

PROJECT ON MANAGING THE ATOM

ORGANIZING FOR ARMS CONTROL

THE NATIONAL SECURITY IMPLICATIONS OF THE LOSS OF AN
INDEPENDENT ARMS CONTROL AGENCY

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Cover photo: "President John F. Kennedy signs the Arms Control and Disarmament Act, thereby establishing the U.S. Arms Control and Disarmament Agency, September 26, 1961." Cecil Stoughton. White House Photographs. John F. Kennedy Presidential Library and Museum, Boston

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This report is dedicated to the men and women of the Arms Control and Disarmament Agency who devoted their careers to a cause no less noble than the prevention of nuclear war.

“In the absence of the agency [ACDA], neither I nor any future President could count on receiving independent arms control advice, unfiltered by other considerations. A President would thus at times have to make the most consequential national security decisions without the benefit of vigorous advocacy of the arms control point of view.”

- President Bill Clinton, Letter to Congressional Leaders, July 13, 1995

“[The] new Under Secretary...will have not only a reporting relationship to the Secretary of State, but the ability to speak directly through the Secretary to the President of the United States on matters of arms control advocacy. And **what was very important to the Vice President in putting this [the merger] together is that there be that independent advocacy role of ACDA preserved in the State Department.**”

- Elaine Kamarck, White House Press Briefing, April 18, 1997

“There was never any opportunity or expectation that the Under Secretary of State for Arms Control would express a view to the President different than the view of the Secretary of State. That would not have been considered kosher. That would not have been appropriate.”

- Gary Samore, White House Coordinator for Arms Control and WMD Issues (2009-2013)
Interview with Author, March 13, 2013

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Foreword

Months before his death, President John F. Kennedy used a reporter's question about progress on a nuclear test ban treaty to confess his nightmare as President. "Personally," he said, "I am haunted by the feeling that by 1970... there may be 10 nuclear powers instead of four. [...] I see the possibility in the 1970s of the President of the United States having to face a world in which 15 or 20 or 25 nations may [have] these weapons. I regard that as the greatest possible danger and hazard."

This nightmare never came to pass; at least it has not yet. In no small measure, this outcome is a product of President Kennedy's decision to establish, in 1961, the U.S. Arms Control and Disarmament Agency (ACDA), providing it with a mandate to pursue arms control goals to the best of its ability as an independent agency. As Leon Ratz recounts in this report, ACDA's independence and initiative played a key role in the creation of the modern arms control regime. For example, in the face of popular proposals from the State Department to share nuclear weapons and technology with NATO allies in the mid-1960s, ACDA used its bureaucratic power and unique expertise to make the case that a worldwide agreement to end nuclear proliferation was a goal that better served American interests. ACDA persuaded President Johnson to drop the plans of the more confrontational cold warriors and instead pursue a global non-proliferation pact. The Nuclear Non-Proliferation Treaty (NPT) entered into force in 1970, and it became a considerable reason, along with the extended deterrence policies of the U.S. and the U.S.S.R., why President Kennedy's fears have not become reality. This outcome might not have happened but for the advocacy by ACDA within the U.S. government.

The diplomats and scientists on ACDA's staff recognized that the NPT was, and is, the foundation of an effective international arms control and non-proliferation structure. Their day-to-day mission was the work of building and maintaining that structure. ACDA became the U.S. government's leader in the strategy of arms control negotiation, the science of compliance verification, and the painstaking crafting of treaty language necessary to protect ourselves and the world from weapons of mass destruction. Indeed, over ACDA's lifetime, from 1961 to 1997, the Agency played an indispensable part in creating, among others, the Limited Test Ban Treaty, the Biological Weapons Convention, the ABM Treaty, the SALT II Treaty, the START I Treaty, the Intermediate Nuclear Forces Treaty, the Conventional Armed Forces in Europe Treaty, the Chemical Weapons Convention, and the Comprehensive Nuclear Test Ban Treaty.

It is perhaps unsurprising, then, that since ACDA fell victim to a political backroom deal in the late 1990s sought aggressively by the late Senator Jesse Helms (who made little effort hide his considerable contempt of arms control), the expertise it maintained in addressing the threat of nuclear weapons and other weapons of mass destruction has been rather less evident in policy-making. Only two major arms control agreements have been reached since then: a short letter agreement called the Treaty on Strategic Operational Arms in 2002 and the New START Treaty in 2010. More glaringly, in 2003 when American policymakers and the American people desperately needed expert, unbiased analysis of WMD issues, the institutional knowledge and capabilities that ACDA had built up over decades were unavailable, dispersed across multiple departments and deprived of an independent voice. Today, as a similar challenge confronts us in Syria and Iran and North Korea loom on the horizon, we cannot afford to continue reinventing the arms control wheel with each new administration. It is time to look to ACDA's record as a strong, independent home

for arms control equities in American policymaking for lessons about where to go from here.

This remarkable record is addressed by Leon Ratz in *Organizing for Arms Control*. In this excellent study, the reasons for the creation of ACDA are examined, its track record reviewed and the situation that led to its elimination analyzed. The unique contributions and bureaucratic strengths of ACDA are highlighted. The author expresses his view that the elimination of ACDA was a significant mistake, a view which appears to be widely shared in the national security community — a point the author demonstrates through his wide-ranging interviews. *Organizing for Arms Control* is a major contribution to the ongoing national security discussion.

Ambassador Thomas Graham, Jr.
Washington, D.C., September 2013

Executive Summary

On April 1, 1999, the Arms Control and Disarmament Agency (ACDA) was dismantled and its functions folded into the State Department. Fourteen years later, it is time to review the national security implications of the loss of the nation's independent arms control agency.

For nearly four decades, ACDA served as Washington's institutional advocate for arms control, disarmament, and non-proliferation interests. Among its many accomplishments, the agency spearheaded the effort to negotiate the Nuclear Non-Proliferation Treaty, the Anti-Ballistic Missile Treaty, the Biological Weapons Convention, the Strategic Arms Reduction Treaties, the Intermediate Nuclear Forces Treaty, the Chemical Weapons Convention, and the Comprehensive Test Ban Treaty. The agency was widely considered a repository of technical expertise, a verification watchdog, and a source of institutional memory on arms control and non-proliferation matters.

Although ACDA's impact on national security decision-making never quite lived up to the expectations of its founders, its arms control advocacy—independent of other policy considerations—contributed to some of the most consequential arms control and non-proliferation decisions of the nuclear age.

In the late 1990s, however, ACDA's status as an independent bureaucratic actor came under attack, in part due to shifting foreign policy priorities and in part because of growing pressure from Senator Jesse Helms, the conservative chairman of the Senate Foreign Relations Committee. When the White House ultimately agreed to Senator Helms's demands for the merger, it nevertheless guaranteed the right of the government's most senior arms control official to deliver an independent arms control perspective to the President and the National Security Council—an organizational safeguard that had proven essential for maintaining a deliberative arms control decision-making process. Furthermore, the State Department assured lawmakers that under the new structure, it would retain the cutting-edge technical expertise needed to implement our nation's arms control and non-proliferation mission.

Fourteen years later, these promises have been left unfulfilled. Under the current structure, it is virtually impossible for the government's top arms control official to communicate a position to the President or to members of the National Security Council that contradicts the views of the Secretary of State. Furthermore, by most accounts, the State Department has struggled to retain and recruit technical arms control expertise, much to the detriment of both arms control and national security.

These problems have much to do with the structure, culture, and operating practice of the State Department. To address these challenges, this report concludes that the administration should reconsider the decision to abolish an independent arms control agency. It should also bolster technical capabilities in the arms control policy-making space, meaningfully integrating policy expertise with technical know-how. With decisions of war and peace increasingly linked to non-proliferation objectives, prudence requires a national security apparatus best designed to meet the WMD challenges of our time. The current structure fails to meet this expectation.

Introduction

Recent trends in international relations suggest that our arms control and non-proliferation challenges are becoming increasingly complex. Iran's nuclear enrichment program and North Korea's nuclear tests are placing renewed strain on the global non-proliferation regime. Further rounds of nuclear arms reduction (should there be any) will likely go hand-in-hand with decreased tolerances for uncertainty in verification, creating new technical challenges for old arms control problems. Missile defense, the global proliferation of nuclear energy, and the specter of nuclear terrorism further complicate the arms control and non-proliferation picture.

For thirty-eight years, the United States had an executive branch agency that did nothing else but work on arms control and non-proliferation challenges, not unlike the challenges we face today. Now that ACDA is gone, do we have an organizational structure that is optimally designed to handle these problems? The findings of this report suggest that the answer is no.

Admittedly, these conclusions rest on two major assumptions: first, that arms control is a legitimate instrument of American foreign and defense policy. Second, that organization matters: the way institutions are structured affects the process and outcome of institutional decisions.

Organization, of course, is not *all* that matters. Personalities, politics, and circumstance impact policy outcomes to a considerable degree, often irrespective of the institutional machinery in which these policy decisions are taken. The history of arms control decision-making, in particular, suggests that the personal relationship between the President and the Director of ACDA (as well as the relationship between the Secretary of State and the Director of ACDA) often had much to do with how arms control equities fared in the national security decision-making process.

Nevertheless, sound national security decision-making processes should ensure that personal relations do not preclude policy options from receiving a fair assessment by decision-makers. Good organization creates capabilities, it vests and weights particular interests and perspectives, and it provides a degree of legitimacy to those perspectives.¹

Since this report is concerned with the implications of losing an independent arms control agency, it will first dedicate considerable attention to an assessment of ACDA's impact on national security. We cannot understand what we lost in the merger, without appreciating what ACDA did (and did not do) for national security. Towards this end, the report will introduce three case studies that demonstrate both the advantages and limitations of ACDA's arms control advocacy. Next, it will turn to an assessment of the post-ACDA organizational system—the way it handles arms control equities and the way in which it fosters the development of arms control technical expertise. Lastly, the report will offer recommendations to the administration that aim to create a more deliberative arms control decision-making process—and in turn, help strengthen our national security.

