more "legs" of its strategic "triad" entirely. Some might recommend discarding the land-based ICBMs rather than the strategic submarines, which are well-hidden under the ocean, or heavy bombers, which have an important role attacking targets in

conventional wars such as Afghanistan, Iraq, and elsewhere. But a bipartisan coalition of Senators from several states hosting the ICBM fields has warned they might not support any arms control agreement that mandated their elimination.¹⁵

Which Warheads Count?

The parties still need to resolve the issue of which warheads would count against any agreed ceiling and whether (and how) to limit non-deployed warheads, such as those in storage or undergoing repair. Russian officials have constantly expressed alarm that the United States could rapidly move many of its reserve warheads (those kept in storage or as spares, as opposed to those in the “inactive” stockpile that lack tritium) into its operational arsenal by “uploading” them on to SNDVs. The Obama administration resisted proposals to count warheads in storage against a common ceiling. In early May, Assistant Secretary Gottemoeller argued that such an approach would require “a new phase and a very different approach to the strategic arms reductions we have ever had in the past.” At best, she argued that the idea was something “we have to consider...for the future.”¹⁶ The following week, Lavrov reaffirmed Moscow’s interest in counting warheads in storage, but he added that Russia was “not categorically saying ‘no’ to those positions which the Americans are presenting. We want to wait and see how the U.S. formulates it in legal terms.” What was important, Lavrov explained, was that the counting rules reflected “the principle of equally-assured security.”¹⁷

No previous U.S.-Russian arms control agreement has directly restricted the number of warheads outside either side’s operational arsenal. Among other problems, monitoring their status and location would require very intrusive verification procedures. Until now, the Russian and U.S. governments have refused to allow intrusive inspections of nuclear warheads because they could reveal nuclear secrets that other countries could use to develop countermeasures or to improve their own warheads. Nonetheless, as the number of operationally deployed warheads permitted in each side’s operational arsenal declines, the warheads that fall outside this category could become an increasingly important constraint on further reductions.

In addition to any limits they might agree regarding the number of non-deployed nuclear warheads, the two parties might try to address more directly the threat that one side might “break out” of a treaty and reconstitute a larger strategic force by rapidly redeploying these reserve warheads. For example, they plan to require eliminating more SNDVs than stipulated in START. They could also negotiate tighter restrictions on permissible “downloading” from the remaining delivery systems; degrade launch tubes and silos no longer in use by, for example, filling them with concrete; or mandate that all reserve warheads be located in a limited number of secure storage facilities in each country, which then could be monitored by means that could still preserve essential nuclear secrets.¹⁸

How Many?

In addition to agreeing what warheads to cover in their next agreement, Russia and the United States must also negotiate a mutually acceptable limit on the number of warheads that both countries can have. Before the July 2009 Moscow summit, the expectation was that the two sides would aim for a 1,500-warhead limit in their immediate follow-on treaty and then pledge to seek

much lower totals in future agreements. A U.S. official indicated after the April 1 Obama-Medvedev meeting in London, for example, that they expected that any treaty negotiated in 2009 would establish a “framework for doing even bolder things later.”¹⁹ The 1,500 figure is below the 1,700 warhead floor specified in SORT, yet not so low as to require radical restructuring of either side’s nuclear forces. It is also less than the number of warheads Russia may unilaterally reach in coming years as it continues to retire obsolescent Soviet-era SNDVs while not yet producing enough new systems to replace them on a one-for-one basis.²⁰ Although acknowledging that Russia’s political leadership would make the final decision, Col.-Gen. Nikolai Solovtsov, the head of Russia’s Strategic Missile Forces, had publicly advocated limiting the required reductions in the post-START treaty to 1,500 nuclear warheads for each party.²¹

Perhaps the most important consideration will be the rule the parties agree to employ for counting the number of nuclear warheads covered by the next treaty. The 1,500 limit could actually require a major reduction in both sides’ nuclear forces if they agree to use the START counting rules to determine their nuclear warhead totals. Notably, unlike SORT, START attributes a fixed number of nuclear warheads even to SNDVs that do not carry their full complement (such as some ICBMs), have since been converted to conventional use (such as some heavy bombers), are undergoing maintenance and not available for deployment (such as strategic submarines undergoing periodic overhaul), or have been removed from service but have not been eliminated according to the strict rules of the START Treaty (such as the 400 warheads attributed to the deactivated MX Peacekeeper ICBM, whose launching silos have not been destroyed). U.S. negotiators have expressed a readiness to employ the detailed counting rules found in START rather than the looser terms used in SORT, but they have indicated that this approach would require employing more intrusive monitoring and inspection regimes than the Russian government might prefer.²²