This exercise relied heavily on interviews with current and former government officials who dealt with arms control, non-proliferation and verification challenges over the last forty years (listed in appendix A). Naturally, within such a group there is an extraordinary diversity in opinion on these matters. The conclusions reached in this report, therefore, do not necessarily represent the views of those interviewed—they are entirely my own.

¹ Graham Allison and Peter Szanton, *Remaking Foreign Policy: The Organizational Connection* (New York: Basic Publishers, 1976), 20-22.

ACDA: An Impact Assessment

ACDA's second director Gerard Smith once described the agency as "the needle, the catalyst, the conscience of an administration."² Jesse Helms called it "a Cold War relic."³ While observers differ in assessments of ACDA's impact, supporters of the agency often categorize its contributions to national security in the following terms:

- **ACDA was a mission-driven arms control advocate.** The agency brought an arms control perspective - independent of other policy considerations - to the national security decision-making process. The agency's limited scope of work provided for the development of substantive expertise in arms control matters and allowed it to conduct long-term policy planning on challenges specific to the arms control field, such as the development of verification technologies or next-generation nonproliferation safeguards. Many of the agency's employees identified with a *normative* mission: arms control and disarmament. Yet this policy purism (as ACDA's critics called it) often hampered the agency's ability to influence decision-makers. Presidents who aligned themselves too closely with the agency risked being labeled "soft" on defense policy.
- **ACDA was a repository of technical expertise and institutional memory.** Responding to the technical challenges of arms control and nonproliferation, the agency recruited physicists, engineers, computer scientists, chemists, biologists, and mathematicians in service of the nation's arms control mission. The legislation that created the agency allowed it to recruit technical experts at "super grades," that is, above the standard pay grades of the government schedule (GS) system. These experts were found at every level of the organization—from the junior working levels to senior management—and were integrated into the policy setting process on matters such as improving non-proliferation safeguards and designing robust verification systems for strategic arms control negotiations.
- **ACDA was a verification watchdog.** Verification (that is, verification of compliance with arms control agreements) emerged as a major focus of the agency during Fred Iklé's tenure as director in the mid-1970s and has played an important role in arms control decision-making ever since. The agency was largely responsible for both the design of verification systems for future arms control arrangements and analysis of countries' compliance records with existing ones. Over time, however, verification became heavily politicized by both champions and skeptics of arms control. Those who opposed arms control agreements often cited concerns over the verifiability of those agreements. Arms control champions often dismissed verification concerns as barriers to meaningful arms control progress. Since ACDA's mission, by statute, included both arms control negotiation and verification compliance, it was not uncommon for ACDA's verification shop to take a position that contradicted the view of its arms control bureau.

In theory at least, the agency was an *independent* bureaucratic actor. This "independence" meant that the director of the agency could communicate directly with the President, that he could participate in National Security Council (NSC) meetings pertaining to arms control matters, and that the agency could take a position that need not necessarily align with the positions taken by other bureaucratic players. Of course, theory often departed from practice and the agency's influence depended on a wide range of factors that could hardly be controlled by institutional design. These factors included the political clout of ACDA's director, the foreign policy objectives at the time, and most importantly, the President's stance on arms control.

² Gerard Smith, "The Arms Control and Disarmament Agency: An Unfinished History," *The Bulletin of Atomic Scientists* 40, no. 4 (1984): 17.

³ Barry Schweid, "Holum Disputes Helms, Calls Plan to Dissolve Agency Attack on Arms Control," *Associated Press*, February 16 1995.

Nevertheless, why was it important to create a bureaucratically independent organization? What was unique about arms control that led ACDA's founders to conclude that it deserved a separate voice at the national security decision-making table?

A historical perspective can shed some light on the answers to these questions.

Between 1945 and 1961, arms control policymaking was anything but organized. During the first sixteen years of the nuclear era, sixteen different officials headed US delegations to arms control conferences, often without official instructions from Washington.⁴ Arms control policy planning (to the extent that it could be called planning) was largely handled by *ad hoc* groups convened at the initiative of the President.⁵

Recognizing the failure of this approach to sustain long-term arms control planning, President Eisenhower in March 1955 created a new White House office in charge of arms control policy and tapped former Minnesota governor Harold Stassen to lead it. Stassen, however, struggled to transcend the parochial interests of the Pentagon and the Atomic Energy Commission, both of which wanted to continue testing and increase the size of the American nuclear arsenal. Without a bureau or an agency to lead, Stassen lacked the bureaucratic clout to advance his arms control proposals. The combination of Washington's structural barriers and Soviet disinterest in arms control led to few tangible arms control successes during this period. In February 1958, Stassen resigned and his White House office was subsequently disbanded.

In the final years of the Eisenhower Administration, the lack of clear coordination of arms control planning was not only getting in the way of arms control progress; it was also becoming a political liability.

In 1959, prominent Democrats—namely Hubert Humphrey and John F. Kennedy—began to call for a new federal agency to deal exclusively with arms control and disarmament matters. At a March 1960 campaign rally in New Hampshire, Kennedy proclaimed, “We have had Presidential speeches, Presidential advisers, and Presidential Commissions on Disarmament, but no policy!”⁶

Days after he was elected, Kennedy and his advisors got to work on the reorganization of the government's arms control machinery. Kennedy appointed John J. McCloy with the task of coordinating the reorganization. McCloy had been a well-known figure in the Republican Party establishment, having served as Henry Stimson's Assistant Secretary of War in World War II, administrator of post-war West Germany, and advisor to President Eisenhower. As Arthur Schlesinger later explained, by choosing McCloy, Kennedy “followed his customary practice of seeking a conservative to execute a liberal policy.”⁷

In just under six months, McCloy and his small White House team, which included Adrian Fischer, Betty Goetz, and George Bunn, drafted the enabling legislation, designed the layout of the new organization, and rounded up endorsements from prominent interest groups (such as the AFL-CIO

⁴ Duncan Clarke, *The Politics of Arms Control* (New York: Free Press, 1979), 17.

⁵ Clarke, 10.

⁶ John F. Kennedy, “Disarmament Can Be Won” (Speech, University of New Hampshire, March 7 1960) JFK Presidential Library, accessed January 25 2013.

⁷ Arthur Schlesinger, *A Thousand Days: John F. Kennedy in the White House* (Boston: Houghton Mifflin Company, 1965), 472

and the United Auto Workers), and even President Eisenhower himself.

During the Congressional hearings, Secretary of State Dean Rusk argued in favor of the new agency because “disarmament is a unique problem in the field of foreign affairs...It entails not only a complex of political issues, but involves a wealth of technical, scientific, and military problems which...reach beyond the operational functions the [State] Department is designed to handle.”⁸ Deputy Secretary of Defense Roswell Gilpatric testified that the principal advantage of an agency exclusively dedicated to arms control and disarmament is that “it will have no other responsibilities to distract it from these vital concerns.”⁹ Henry Cabot Lodge Jr., Republican Senator from Massachusetts and the Vice-Presidential nominee on the 1960 Nixon ticket, argued that the agency should have the ability to raise arguments directly to the President. Lodge said, “We may as well face the fact that the man who occupies this post will have to step on a great many toes. After the Director has exhausted the procedure of trying to compose the differences between the departments themselves...he must go up to the President.”¹⁰

The testimonies of Rusk, Gilpatric, and Lodge—taken together—reflected the principal arguments for creating the new agency. It would serve as the hub for technical research and policy planning on arms control issues and, most importantly, it would elevate the arms control perspective to the highest decision-making levels of government without necessarily being influenced by other bureaucratic interests.

Still, however, we have not answered why arms control, when compared to other policy interests, deserved this special status. There are at least two important reasons:

First, as ACDA director Paul Warnke once said, “arms control is an unnatural act.”¹¹ Arms control is *unnatural* given that it restricts the impulse of a country to build up its military capabilities to defend itself against real (or perceived) external threats. In the absence of arms control, arms racing quickly becomes the default strategy for adversarial nuclear-armed states. As soon as one side lets its guard down, it risks letting the other side develop a “first-strike” advantage. Inside a government, this gives the bureaucratic player with an interest in building up defenses a very powerful card to play at the policy-setting table. Therefore, in order for arms *control* to have a reasonable chance of success in the policy process, the President must vest enough authority and legitimacy in an actor with an inherent interest in arms control to balance against the (more) natural inclination to build up military capabilities. In a nutshell, this is why (at least in theoretical terms) arms control deserved its own independent voice in the national security decision-making process and why it required structural protections to ensure that its voice could be heard by senior decision-makers.

⁸ *Disarmament Agency: Hearings Before the Committee on Foreign Relations, United States Senate, Eighty-Seventh Congress, First Session, on S.2180, a Bill to Establish a United States Disarmament Agency for World Peace and Security, August 14 1961*, 87th Cong., 15 (1961) (Statement of Dean Rusk, Secretary of State).

⁹ *Disarmament Agency: Hearing Before the Committee on Senate Relations* (1961) (Statement of Roswell Gilpatric, Deputy Secretary of Defense) 69.

¹⁰ *Disarmament Agency: Hearing Before the Committee on Senate Relations* (1961) (Statement of Henry Cabot Lodge, Former US Ambassador to the UN) 117.

¹¹ Herbert Frank York, *Arms and the Physicist* (Woodbury: American Institute of Physics, 1995), 163.

[This logic is not unique to the strategic realities of the Cold War. As we proceed to reduce levels of nuclear weapons (as we are doing now), further arms reduction becomes *increasingly unnatural* as the bureaucratic preference for maintaining the status quo becomes increasingly attractive. If the administration is serious about disarmament, however, it needs to once again vest an institutional actor with an inherent interest in it. But I will return to this later.]

Second, decisions related to arms control are highly consequential. Iranian uranium enrichment, North Korean nuclear weapons, and Syrian chemical stockpiles have been among the most pressing national security challenges of just the last six months. For better or for worse, decisions of war and peace have been taken in defense of nonproliferation objectives. Effective decision-making on these matters requires rigorous policy judgments based on sound technical analysis. As we saw with Iraq in 2003, getting that analysis wrong has immense national security implications.

Non-proliferation, of course, is not the only side of arms control that is consequential. Excessive and poorly conceived arms reduction would create irreparable damage to the effectiveness of the US nuclear deterrent. On the other hand, not enough arms control—these days—may present unnecessary fiscal burdens in an age of fiscal austerity.