Conventional Strategic Weapons

Reducing to 1,500 START-attributable warheads could become even more difficult if the Obama administration decides to proceed with “the prompt global strike” concept and the new treaty counted U.S. conventional warheads deployed on SNDVs against the total number of permissible warheads. Russian government officials attacked this concept, developed during the George W. Bush administration, of using long-range ballistic missiles, traditionally equipped with nuclear weapons, for strikes with conventional or even very low-yield nuclear weapons (“mini-nukes”).²³ In May 2009, Lavrov argued that a post-START agreement would have to address any long-range strike system, whether armed with nuclear or conventional warheads, since either could affect the strategic balance between Russia and the United States.²⁴ Russian negotiators have sought an outright ban on deploying conventional warheads on strategic delivery systems.

Acknowledging Russian concerns about conventionally armed SNDVs, Gottemoeller told the April 6 session of the Carnegie Endowment for International Peace conference on nonproliferation that, “I think we will have to address it in the START follow-on negotiations and beyond.”²⁵ At a June 2009 presentation at the Center for Strategic and International Studies, General Cartwright, former head of U.S. Strategic Command and now Vice Chairman of the Joint Chiefs of Staff, said he was willing to accept the Russian position that conventionally armed SNDVs be counted as if they had nuclear warheads in a post-START accord because that

rule would provide a mechanism to encourage further nuclear arms reductions within the treaty framework.²⁶ Thus far, the Congress has only funded research on placing conventional payloads on land- and submarine-based strategic ballistic missiles, not their actual deployment.

Strategic Defenses

One reason why the warhead limits under discussion entail only modest reductions from the 2,200-1,700 warhead ceiling found in SORT is that Russian officials reportedly have indicated they would insist on including provisions constraining U.S. ballistic missile defense (BMD) programs in any treaty with warhead limits below 1,500.²⁷ For years, Russian strategic experts have argued that they cannot reduce their offensive nuclear forces much below current levels as long as U.S. strategic defenses remain unconstrained. Otherwise, they profess to fear that U.S. policy makers may come to believe that the United States could negate Russia's offensive strategic deterrent in a crisis by destroying much of it in a first strike and then using missile and air defenses to destroy whatever nuclear forces Moscow might be able to launch in retaliation.

The September 2009 decision by the Obama administration to suspend the planned deployment of U.S. ballistic missile defenses in Poland and the Czech Republic appears to have diffused the previously major Russian-American differences over how to treat strategic defenses in the treaty. Previous U.S. plans to deploy these systems so close to Russia had provoked bitter hostility and several years of threatening gestures in Moscow. Although U.S. officials insisted that concerns about Russia did not affect their decision, the administration undoubtedly hoped that suspending the Polish and Czech deployments would facilitate negotiation of a new Russian-American strategic arms control agreement as well as help secure Moscow's assistance in constraining Iran's nuclear and ballistic missile programs. Russian negotiators had sought restrictions on missile defense in the new treaty, while the U.S. position has been that the missile defense issue should be addressed independently of the negotiations on strategic offensive arms.

For several months after Obama's September 2009 announcement, Russian officials stopped citing U.S. BMD programs as an immediate problem for finalizing the post-START agreement. The July 2009 Joint Understanding states that the next treaty will simply include a provision noting the interrelationship between strategic offense and strategic defense. But Prime Minister Putin re-opened the issue in late December by describing U.S. BMD programs as the main obstacle to finalizing the new START accord.²⁸ Both sides have agreed that the treaty will include language acknowledging the relationship between strategic offense and strategic defense, but they disagree where the statement should appear. U.S. negotiators want it to appear in the treaty's preamble, while Russian diplomats demand an acknowledgement in the main body of the treaty.²⁹ Russian officials also want the United States to supply more information about U.S. missile defense activities, including telemetry data from missile interceptor tests.³⁰ State Department spokesman Ian Kelly reiterated that, "While the U.S. has long agreed that there is a relationship between missile offense and defense, we believe the START follow-on agreement is not the appropriate vehicle for addressing it."³¹

Although the two sides will probably finesse the language issue, they are unlikely to implement the ambitious plans to collaborate on a joint global missile defense system they announced last summer. On January 22, Lavrov told reporters that the two sides had yet to agree on which

regions presented the greatest missile proliferation threats, adding that Iran was not the only problem region. He also complained about the planned deployment of a battery of U.S. Patriot missiles in Poland close to that country's border with Russia.³² The Bush administration had committed to base the U.S. Patriots in Poland as part of the package deal to secure Polish agreement to deploy ten U.S. BMD interceptor missiles there. Although the Obama administration suspended the BMD deployments, U.S. officials believed they had to carry out the Patriot rotation in Poland for reasons of alliance solidarity.