Besides creating channels for arms control equities to reach the fore of national security decision-making, the agency's founders also had to contend with the almost obvious inclination to place arms control (which almost always required dealing with other countries) in the hands of the State Department. After all, the State Department had the expertise, the mandate, and the resources to carry out diplomacy with other countries.

Precisely for this reason, the enabling legislation for ACDA created a strong bureaucratic link between the agency and the State Department: the director of the agency was responsible to the Secretary of State and held the equivalent rank of Deputy Secretary of State.

Nevertheless, ACDA was institutionally distinct—it could take a position contrary to that of the State Department and it could hire its own personnel to formulate and negotiate arms control agreements. Forty years of arms control decision-making suggests that this distinction proved useful for several reasons: **it provided for a more deliberative decision-making process, it vested “unnatural” arms control interests with enhanced legitimacy, and it created a fount of technical knowledge on arms control matters within the federal government.**

Three case studies help demonstrate the benefits of ACDA's bureaucratic independence. They are fully described and annotated in the appendix, though here is a snapshot of each:

Case Study #1: Negotiating the NPT

When the concept of a non-proliferation pact was first discussed in Washington in the early 1960s, not everyone agreed that it was a good idea. In fact, considerable opposition to it emerged from the State Department, which viewed the NPT as a threat to its idea for strengthening the NATO alliance: the Multilateral Force (MLF). The MLF was intended to be a sea-based nuclear force operated jointly by Western European NATO members and the United States. Conceived in 1960, the MLF proposal was strongly backed by prominent Europeanists at the State Department, who

argued that the Force would strengthen the NATO alliance in the face of Soviet deployment of medium-ranged missiles targeted at Western Europe. But the MLF was (predictably) opposed by the Soviets, who demanded that any future form of the NPT preclude the possibility of MLF deployment. While State consistently argued for the MLF within the interagency process, ACDA took the position that the benefits of achieving a broader nonproliferation pact outweighed the costs of giving up on the MLF. The agency—by virtue of the substantive arguments that it was mandated to deliver—contributed to a more effective decision-making process that weighed nonproliferation objectives alongside region-specific foreign policy goals. Separating arms control interests (which favored the NPT) from broader foreign policy considerations (which favored the MLF), carried strong organizational advantages, leading to the successful negotiation of arguably the most important arms control treaty of the nuclear age.

Case Study #2: The Pressler Amendment and Pakistan

The Pressler Amendment, introduced by Senator Larry Pressler of South Dakota in 1985, banned US assistance to Pakistan unless the President certified on an annual basis that Pakistan did not possess a nuclear explosive device. Between 1986 and 1990, despite growing evidence that Pakistan had in fact developed a nuclear weapon, the State Department recommended that the President make the Pressler certification. Invoking Pressler, the State Department (and the Defense Department) argued, would damage US-Pakistani relations and hurt US covert operations in Afghanistan. ACDA, however, insisted that the technical evidence pointed to a strong likelihood that Pakistan had developed a nuclear explosive device. Failure to invoke Pressler, ACDA argued, would damage the nuclear nonproliferation regime and would contradict the intended spirit of the Pressler Amendment. Though ACDA's concerns were not heeded until after the Soviet Union withdrew from Afghanistan, its unfiltered arms control assessments contributed once again to a deliberative—and arguably more effective—decision making process.

Case Study #3: The CTBT

By the time the Clinton Administration entered office, conditions were ideal for a long-sought agreement on a comprehensive test ban treaty (CTBT). Russia, France, the United States, and the United Kingdom had announced testing moratoria within the previous two years. With the NPT review and extension conference coming up in 1995, the CTBT emerged center-stage on the arms control agenda. In February 1993, Robert Bell, NSC staff director for defense policy and arms control, circulated a proposal to the agencies recommending a ban on all tests with an explosive yield greater than one-kiloton. His rationale for the threshold was that the US did not yet have the verification systems in place to distinguish earthquakes from small nuclear tests, and therefore the one-kiloton threshold was necessary to ensure proper verification of the treaty. The NSC proposal was soon supported by all of the other agencies, except the State Department (which by most accounts, had its own threshold proposal) and ACDA (which supported a zero-yield treaty). ACDA argued against Bell's proposal on the grounds that it would not be viewed as a CTBT at all, damaging US chances of securing an indefinite extension to the NPT in 1995. Recognizing that ACDA could not singlehandedly sway the political leadership on this issue, the agency sought to persuade the new leadership of the Department of Energy (which was ultimately responsible for the reliability of the nuclear arsenal) to support extending the testing moratorium and to support a zero-yield threshold for the treaty. By May 1993, in part as a result of ACDA engagement with senior DoE

officials, DoE announced support for extending the moratorium, followed shortly thereafter with a Presidential decision to extend the moratorium year-by-year until a successful negotiation of the CTBT. In 1996, ACDA officials concluded negotiation of a zero-yield CTBT in Geneva.

Of course, choosing historical case studies is dangerous business. Selectively picking them runs the risk of telling only one side of the story. After all, ACDA was hardly the most influential player in arms control decision-making. More often than not, it was eclipsed by more powerful bureaucratic players, such as the Pentagon and the State Department. Purged twice and consistently understaffed and underfunded (at least in the view of its directors), ACDA was—at times—fighting for survival more than for arms control.

Nevertheless, we *can* draw three distinct conclusions from these cases about ACDA's role in the national security decision-making process.

First, and most importantly, that arms control interests and State Department interests did not always align. Indeed, during some of the most consequential debates about arms control and non-proliferation over the last half century, ACDA took an opposing view to that of the State Department. By no means should we conclude that State's position was inherently wrong; on the contrary, it was simply a reflection of State's predisposition to thinking along the lines of region-specific or country-specific foreign policy priorities. As I will discuss in the next section, the State Department's culture of prioritizing regional over functional issues has not changed.

Secondly (and relatedly), that ACDA, unlike any of the other federal agencies, had an *inherent* interest in the long-term viability of arms control and non-proliferation regimes. In the case of the Pressler debate, ACDA argued that supplying billions of dollars in foreign aid to Pakistan in the 1980s, though strategically important in the short-term, would cause damage to the long-term sustainability of the nonproliferation regime. In the case of the CTBT interagency discussions, ACDA argued that the moratorium extension was necessary in order to achieve indefinite extension of the NPT. To the extent that a strong non-proliferation regime benefited US national security, ACDA served an important function of protecting nonproliferation interests, especially when those interests came into conflict with country-specific or region-specific foreign policy interests. Even if the President decided against ACDA's position, the country was better served by a more deliberative process that did not overlook the long-term nonproliferation impacts of short-term foreign policy decisions.

Third, that ACDA kept issues alive that would have otherwise bureaucratically “died” in the national security decision-making process. From the 1950s all the way through to the successful negotiation of the CTBT in 1996, ACDA continuously worked on the test ban, preserving both the technical expertise and the political interest on the test ban across multiple presidential administrations. This was also case with ACDA's work on the MIRV ban, enhanced nonproliferation safeguards, and multilateral export controls.

Despite these organizational advantages, its small size (only a few hundred employees) and its relatively small annual budget (approximately \$40 million), ACDA attracted considerable criticism throughout its organizational tenure as an agency. Gerard Smith wrote that one of ACDA's functions was to be “a whipping boy toward which to deflect emotions and criticisms of influential

politicians who oppose arms control.”¹² Indeed, arms control skeptics in Congress often demonstrated their defense bona fides by calling for ACDA reform or dissolution.

By the mid-1990s, ACDA’s criticism caught up with the agency. For a confluence of reasons discussed in the next section, the agency was dismantled and its functions inherited by the State Department.

¹² Smith, 17.

The Merger

There are different accounts as to why and how ACDA was folded into the State Department. Some attribute the merger to pressure from senior ranks in the State Department, who wanted the department to retain greater control over a key aspect of national security policy. Others say it had to do with the diminishing importance of arms control in national security after the end of the Cold War. Many hold Senator Jesse Helms responsible for ACDA's demise. Helms had long demanded the reorganization of the federal government's foreign policy agencies and held a well-known resentment of arms control as an instrument of national security policy. Others attribute the decision to the Clinton Administration's "reinventing government" agenda.

More likely than not, all of these factors played a role in ACDA's demise as an independent agency. Days before ACDA dissolved, John Holum (ACDA's final director) recounted some of the circumstances leading up to the merger—"In the winter of 1996-97 I went to Capitol Hill, to the White House and to many in the NGO community. I saw a lot of walls. They had handwriting on them. The message was: ACDA could no longer survive."¹³

That "writing" had much to do with the confluence of several factors and circumstances. Senator Helms had assumed the chairmanship of the Senate Foreign Relations Committee after the Republicans swept the mid-term Congressional elections of 1994. Just three months into his tenure as chair, Helms introduced legislation to fold ACDA, the US Information Agency (USIA), and the US Agency for International Development (USAID) all into the State Department.¹⁴ Though his legislation initially did not go very far, Helms proceeded to hold up the nominations for all of ACDA's senior leadership to weaken the agency's influence. By early 1997, as a result of Helms's strategy, all of ACDA's assistant director slots were vacant and new appointments were unlikely to pass through his committee any time soon.

In early 1997, another development provided Senator Helms with tremendous leverage over the reorganization issue. The Chemical Weapons Convention (CWC)—a treaty negotiated during the Reagan Administration and signed by the Bush Administration—had been submitted to the Senate for its advice and consent. The CWC, like all treaties, was referred to the Senate Foreign Relations Committee for a vote before it could reach the Senate floor. Senator Helms, as chairman of the committee, refused to release the treaty out of committee unless the Clinton Administration gave way on the reorganization.¹⁵ Though the administration adamantly denied that the ACDA and USIA mergers were part of a "quid pro quo" arrangement to release the CWC, the timing of the reorganization announcement (which took place on the same day as the CWC was referred to the Senate floor) suggests otherwise.¹⁶

Besides pressure from Helms, there was also interest in ACDA's dissolution coming from both the State Department and the White House. Elaine Kamarck, senior advisor to Vice President Al

¹³ John Holum, "Arms Control After ACDA" (Speech, Arms Control Association, March 26 1999) accessed http://www.armscontrol.org/act/1999_03/jhmr99.