There is no consistent pattern in how closely Moscow and Washington link strategic offensive forces with strategic defenses. The connection was tightest during the first Soviet-U.S. strategic arms control dialogue, the Strategic Arms Limitations Talks (SALT). The 1972 SALT I agreement consisted of both an Interim Agreement on Offensive Arms, which froze the U.S. and Soviet ICBM fleets at existing levels, and the Anti-Ballistic Missile (ABM) Treaty, which severely limited the location and size of each country's national ballistic missile defense systems. The Soviet Union and the United States agreed to the pairing because one factor driving both countries to increase their offensive nuclear forces was a determination to overcome the other's missile defenses. The linkage was also evident in the mid-1980s, when Soviet officials refused to negotiate major reductions in their offensive nuclear forces as long as President Ronald Reagan insisted on pursuing the Strategic Defense Initiative, which aimed to establish a comprehensive, multi-layered shield against missile attacks. In 2002, however, the Russian and American governments agreed to the Moscow Treaty despite the concurrent decision of the Bush administration to withdraw unilaterally from the ABM Treaty. Although the Putin administration had refused to accept amendments to the treaty sought by the United States that would have permitted a wide range of BMD activities, the Russian government decided to accept SORT rather than allow the United States to have a completely free hand in developing strategic offensive as well as strategic defensive forces.

Russian and American negotiators have also apparently decided not to address "non-strategic" nuclear weapons or the nuclear forces of other countries in their post-START treaty. An agreed definition of what constitutes a "non-strategic" nuclear system does not exist. Since the 1987 Intermediate-Range Nuclear Forces (INF) Treaty prohibits Russia and the United States from developing, manufacturing, or deploying ground-launched ballistic and cruise missiles with ranges of 500-5,500 kilometers, non-strategic nuclear weapons are generally thought to have a range of under 500 kilometers. Russia retains many more of these shorter-range systems than the United States and would probably demand compensation in other areas to agree to regulate them by treaty. Even so, both Washington and Moscow still want to retain some non-strategic nuclear weapons. Russian military experts envisage several operational conditions under which they might need to use them, while U.S. policy makers would have to negotiate any major reduction with their European allies since many of the remaining U.S. non-strategic nuclear weapons are committed to NATO.

Verification

The joint statement issued by presidents Obama and Medvedev at their April 1 summit said that the two parties would use the START framework as the basis for verifying any immediate follow-on treaty. Both Russian and U.S. officials, however, have expressed a desire to relax

some of the more burdensome compliance provisions contained in START while discarding entirely other requirements now considered overtaken by events. Russian negotiators, for instance, would like to reduce the expenses associated with the costly short-notice inspections and frequent mandatory data exchanges.³³ In June 2009, General Solovtsov pointedly called for “a more efficient use of inspection and data exchange mechanisms established in line with the START 1 treaty.”³⁴ Yet, Russian negotiators have insisted that any verification provisions must be legally binding to meet the requirements of Russian domestic law that stipulates that Russian authorities can only share military secrets with foreign governments (i.e., through data exchanges and on-site inspections) when required by international treaties.

A major impediment with any verification scheme, however, is that both the U.S. and Russian governments have long declined to allow foreign inspectors to examine and count their total nuclear warheads. To avoid the national security issues that would arise from revealing the location and status of each country’s nuclear warheads, strategic arms control accords have instead permitted, and often facilitated, monitoring the movement, testing, and number of SNDVs. The presumption has been that knowing the quantity of ballistic missiles and long-range bombers—as well as how many warheads they have been tested to carry—provides an indirect way of estimating warhead totals. As noted, however, the subjective nature of the counting rules can lead to major distortions in the number of nuclear warheads actually held by a treaty party. U.S. officials, therefore, have been urging the use of on-site inspections or other means to allow both sides to determine the number of warheads on at least certain SNDVs. The Russians are anxious to keep tabs on the warhead totals on U.S. strategic submarines, while the Americans want to continue to monitor the production and deployment of Russia’s mobile land-based missiles.³⁵