¹⁴ Jack Mendelsohn, "New Senate Legislation Threatens ACDA's Survival" *Arms Control Today*, 25 no. 7 (1995).

¹⁵ Jonathan Tucker, "US Ratification of the Chemical Weapons Convention" in *Case Studies of the Center for the Study of Weapons of Mass Destruction* (Washington, D.C.: National Defense University Press, 2011).

¹⁶ "Administration to Announce Foreign-Policy Reorganization Today," *CNN.com*, April 18 1997, accessed <<http://www.cnn.com/ALLPOLITICS/1997/04/18/state.reorg/>>.

Gore and coordinator of the White House effort to streamline government agencies, explained that “Warren Christopher wanted it and we [the White House] all felt that it made a lot of sense. From the White House side, this was about reinventing government...”¹⁷ Kamarck’s remarks confirm Holum’s belief that ACDA ran out of allies in the administration. Second, they suggest that the State Department sought the merger perhaps just as strongly as Jesse Helms did.

Another important factor in the merger decision was that ACDA had lost many of its champions on Capitol Hill. Senators Claiborne Pell, Mark Hatfield, and Samuel Nunn—all of whom had been intimately involved in arms control matters for decades—had all left the Senate in January 1997, leaving ACDA without any clear congressional allies. Considering that Senator Pell had spearheaded the effort to stop Helms’s legislation and rejuvenate the agency in the mid-1990s, it was not surprising that the decision to fold the agency took place just four months after Pell’s last day in office.

Setting aside the reasons for the merger, when the Clinton Administration announced that it was going to happen, it nevertheless made assurances on two fronts:

First, that the independent advocacy role of ACDA would be retained under the new structure. The Under Secretary of State for Arms Control and International Security—the successor position to the position of ACDA director—would also serve as the Senior Advisor to the President and the Secretary of State on arms control, non-proliferation, and disarmament matters. This promise was codified in a Presidential Decision Directive (PDD-65) granting the Under Secretary of State for Arms Control and International Security the right to attend and participate in meetings of the National Security Council (NSC) on matters pertaining to arms control.¹⁸ The State Department reorganization plan, issued in December 1998, also specified that the Under Secretary of State for Arms Control and International Security would have the right to “communicate with the President through the Secretary of State,” though the modalities of such communication were never specified.

Second, that the State Department would retain ACDA’s function as a repository of technical expertise on arms control and non-proliferation matters. A fact sheet released by the White House on April 18, 1997 specified that “along with ACDA’s technical and policy expertise, its verification, compliance and legal functions will be preserved.”¹⁹ The Senate Foreign Relations Committee report for the legislation implementing the merger also noted the Committee’s expectation “that the Department of State will maintain the technical and policy expertise that ACDA has developed in arms control and nonproliferation verification, compliance and law.”²⁰

Fourteen years later, it is clear that the first assurance has all but been forgotten; the second has hardly been fulfilled.

¹⁷ Interview with Elaine Kamarck by author, March 8 2013.

¹⁸ William Clinton, “Presidential Decision Directive/NSC-65,” June 23 1998. See Appendix B.

¹⁹ The White House, “Fact Sheet: Reinventing State, ACDA, USIA, and AID,” April 18 1997, accessed <<http://www.fas.org/news/usa/1997/04/bmd970423j.htm>>.

²⁰ Senate Committee on Foreign Relations, *Committee Report on the Foreign Affairs Reform and Restructuring Act of 1997*, United States Senate, 105th Congress, S. REP 105-028, Section 213 (1997).

Implications of the ACDA-State Merger

This report has found three major consequences from the ACDA-State merger of 1999. These are:

- The weakening of a deliberative arms control decision-making process
- The erosion of arms control technical expertise in the ranks of the State Department
- The dilution of verification equities inside the State Department

Consequence #1: Weakening of a Deliberative Arms Control Decision-Making Process

Despite assurances made to the contrary by the White House in the late 1990s, ACDA's independent advocacy role has not been retained in the current organizational structure. Evidence in both protocol and practice confirms this conclusion.

NSC modalities confirm loss of an independent arms control voice

In 1998, the President issued PDD-65, which stipulated that the Under Secretary of State for Arms Control and International Security ("T" in State Department parlance) shall participate in meetings of the National Security Council (NSC) and its subsidiary bodies pertaining to arms control, nonproliferation, and disarmament.

Though PDDs technically remain in effect across Presidential administrations, the decision directives issued at the start of both the Bush and Obama presidencies concerning the modalities of the NSC superseded (and *de facto* overturned) PDD-65.

President Barack Obama's first Presidential Policy Directive (PPD-1) outlined the structure of the NSC with clear specifications for who is supposed to attend its meetings and how the forum is intended to operate.²¹ Though PPD-1 lists non-cabinet participants expected to attend NSC meetings pertaining to international economic affairs, counterterrorism, and science and technology policy, it conspicuously says nothing about non-cabinet participants at meetings on arms control and non-proliferation matters. Specifically, it does not spell out any right of the T Under Secretary to attend NSC meetings (at the principals or deputies level) pertaining to arms control. Of course, the President has the discretion to change the modalities of the NSC at any time. Nevertheless, the omission of the PDD-65 protections is particularly noteworthy considering that exceptions were carved out for NSC meetings for three other policy realms. Furthermore, PPD-1 concludes that it "shall supersede all other existing presidential guidance on the organization of the National Security Council system," confirming that PDD-65 is no longer in effect.

Setting protocol aside, a first-hand account by a senior White House official corroborates the loss of an independent arms control advocate in the executive branch. Gary Samore, the White House coordinator on WMD issues and arms control policy between 2009 and 2013, said:

There was never any opportunity or expectation that the Under Secretary of State for Arms Control would express a view to the President different than the view of

²¹ Barack Obama, "Presidential Policy Directive-1," February 13, 2009. See Appendix C.

the Secretary of State. That would not have been considered kosher. That would not have been appropriate.²²

He went on to indicate that he could not remember a time when the Under Secretary participated in an NSC meeting chaired by the President.²³ This is disturbing considering that the structural protections of PDD-65 were intended to preserve “ACDA’s unique advocacy role” in the current structure.²⁴ John Holum explicitly said as much during an address delivered just days before the merger—

When ACDA expires, its voice will carry on, with the same force, in the same places. The Under Secretary of State for Arms Control and International Security will also be the senior advisor to the President, with authority to attend deputy- and principal-level National Security Council meetings, express independent views, and even go directly to the president, through the secretary of state. That’s not only in the plan, it’s in the law...²⁵

Today’s organizational structure could hardly be any further from Holum’s (optimistic) prediction. The government’s top arms control official cannot take a position independent of the position taken by the Secretary of State. Besides Samore’s account that such a practice would not be “kosher,” the State Department holds several powerful levers over the T bureaus (the State Department bureaus tasked with arms control and non-proliferation matters) to ensure policy conformity. The department’s leadership wields tremendous influence over the budgetary requests of the T bureaus, the strategic priorities set by those bureaus, and the metrics used to measure their success.

This does not, of course, imply that the Under Secretary of State for Arms Control and International Security never disagrees with the Secretary of State or top State Department personnel. After all, the report has already described a number of instances when arms control interests and region-specific foreign policy interests did not align. Rather, it suggests that when that misalignment happens, should the T Under Secretary fail to convince State leadership of the merits of its concerns, those concerns would be buried within the State Department and would have little chance of being conveyed to the President or to the NSC. **The fact that the Under Secretary of State for Arms Control and International Security also retains the title of Senior Advisor to the President and the Secretary of State for Arms Control, Nonproliferation, and Disarmament means little when he or she cannot actually deliver an independent piece of advice to the President.**

Shift in State’s priorities from “T” to “P” suggests the diminution of arms control equities

The State Department’s preference for region-specific or country-specific interests over functional interests, reflected quite clearly in its own structure, creates further barriers for the arms control perspective to reach the fore of national security decision-making. According to the State Department’s Foreign Affairs Manual, the Under Secretary for Political Affairs (“P” in State Department parlance), who has responsibility for all of the department’s regional and bilateral policy issues, is the fourth-ranking official in the department, after the Deputy Secretaries and the Secretary of

²² Interview with Gary Samore by author, March 13 2013.

²³ Interview with Gary Samore by author, March 13 2013.

²⁴ The White House, “Fact Sheet: Reinventing State, ACDA, USIA, and AID,” April 18 1997, accessed <<http://www.fas.org/news/usa/1997/04/bmd970423j.htm>>.

²⁵ John Holum, “Arms Control After ACDA” (Speech, Arms Control Association, March 26 1999) accessed http://www.armscontrol.org/act/1999_03/jhmr99.

State.²⁶ Though this does not imply that the “T” Under Secretary has less access to the Secretary of State than the “P” Under Secretary, it is a reflection of well-known dynamics inside the State Department that favor region-specific or country-specific interests over functional ones.

But what if (despite the structural barriers) “T” manages to convince the Secretary of State to advance a “pro-arms control” view in the NSC? Does that not benefit arms control interests in the long run? After all, the Secretary of State is a considerably more powerful bureaucratic player than the director of ACDA ever was. Better to convince the Secretary of State from inside the department, the merger thinking went, than to convince the President from an agency likely to be ignored.

The logic here is appealing, but it assumes too much and ignores the historical record. There is a reason why the State Department disagreed with ACDA on the NPT, on Pressler, and on the CTBT. It was not that it was objectively wrong; it was simply a reflection of the way the State Department has done business for over two centuries, by prioritizing region-specific or country-specific foreign policy interests over functional interests. Nothing suggests that this culture has changed. The ranking of “P” over “T” confirms in structure what is already done in practice.

Who is accountable for arms control performance?

When asked during an interview in 2008 about challenges facing future arms control progress, Samuel Nunn, former Senator and chairman of the Nuclear Threat Initiative, pointed to the absence of an actor at the highest levels of government who could be held accountable for arms control:

What is missing is an organization in the United States, Russia, and other countries that is held accountable for real execution and performance. Most of the efforts disappear at third and fourth levels of the bureaucracies without people at the top paying a lot of attention.²⁷

Though somewhat dated, Senator Nunn’s remarks are arguably as true today as they were five years ago. With the exception of the half dozen individuals who now work on the National Security Staff in the White House on arms control related matters, no one at the principals-level today is primarily responsible for arms control policy. No one any longer is inherently interested in the sustainability of the non-proliferation regime or the deep reduction of nuclear arms. This creates a risk that agencies shelve long-term challenges such as disarmament for another day, while they confront short-term, immediate problems.

Such a structure not only hurts the ability of the United States to tackle long-term arms control challenges, it also hurts our national security. Take for example the Iranian and North Korean nuclear problems. These challenges should not be viewed as isolated foreign policy problems. Our ability to strengthen the non-proliferation regime in the long-term helps avoid encountering similar challenges in the future, and strengthens our hand in facing these problems today.

A brief case study helps demonstrate this point:

In 2005 and 2006, the Bush Administration negotiated a civil nuclear cooperation agreement with

²⁶ US Department of State, “Foreign Affairs Manual: The Under Secretaries of State” accessed <<http://www.state.gov/documents/organization/84147.pdf>>.

²⁷ Daryl Kimball and Miles Pomper, “A World Free of Nuclear Weapons: An Interview With Nuclear Threat Initiative Co-Chairman Sam Nunn,” *Arms Control Today*, vol. 38 (March 2008).

India, designed to bolster the US-Indian strategic relationship. It is beyond the scope of this report to comment on the merits of the agreement, but it will point out that there were significant concerns raised by the nonproliferation community regarding the impact of the deal on the long-term viability of the non-proliferation regime. Robert Einhorn, former senior advisor to the Secretary of State on arms control matters, summed those concerns up during his congressional testimony back in 2005 (while then serving as a senior advisor at the Center for Strategic and International Studies):

US plans to engage in nuclear cooperation with India will make it more difficult to address proliferation challenges such as Iran. Of course, Iran's interest in nuclear weapons long pre-dated the India deal. But the deal has strengthened the case Iran can make – and is already making – internationally. Why, Iranian officials ask publicly, should Iran give up its right as an NPT party to an enrichment capability when India, a non-party to the NPT, can keep even its nuclear weapons and still benefit from nuclear cooperation? It is an argument that resonates well with many countries and weakens the pressures that can be brought to bear on Tehran.²⁸

Again, setting aside the merits of the deal, was there anyone at the most senior levels of government who raised these concerns? Without the meeting records of the NSC, we cannot know for sure. But when one looks at the NSC's structure and the mandates of those sitting around the table, it is hard to find someone who (by virtue of "where they sat") would champion the nonproliferation cause. Indeed, considering that the State Department, the National Security Advisor, and the President all strongly favored the deal, it is unlikely that such concerns were conveyed (with an aim to change policy) at the Principals level.

This raises a more fundamental question: if the President was going to favor the India deal anyway, why bother having an independent arms control voice at the table? It would have just been ignored.

Perhaps, but I would argue **that a deliberative national security decision-making process, one that weighs competing options and presents diverse options to the President, is better than the alternative.** Not only does this help avoid costly mistakes, it helps ensure that decisions align with long-term national interests.

The historical record suggests this to be the case. Recall that during the NPT debates, President Johnson initially favored the MLF and it was only after ACDA pushed hard against the wishes of the State Department and maneuvered to gather support from other players in the government did the tide turn in favor of the NPT. Likewise, during the Pressler debates, the President was better served by being presented with both the case for continued assistance to Pakistan and the case against it on nonproliferation grounds.

More often than not, arms control decisions involve policy tradeoffs. Understanding these tradeoffs requires a decision-making process that weighs options fairly and accurately. Considering the consequences of getting these decisions wrong, the country deserves no less.

²⁸ Robert Einhorn, "Statement Before the House International Relations Committee: The US-India Nuclear Deal," October 26 2005, accessed <http://csis.org/files/media/csis/congress/ts051026_einhorn.pdf>.

Consequence #2: Erosion of Arms Control Technical Expertise

Arms control challenges are often technical as much as they are political. It is precisely for this reason that Dean Rusk concluded that arms control problems involve aspects that “reach beyond the operational functions the [State] Department is designed to handle.” One of the objectives of the merger was to retain the kind of technical expertise that ACDA was once known for. This is why just days before the merger, ACDA Director John Holum said, “In the State Department’s own interests, our experts, and those in other functional areas, too, need to be first-class citizens in a culture that has operated differently in the past.”²⁹

Fourteen years later, however, Holum concludes that the State Department has failed on this front:

During the merger, we wanted to make sure that our people were respected for their expertise and were eligible for the same kind of opportunities as other people in the Department. That was probably the biggest challenge we had and one that has led to a disappointing long-term outcome. The State Department is structured around the Foreign Service. It has a lot of civil servants but they are sort of like second-class citizens. We were adamant that they be protected. **In contrast to the solemn promises made during the reorganization, the State Department has flopped on this.**³⁰

The Department’s preferential treatment of the Foreign Service is both well known and hardly new. One recent book called it the department’s “dominant culture.”³¹ The question that concerns us is not whether the State Department’s organizational culture values the Foreign Service. Clearly it does. The question we are most interested in is has the State Department been able to absorb ACDA’s role as a repository of technical expertise, *given its organizational culture*?

It is worth noting here that technical expertise comes in many forms and thus empirically measuring it comes with considerable challenges. Expertise is derived from one’s prolonged exposure to the field, or from academic or professional training in a particular aspect of the field (physics, law, engineering, military sciences, etc). In other words, there is no single measure of expertise—and most will be imprecise at best.

With that said, there are several indicators that would suggest that the State Department has struggled to retain high-caliber in-house arms control and nonproliferation expertise.

First, by most accounts, the number of management positions (GS-15 and Senior Executive Service) available for civil servants has decreased since the ACDA period. As one former arms control practitioner at the State Department noted, “the expertise has simply been crowded out.”³² Much of this has to do both with the decreased number of senior posts available in the arms control field, as well as the increasing apportionment of the remaining posts to Foreign Service Officers (FSOs).

Though FSOs are highly-skilled professionals, by virtue of their rotation schedules, they cannot develop the kind of expertise one gains from long-term exposure to the arms control field. There

²⁹ John Holum, “Arms Control After ACDA” (Speech, Arms Control Association, March 26 1999) accessed http://www.armscontrol.org/act/1999_03/jhmr99.

³⁰ Interview with John Holum by author, January 17 2013.

³¹ Gordon Adams and Cindy Williams, *Buying National Security: How America Pays for its Global Role and Safety at Home* (New York: Routledge, 2010), 9.

³² Interview with Amy Gordon by author, March 15 2013.

are, of course, notable examples of FSOs thriving in the arms control environment. Yet, as John Holum notes, “On the whole, I think scientists master the art of diplomacy far more readily than diplomats master the technical substance of arms control and nonproliferation.”³³

Michael Rosenthal, a physicist who worked at ACDA between 1977 and 1999 and then headed the Office of Multilateral Nuclear Affairs at the State Department until 2003, effectively sums up why this personnel shift towards FSOs might be a problem:

I think it would be more difficult for the State Department to hire and retain PhD scientists than in ACDA. The environment is not as comfortable – scientifically – and career paths for scientists are more limited than at ACDA. For example, at the State Department, a lot of the office director positions, including of the office I used to head, are now filled by Foreign Service Officers, while at ACDA they were civil servants. This undermines the Department’s ability to address the many issues associated with arms control and disarmament that have a significant technical component, for example: technology controls, IAEA safeguards and verification of CTBT and CWC; verification of bilateral agreements; and export controls. In addition, FSOs rotate frequently. They may have little or no background in arms control and nonproliferation issues when they start, and when they acquire expertise, they move onwards. In many arms control and non-proliferation areas, this is an unfortunate outcome.³⁴

Today, Foreign Service Officers (FSOs) hold many of the most senior positions in the arms control and nonproliferation bureaus, including the Assistant Secretary for International Security and Nonproliferation; the Deputy Assistant Secretary for European Security, Technology, and Implementation; and the US Representative to the International Atomic Energy Agency and to the Comprehensive Test Ban Treaty Preparatory Organization. FSOs lead offices such as the Office for Multilateral Nuclear and Security Affairs (tasked with nonproliferation safeguards matters), the Office of Export Control Cooperation, and the Office of WMD Terrorism.

Ambassador Norman Wulf, the President’s Special Representative for Nuclear Nonproliferation between 1999 and 2002, notes that this shift towards FSOs in management positions in the T bureaus contributes to the impression that “the State Department does not reward people with long-term knowledge, institutional memory, or broad functional expertise.”³⁵

This, of course, gets back to the organizational culture issue that John Holum had raised. If civil servants feel like they are treated as “second-class citizens” or if they do not see clear career pathways towards management positions, they are more likely to seek professional opportunities elsewhere. This leads to retention problems, as well as challenges for recruiting high-caliber technical professionals.

So long as the State Department retains the coordinating role for arms control policy planning, it needs to include technical experts among its ranks. Yet, given the “crowding out” of this expertise within the T bureaus, the State Department risks losing much of the institutional memory on these matters, leading to considerable capacity gaps both inside the Department and the federal govern-

³³ Interview with John Holum by author, January 17 2013.

³⁴ Interview with Michael Rosenthal by author, January 14 2013.

³⁵ Interview with Norman Wulf by author, January 16 2013.

ment. Considering the technical nature of so many of the nation's arms control challenges, this "crowding out" effect will have long-term negative implications for both arms control and national security.

Consequence #3: Dilution of Verification Equities inside the State Department

Verification is perhaps the most controversial, misunderstood, and politicized word in arms control. Practically speaking, there is no such thing as a perfectly "verifiable" treaty. Every arms control agreement carries the risk that the other party will violate it. The government must therefore determine the degree of certainty it requires to ensure compliance, and relatedly, the degree to which it can live with uncertainty. Thus, verification is not a binary concept; it is a relative one.

While arms control and verification are not concepts that necessarily conflict with one another, generally speaking, the higher the verification standard, the less likely the agreement will be accepted by the other side. The lower the verification standard, the less likely it is that the Senate will provide its consent for the agreement.