Verification issues have emerged as a main stumbling block to finalizing the START replacement accord. When U.S. Under Secretary of State William Burns visited Moscow on January 14, he stated that the United States and Russia were “on the verge” of signing a new treaty, but that there “remain a few issues, related mainly to verification, that have to be sorted through.”³⁶

The key verification dispute is whether to retain the START rules requiring the exchange of electronic data transmitted during test launches of strategic ballistic missiles. The Treaty obliges the parties to exchange these signals, known as telemetry, after each flight test as well as the information needed to interpret the messages. START also prohibits jamming or encrypting the telemetry. U.S. negotiators want to continue these provisions, while the Russian government, which alone is currently testing new strategic missiles, is seeking to end these requirements or obligate the United States to supply telemetry data for tests of U.S. ballistic missile interceptors, despite U.S. insistence that the post-START exclude provisions relating to strategic defenses.³⁷ “If we want to retain the balance,” Putin said in December 2009, “we have to establish an exchange of information: Let the U.S. partners provide us information on [their] missile defense while we will give them information on [our] offensive weapons.”³⁸ Although some arms control experts believe that new verification technologies can provide all the information needed to confirm Russian compliance with the treaty’s requirements, which will likely be less strenuous than START, they worry that the opponents of a treaty will use its absence to block Senate ratification of any post-START accord without it.³⁹

To deal with the phantom warhead problem discussed above, the U.S. side advocates counting the actual number of warheads on some SNDVs--such as the Trident missiles, which may carry different numbers of nuclear and possibly conventional warheads--rather than continuing the START practice of presuming that all systems of a given type carry the same number of nuclear warheads. They have proposed allowing both sides very intrusive means of inspection to verify these totals. Conversely, Russian negotiators are seeking to end the use of on-site inspectors, especially at the other side's missile production facilities. Russia had withdrawn its missile inspectors from the United States many years ago because the U.S. military had stopped building new long-range ballistic missiles, and Moscow was eager for the U.S. inspectors to depart. After the expiration of START in early December, the Russian government required the withdrawal of the 20 American inspectors who, for approximately two decades, had been monitoring Russia's only active ICBM-building facility, the Votkinsk Machine Building Plant located about 1,000 kilometers east of Moscow. State Department spokesman Ian Kelly said the United States could rely on remote monitoring of Votkinsk, which makes the Topol-M and SS-25 intercontinental missiles, to ensure that Russia was complying with its arms control obligations.⁴⁰ But critics charged that the Obama administration was compromising U.S. security in a rush to secure Moscow's rapid approval of a post-START accord. Russian negotiators also want to curtail monitoring of mobile ICBM systems since only Russia possesses such missiles.⁴¹

If Russia and the United States aim to reduce their nuclear forces to considerably lower numbers, they will need to consider verifying compliance through even more highly intrusive means. Concealing a few dozen warheads might not matter when countries have thousands of them, but hidden warheads could become militarily significant if even the largest nuclear arsenals consisted of only a few hundred nuclear warheads.

Next Steps

Throughout the talks, Russian and U.S. officials have said they would prefer to negotiate a new treaty rather than simply extend the START Treaty another five years. "START I is no longer an effective instrument of control in the field of strategic arms," Lavrov explained in a speech during his May 7 visit to Washington, "Therefore we see no point in extending it."⁴²

The two governments cannot formally extend START without the approval of their national legislatures, but their executive branches can continue to apply its provisions voluntarily in parallel unless their parliaments votes to deny use of funds for such a purpose, which is unlikely. In November, the Senate Foreign Relations Committee approved a bill offered by ranking Republican Richard Lugar, to extend START verification for an additional six months, but the entire Senate never acted on it.⁴³ Unfortunately, Russian President Dmitry Medvedev told leaders of the Russian parliament that he would insist that both countries ratify the new arms reduction treaty simultaneously.⁴⁴

Ratification in the Russian legislature is not considered a problem at present given the dominance of pro-government members in that body. Securing the constitutionally mandated approval of two-thirds of the Senate, however, could prove difficult. Now that Massachusetts voters have chosen Republican Scott Brown to replace Edward Kennedy, only 59 Senators are

Democrats or Democratic-leaning independents. The administration, therefore, must secure the support of at least some Republican Senators for a post-START treaty to enter into force.

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NOTES

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² Office of the White House Press Secretary, "Joint Statement by the President of the United States of America and the President of the Russian Federation on the Expiration of the Strategic Arms Reduction Treaty," December 04, 2009, <http://www.whitehouse.gov/the-press-office/joint-statement-president-united-states-america-and-president-russian-federation-ex>

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