And at the risk making a gross generalization, liberal lawmakers have historically tended to tolerate higher degrees of uncertainty than conservative lawmakers. Liberal administrations have also tended to be more willing to accept verification uncertainties than conservative ones. Conservative administrations have tended to prioritize verification much more visibly than liberal ones.

In other words, every administration and every Senate tasked with reviewing an arms control treaty must balance arms control and verification equities, opening plenty of room for verification to be politicized by both political parties.

Considering the high risk of politicization, an ideal organizational structure should weigh verification and arms control equities fairly, ensuring that verification concerns can reach those who are making decisions about arms control, without precluding the possibility for arms control agreements being reached.

Without getting too far into the scholarly literature on verification, it is enough to say those who negotiate a deal are generally-speaking more likely to agree on a sub-optimal deal than observers might, considering that they might have a vested interest in a successful outcome to the negotiation.³⁶ In the negotiations literature, this is often referred to as "the agreement bias."³⁷

For this reason, historically speaking, a structural "dividing line" often existed between those who verified arms control agreements (that is, those who designed the verification systems and then analyzed compliance after the agreement has gone into effect) and those who negotiated the arms control agreements. In a sense, the verifiers would then serve as a "red team" for the arms controllers, thereby providing a prudent institutional check on the verifiability of arms control agreements. Not only did this help create more verifiable agreements, it helped assuage political concerns about verification that are bound to come up in Senate hearings.

³⁶ Mark Lowenthal, "US Organization for Arms Control," in *Verification and SALT*, ed. William Potter (Boulder, Westview Press: 1980): 89.

³⁷ Taya Cohen, Geoffrey Leonardelli, and Leigh Thompson, "The Agreement Bias in Negotiation: Teams Facilitate Impasse" IACM 23rd Annual Conference Paper. Accessed at <<http://ssrn.com/abstract=1612404>>.

That is why between 1973 and 2005, there were separate bureaus for arms control and verification, first in ACDA and then in the State Department (with gaps during the Carter Administration and again in 1999-2000). The assistant directors of each bureau could raise arguments or concerns separately to the director (or in the case of the State Department structure, the Under Secretary). Verification arguments could then be weighed fairly alongside arms control arguments.

Of course, there were times when administrations heavily prioritized verification over arms control, effectively transforming the verification bureau from a prudent check into an institutional roadblock for arms control. This, however, was a reflection of a political preference for extremely high standards for verification rather than a reflection of structural deficiencies.

The general principle remains that an effective organizational structure should weigh verification and arms control equities fairly. The agency responsible for negotiating arms control agreements, in particular, should reflect this balance internally within its own structure.

In 2005, the Bush Administration eliminated the State Department's arms control bureau, tipping the scale entirely against arms control. When the Obama Administration revived the arms control bureau in 2009, however, it combined it with the verification bureau, effectively erasing the institutional divide between arms control and verification that had existed for decades.

It is certainly beyond the scope of this report to judge the Obama Administration's record on verification. However we can conclude two things about the loss of a stand-alone verification bureau:

- The ability of a verification specialist to challenge an arms control decision taken at the Assistant Secretary level is considerably diminished under the current organizational structure.
- As a result, this has fueled negative perceptions about the verifiability of arms control agreements from conservative lawmakers and defense policy experts.

Both issues are quite serious considering the complexity of the verification challenges ahead of us. By most accounts, the administration is keen on pushing ahead with further rounds of nuclear arms reduction. Reduced levels of nuclear weapons, at least beyond a certain level, will likely come with decreased tolerances for uncertainty in verification. Acting Under Secretary for Arms Control and International Security Rose Gottemoeller spelled out these challenges at a recent address in Helsinki:

As we look towards the next steps in reductions, it is clear that there will be new challenges facing us. We have not tried to limit non-deployed or non-strategic weapons before, which President Obama called for the day he signed New START. We are thinking about how we would verify reductions in those categories and people have different ideas about what terms like 'non-strategic' even mean. Even more complicated: the lower the numbers of nuclear weapons and the smaller the components, the harder it will be to effectively verify compliance.³⁸

Given these challenges, now is not the time to create structural barriers for verification concerns to reach the fore of national security decision-making. Rushing to arms control agreements without

³⁸ Rose Gottemoeller, "Arms Control in the Information Age: Harnessing 'Sisu'" (Speech, Finnish Institute of International Affairs, August 29 2012). Accessed at <<http://geneva.usmission.gov/2012/08/30/arms-control-in-the-information-age-harnessing-sisu/>>.

effectively weighing the verification challenges will not do the nation much good.

Regardless of one's view of the Obama Administration's record on verification, considering the ambitious arms control agenda set forth by the administration, now is especially not the time to fuel political perceptions about the administration's verification bona fides.

Eliminating a stand-alone verification bureau has done the very opposite.

Recommendations

This report has identified three principal challenges with the current organizational structure tasked with meeting the nation's arms control and non-proliferation mission:

- The weakening of a deliberative arms control decision-making process
- The erosion of arms control technical expertise in the State Department
- The dilution of verification equities in the State Department

These problems (in particular the first two) have much to do with the culture and structure of the State Department. **That is why this report strongly recommends that the administration reconsider the decision to abolish an independent arms control agency.**

Creating a new agency would not necessarily mean dusting off the old blueprints for ACDA. What is not needed today is the ACDA of 1961 nor even the ACDA of 1997. The new ACDA should be designed to meet the security challenges of the 21st century, such as solving the verification problems associated with deep cuts in nuclear stockpiles, bolstering detection capabilities of nonproliferation safeguards, dealing with the transfer of increasingly sensitive technologies, and confronting the dangers of nuclear terrorism. This would require the agency to have strengthened capabilities, new direction, and modern focus.

The Nation's Hub for Arms Control Expertise

The new ACDA should aim to become the nation's center for arms control technical, legal, and political expertise. Towards this end, it should put in place hiring and promotion practices designed to recruit and retain physical scientists, engineers, mathematicians, political scientists, and lawyers. This would involve working with science associations and universities to attract top talent; recruiting some personnel at "super grades," as ACDA once did; and adapting promotion criteria to provide clear pathways for technical experts to enter positions in the Senior Executive Service (SES). In particular, the agency should work with universities and research centers to increase the offerings of arms control courses at institutions of higher learning. Meeting the arms control challenges of tomorrow will require training a new cadre of arms control experts today.

An Independent Arms Control Voice in the Executive Branch

By reviving an independent agency—one that has control over its own budgetary requests, priority-setting processes, and staffing authorities—the executive branch would bring back an arms control voice to the national security decision-making table. As this report has shown, this contributes to a more deliberative and more effective arms control decision-making process. The agency's director, as in the past, would participate in NSC meetings concerning arms control and nonproliferation matters, and have the right to communicate directly with the President, ensuring that the President receives a truly unfiltered arms control assessment ahead of national security decisions.

A Clear Message About U.S. Values and Commitments

Bringing ACDA back would demonstrate the administration's commitment to meeting long-term disarmament objectives, a deliverable worth noting at the next NPT Review Conference in 2015. It would also serve as an example to other nuclear-armed states, encouraging them to create a bureaucratic actor inside their governments accountable for arms control progress.

Keeping Costs Down

ACDA's annual budget hovered around \$40 million a year, less than the city of Cambridge spends annually on its police force. Considering that arms control successes often yielded large savings in defense expenditures, a capable arms control agency is likely to lead to net savings for the American taxpayer. Perhaps more importantly, given the high costs associated with getting arms control decisions wrong, the country will stand to benefit from an agency that contributes to an arms control decision-making process that is more deliberative and careful.

Building Bipartisan Support for Arms Control

The agency should re-establish a bureau exclusively dedicated to verification. Negotiations involving deep arms reductions carry complex verification challenges, requiring technical expertise and political attention given to verification. As demonstrated earlier, a stand-alone verification bureau can serve as a prudent institutional check and a magnet for specialized verification expertise in the government. At a time of increasingly difficultly attaining bipartisan Congressional support for arms control treaties, creating a new verification bureau would also signal to Congress a stronger commitment to verification and create a channel of communication allowing lawmakers to convey verification concerns prior to and during arms control negotiations. A stand-alone agency can help increase the visibility and prominence of verification equities, an objective that would likely receive support from traditional arms control skeptics.

Eliminating Redundancies

The State Department's ISN and AVC bureaus should be moved into the new agency to keep costs down and to eliminate redundancies. In light of the fact that arms control deals directly with foreign matters, however, a link should be established between the Secretary of State and the Director of ACDA. That link should be strong enough to ensure effective coordination, but it should not preclude the agency from taking an independent stance on arms control matters. For this reason, making ACDA a semi-autonomous agency along the lines of USAID (rather than a bureaucratically independent agency) may have drawbacks, as such a structure may still prevent the agency from taking a position independent of the position taken by the Department of State.

Short of reviving an independent ACDA, there are a number of alternatives that the administration should consider to fill capacity gaps and strengthen the nation's arms control capabilities. It should be noted, however, that these options are sub-optimal considering that the problems discussed in this report have much to do with the organizational culture of the State Department, which will be difficult to change:

Clarify Institutional Authorities of the T Under Secretary

Protecting the independence of arms control equities is vital to ensuring an effective arms control decision-making process. Towards this end, the T Under Secretary must be given clearer authority to take an independent view on arms control matters and be provided with a channel to communicate that view to the President and the NSC. Considering the absence of such authorities explicitly spelled out in PPD-1, the administration should consider drafting another PPD or an executive order specifying the rights and authorities of the T Under Secretary.

Bolster the State Department's Technical Capabilities

Though the organizational culture of the State Department will continue to present challenges on this front, the Department can take steps to bolster its technical expertise. It can create more career pathways for civil servants to reach GS-15 or SES positions within the T family. FSOs, who normally rotate into new assignments every three years, should be encouraged to stay in the T family for longer periods of time, in order to develop substantive expertise that comes with long-term exposure to the field. The State Department should work with science associations and universities to increase the department's offering of fellowships for scientists to work in the T family.

Revive a Stand-Alone Verification Bureau in the State Department

As mentioned before, the lack of a separate verification bureau has led to perceived (or actual) diminution of verification equities within the State Department. Considering the considerable verification challenges before the administration—and given the administration's continued reliance on the Senate for advice and consent on arms control treaties—it would be politically prudent of the Department to revive a stand-alone, capable verification bureau.

Conclusion

Fourteen years since the abolition of the nation's independent arms control agency, it is becoming increasingly clear that **the decision to fold ACDA into the State Department was a mistake**. The current organizational structure has effectively eliminated the independence of arms control equities within the executive branch, depriving the President and the NSC of access to an unfiltered arms control assessment. The State Department has largely failed to retain institutional memory and high-caliber technical expertise on arms control matters, owing mainly to problems related to the organizational culture in Foggy Bottom that has a predisposition to favor region-specific interests over functional ones.

All of this has come at a time when the nation's arms control challenges are becoming increasingly complex. The nuclear non-proliferation regime has come under considerable strain from rogue states, while prospects for ambitious arms reduction are hampered (at least in part) by technological limitations in verification. We need to renew the government's focus on arms control and build its capacity to meet these challenges.

Put simply, a new approach is needed. This report concludes that the administration should revive the Arms Control and Disarmament Agency, provide it with the capabilities to develop into the nation's hub for arms control technical expertise and vest it with the authority to bring an unfiltered policy perspective to the fore of national security-decision making. The costs of reviving an independent agency (considering that ACDA's annual budget hovered around \$40 million) are far outweighed by the security benefits of creating a more deliberative arms control decision-making process. The agency would improve the government's analytic capabilities concerning nonproliferation threats, thereby helping to avoid high-cost arms control mistakes.

Reviving ACDA would demonstrate the administration's seriousness in meeting its disarmament commitments and would provide the government with the technical resources to advance this agenda while managing the risks that come with arms reduction.

More than half a century ago, John F. Kennedy and Hubert Humphrey first called for the creation of such an agency. Though the security environment has dramatically changed since then, the work of arms control is far from over and the need for a capable arms control agency remains. This work still carries tremendous consequences for both human and national security—and it still implores our best efforts and our highest resolve.

Appendix A: List of Interviewees

The views, findings, and recommendations found in this report do not necessarily reflect the opinions of any individuals interviewed for this exercise.

Ambassador Ken Adelman
Director of the Arms Control and Disarmament Agency, 1983-1987

Graham Allison
Douglas Dillon Professor of Government, Harvard Kennedy School

Robert Bell
Senior Civilian Representative of the Secretary of Defense in Europe

Marshall Billingslea
Professional Staff Member, Senate Foreign Relations Committee, 1995-1999

Ambassador Linton Brooks
Administrator, National Nuclear Security Administration, 2003-2007

Matthew Bunn
Assistant Professor, Harvard Kennedy School

Ambassador Susan Burk
Special Representative of the President on Nuclear Non-Proliferation, 2009-2012

Ambassador Nicholas Burns
Professor of the Practice of Diplomacy, Harvard Kennedy School

Major General William Burns
Director of Arms Control and Disarmament Agency, 1988-1989

Pierce Corden
Visiting Scholar, American Academy for the Advancement of Science and Technology

Ambassador Ralph Earle
Director, Arms Control and Disarmament Agency, 1980-1981

Robert Einhorn
Senior Advisor to the Secretary of State on Arms Control, 2009-2013

Paula DeSutter
Assistant Secretary of State for Verification and Compliance, 2002-2009

Ambassador Lewis Dunn
United States Special Representative for Nuclear Non-Proliferation, 1985-1988

Christopher Ford
United States Special Representative for Nuclear Non-Proliferation, 2005-2008

Ambassador James Goodby
Senior Research Fellow, Hoover Institute

Amy Gordon
Foreign Affairs Officer, State Department, 1999-2006

Rose Gottemoeller
Acting Under Secretary of State for Arms Control and International Security

Ambassador Michael Guhin
United States Special Negotiator on Fissile Material Cut-Off

John Holum
Director of ACDA / Under Secretary of State for Arms Control and International Security, 1993-2001

Susan Koch
Former Staff Member, National Security Council Staff

Ambassador Ronald Lehman
Director of the Arms Control and Disarmament Agency, 1989-1993

Edward Levine
Professional Staff Member, Senate Foreign Relations Committee, 1997-2011

Jack Mendelsohn
Former Deputy Director of the Arms Control Association

Patricia McNerney
Principal Deputy Assistant Secretary of State for International Security and Non-Proliferation, 2002-2007

Richard Perle
Assistant Secretary of Defense for Global Strategic Affairs, 1981-1987

Michael Rosenthal
Former Director, Office of Multilateral Nuclear Affairs, State Department

Dean Rust
Staff Member, Nonproliferation Bureau, ACDA, 1970-1999

Gary Samore
White House Coordinator for WMD Issues and Arms Control, 2009-2013

Lawrence Scheinman
Assistant Director of ACDA, 1993-1997

Andrew Semmel
Deputy Assistant Secretary of State for International Security and Non-Proliferation, 2003-2007

James Timbie
Advisor to the Under Secretary of State for Arms Control and Non-Proliferation

William Tobey
Senior Fellow, Harvard Kennedy School

Ambassador Norman Wulf
Special Representative of the President for Nuclear Non-Proliferation, 1999-2002

Appendix B: Presidential Decision Directive 65 (PDD-65)

20500

THE WHITE HOUSE
WASHINGTON

June 23, 1998

PRESIDENTIAL DECISION DIRECTIVE/NSC-65

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF COMMERCE
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
PERMANENT REPRESENTATIVE OF THE UNITED STATES
TO THE UNITED NATIONS
ADMINISTRATOR, ENVIRONMENTAL PROTECTION
AGENCY
UNITED STATES TRADE REPRESENTATIVE
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
CHAIRMAN, COUNCIL OF ECONOMIC ADVISORS
CHIEF OF STAFF TO THE PRESIDENT
DIRECTOR, OFFICE OF NATIONAL DRUG CONTROL
POLICY
ASSISTANT TO THE PRESIDENT FOR
NATIONAL SECURITY AFFAIRS
DIRECTOR OF CENTRAL INTELLIGENCE
ADMINISTRATOR, AGENCY FOR INTERNATIONAL
DEVELOPMENT
ASSISTANT TO THE PRESIDENT FOR
ECONOMIC POLICY
ASSISTANT TO THE PRESIDENT FOR
SCIENCE AND TECHNOLOGY POLICY
DIRECTOR, U.S. ARMS CONTROL AND DISARMAMENT
AGENCY
DIRECTOR, UNITED STATES INFORMATION AGENCY
CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT: Amendment to the Organization of the National
Security Council with Regard to the Role of the
Under Secretary of State for Arms Control and
International Security Affairs/Senior Advisor to
the President and Secretary of State for Arms
Control, Nonproliferation and Disarmament

Further to my April 18, 1997 decision to reorganize the foreign affairs agencies, Presidential Decision Directive/NSC-2 of January 20, 1993 is hereby amended as follows.

A new penultimate sentence shall be added to the second paragraph of Section A:

A. The National Security Council (NSC)

The Under Secretary of State for Arms Control and International Security Affairs/Senior Advisor to the President and Secretary of State for Arms Control, Nonproliferation and Disarmament, shall be invited to attend all National Security Council meetings concerning matters pertaining to arms control, nonproliferation or disarmament.

A new penultimate sentence shall be added to the second paragraph of Section B:

B. The NSC Principals Committee (NSC/PC)

The Under Secretary of State for Arms Control and International Security Affairs/Senior Advisor to the President and Secretary of State for Arms Control, Nonproliferation and Disarmament, shall be invited to attend all NSC/PC meetings concerning matters pertaining to arms control, nonproliferation or disarmament.

A new penultimate sentence shall be added to the second paragraph of Section C:

C. The NSC Deputies Committee (NSC/DC)

The Under Secretary of State for Arms Control and International Security Affairs/Senior Advisor to the President and Secretary of State for Arms Control, Nonproliferation and Disarmament, or his designee, shall be invited to attend all NSC/DC meetings concerning matters pertaining to arms control, nonproliferation or disarmament.

The first and second sentences of Section D are retained. The third sentence shall be replaced by the following:

D. Interagency Working Groups (NSC/IWG)

In general, foreign policy and nonproliferation issues should be chaired at the Assistant-Secretary level by the Department of State; defense issues should be chaired at the Assistant-Secretary level by the Department of Defense; international economic issues by the Department of the Treasury or the NEC, as appropriate; and intelligence, arms control and crisis management by the NSC. The NSC chair of the arms control IWG will convene a meeting of the arms control IWG at the request of the Department of State.

Integration Transition

During the transition period for the consolidation of the U.S. Arms Control and Disarmament Agency and the Department of State and as long as the person serving as the Director of the U.S. Arms Control and Disarmament Agency has delegated authority to exercise the function that have been delegated to the Under Secretary of State for Arms Control and International Security Affairs, the incumbent will continue to attend National Security Council, Principals Committee and Deputies Committee meetings when matters relating to arms control, nonproliferation or disarmament are discussed. This incumbent will be considered a Principal in addition to the Department of State's representation.

Except as amended by this directive, all other portions of Presidential Decision Directive/NSC-2 remain in effect.

William J. Clinton

Appendix C: Presidential Decision Directive 1 (PDD-1)

THE WHITE HOUSE

WASHINGTON

February 13, 2009

PRESIDENTIAL POLICY DIRECTIVE - 1

MEMORANDUM FOR THE VICE PRESIDENT

THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF COMMERCE
THE SECRETARY OF ENERGY
THE SECRETARY OF HOMELAND SECURITY
THE ASSISTANT TO THE PRESIDENT AND CHIEF OF STAFF
THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND
BUDGET
THE REPRESENTATIVE OF THE UNITED STATES
OF AMERICA TO THE UNITED NATIONS
THE UNITED STATES TRADE REPRESENTATIVE
THE CHAIR OF THE COUNCIL OF ECONOMIC ADVISERS
THE ASSISTANT TO THE PRESIDENT FOR NATIONAL
SECURITY AFFAIRS
THE DIRECTOR OF NATIONAL INTELLIGENCE
THE ASSISTANT TO THE PRESIDENT FOR ECONOMIC
POLICY
THE COUNSEL TO THE PRESIDENT
THE DIRECTOR OF THE OFFICE OF SCIENCE AND
TECHNOLOGY POLICY
THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

SUBJECT: Organization of the National Security Council
System

To assist me in carrying out my responsibilities in the area of national security, I hereby direct that the National Security Council system be organized as follows.

A. The National Security Council

The National Security Council (NSC) shall be the principal forum for consideration of national security policy issues requiring Presidential determination. The functions, membership, and responsibilities of the NSC shall be as set forth in the

National Security Act of 1947, as amended, and this Presidential Policy Directive. The NSC shall advise and assist me in integrating all aspects of national security policy as it affects the United States -- domestic, foreign, military, intelligence, and economic (in conjunction with the National Economic Council). Along with its subordinate committees, the NSC shall be my principal means for coordinating executive departments and agencies in the development and implementation of national security policy.

The NSC shall have as its members the President, Vice President, Secretary of State, Secretary of Defense, and Secretary of Energy, as prescribed by statute. In addition, the membership of the NSC shall include the Secretary of the Treasury, the Attorney General, the Secretary of Homeland Security, the Representative of the United States of America to the United Nations, the Assistant to the President and Chief of Staff (Chief of Staff to the President), and the Assistant to the President for National Security Affairs (National Security Advisor). The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff, as statutory advisers to the NSC, shall attend NSC meetings. The Counsel to the President shall be invited to attend every NSC meeting, and the Assistant to the President and Deputy National Security Advisor shall attend every meeting, and serve as Secretary. When international economic issues are on the agenda of the NSC, the NSC's regular attendees will include the Secretary of Commerce, the United States Trade Representative, the Assistant to the President for Economic Policy, and the Chair of the Council of Economic Advisers. When homeland security or counter-terrorism related issues are on the agenda, the NSC's regular attendees will include the Assistant to the President for Homeland Security and Counter-Terrorism. When science and technology related issues are on the agenda, the NSC's regular attendees will include the Director of the Office of Science and Technology Policy. The heads of other executive departments and agencies, and other senior officials, shall be invited to attend meetings of the NSC as appropriate.

The NSC shall meet regularly and as required. The National Security Advisor, at my direction and in consultation with other members of the NSC, shall be responsible for determining the agenda, ensuring that necessary papers are prepared, and recording NSC actions and Presidential decisions in a timely manner.

B. The NSC Principals Committee

The NSC Principals Committee (NSC/PC) will continue to be the senior interagency forum for consideration of policy issues

affecting national security, as it has been since 1989. The National Security Advisor shall serve as Chair, and its regular members will be the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Energy, the Secretary of Homeland Security, the Director of the Office of Management and Budget, the Representative of the United States of America to the United Nations, the Chief of Staff to the President, the Director of National Intelligence, and the Chairman of the Joint Chiefs of Staff. The Assistant to the President and Deputy National Security Advisor, the Deputy Secretary of State, the Counsel to the President, and the Assistant to the Vice President for National Security Affairs shall be invited to attend every meeting of the NSC/PC. When international economic issues are on the agenda, the NSC/PC's regular attendees will include the Secretary of Commerce, the United States Trade Representative, the Chair of the Council of Economic Advisers, and the Assistant to the President for Economic Policy, who, at the discretion of the National Security Advisor, may serve as chair. When homeland security or counter-terrorism related issues are on the agenda, the NSC/PC's regular attendees will include the Assistant to the President for Homeland Security and Counter-Terrorism, who, at the discretion of the National Security Advisor, may serve as chair. When science and technology related issues are on the agenda, the NSC's regular attendees will include the Director of the Office of Science and Technology Policy. The heads of other executive departments and agencies, along with additional senior officials, shall be invited as appropriate.

The NSC/PC shall meet at the call of the National Security Advisor, in consultation with the members of the NSC/PC. The National Security Advisor shall determine the agenda in consultation with the other committee members, and shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner.

C. The NSC Deputies Committee

The NSC Deputies Committee (NSC/DC) shall review and monitor the work of the NSC interagency process (including Interagency Policy Committees established pursuant to section D below). The NSC/DC shall also help ensure that issues being brought before the NSC/PC or the NSC have been properly analyzed and prepared for decision. The NSC/DC shall focus significant attention on policy implementation. Periodic reviews of the Administration's major foreign policy initiatives shall be scheduled to ensure that they are being implemented in a timely and effective manner. Such reviews should periodically consider whether existing policy directives should be revamped or

rescinded. Finally, the NSC/DC shall be responsible for day-to-day crisis management, reporting to the National Security Council. Any NSC principal or deputy, as well as the National Security Advisor, may request a meeting of the Deputies Committee in its crisis management capacity.

The Assistant to the President and Deputy National Security Advisor shall chair the NSC/DC. Its members are the Deputy Secretary of State, the Deputy Secretary of the Treasury, the Deputy Secretary of Defense, the Deputy Attorney General, the Deputy Secretary of Energy, the Deputy Secretary of Homeland Security, the Deputy Director of the Office of Management and Budget, the Deputy to the United States Representative to the United Nations, the Deputy Director of National Intelligence, the Vice Chairman of the Joint Chiefs of Staff, and the Assistant to the Vice President for National Security Affairs. When homeland security or counter-terrorism related issues are on the agenda, a regular attendee of meetings of the NSC/DC will include the Assistant to the President for Homeland Security and Counter-Terrorism and Deputy National Security Advisor, who, at the discretion of the Assistant to the President and Deputy National Security Advisor, may serve as chair. When international economic issues are on the agenda, a regular meeting of the NSC/DC will include the Deputy Assistant to the President and Deputy National Security Advisor for International Economics, who, at the discretion of the Assistant to the President and Deputy National Security Advisor, may serve as chair. When science and technology related issues are on the agenda, a regular meeting of the NSC/DC will include an Associate Director of the Office of Science and Technology Policy. The chair may invite representatives of other executive departments and agencies, and other senior officials, to attend meetings of the NSC/DC as appropriate.

The Assistant to the President and Deputy National Security Advisor shall be responsible -- in consultation with the members of the NSC/DC -- for calling meetings of the NSC/DC, for determining the agenda, for ensuring that the necessary papers are prepared, and for preparing and circulating conclusions and decisions in a timely manner. The NSC/DC shall ensure that all papers to be discussed by the NSC or the NSC/PC fully analyze the issues, fairly and adequately set out the facts, consider a full range of views and options, and satisfactorily assess the prospects, risks, and implications of each.

D. Interagency Policy Committees

Management of the development and implementation of national security policies by multiple agencies of the United States Government shall be accomplished by the NSC Interagency Policy

Committees (NSC/IPC). The NSC/IPC shall be the main day-to-day fora for interagency coordination of national security policy. They shall provide policy analysis for consideration by the more senior committees of the NSC system and ensure timely responses to decisions made by the President. The NSC/IPC shall be established at the direction of the Deputies Committee, and be chaired by the NSC (or NEC, as appropriate); at its discretion, the NSC/DC may add co-chairs to any NSC/IPC if desirable. The NSC/IPC shall convene on a regular basis to review and coordinate the implementation of Presidential decisions in their policy areas. Strict guidelines shall be established governing the operation of the Interagency Policy Committees, including participants, decisionmaking path, and time frame.

An early meeting of the NSC/DC will be devoted to setting up the NSC/IPC and providing their mandates for reviewing policies and developing options in their respective areas for early consideration by the interagency committees established by this directive. The NSC/IPC will replace the existing system of Policy Coordination Committees.

The Vice President and I may attend any and all meetings of any entity established by or under this directive.

This document is the first in a series of Presidential Policy Directives that, along with Presidential Study Directives, shall replace National Security Presidential Directives as instruments for communicating presidential decisions about national security policies of the United States. This Directive shall supersede all other existing presidential guidance on the organization of the National Security Council system. With regard to its application to economic matters, this document shall be interpreted in concert with any Executive Order governing the National Economic Council and with Presidential documents signed hereafter that implement either this directive or that Executive Order.



Appendix D: Historical Case Studies

Case Study: Negotiating the NPT

Often hailed as the cornerstone of international security, the Nuclear Non-Proliferation Treaty (NPT) now ranks as the most widely adhered to international legal instrument related to non-proliferation and disarmament. Yet, when the concept of a non-proliferation pact was first discussed in Washington in the early 1960s, not everyone agreed that it was a good idea. In fact, considerable opposition to it emerged from the State Department, which viewed the NPT as a threat to its new idea for strengthening the NATO alliance: the Multilateral Force (MLF).

The MLF was intended to be a sea-based nuclear force operated jointly by Western European NATO members and the United States.³⁹ Conceived in 1960, the MLF proposal was strongly backed by prominent Europeanists at the State Department, including George Ball and Walt Rostow. Proponents of the MLF believed that the Force would strengthen the NATO alliance in the face of Soviet deployment of medium-ranged missiles targeted at Western Europe. They also believed that the MLF would effectively deter West Germany from developing a nuclear force of its own, despite questionable evidence that the West Germans were in fact serious about developing such a program.⁴⁰

The Soviet Union, unsurprisingly, protested against the MLF. According to then-Secretary of State Dean Rusk, “the prospect of a West German finger on the nuclear trigger was a *casus belli* for the Soviets.”⁴¹ The Soviets demanded that the final form of the NPT preclude the possibility of an MLF. They argued that the treaty should prohibit the transfer of possession or ownership (even partial) of nuclear weapons to states without them. It was soon becoming clear that as long as the MLF idea was alive, the NPT negotiations would not get very far.

While State consistently argued for the MLF, ACDA took the position that the benefits of achieving a nonproliferation pact outweighed the costs of giving up on the MLF. At an inter-agency meeting in April 1964, ACDA Director William Foster said, “Mr. President, I feel like a skunk in a garden party, but if you go ahead with this MLF you must recognize it’s going to make my chances of negotiating a nonproliferation treaty harder.”⁴² Two months later, ACDA Deputy Director Adrian Fisher wrote to Dean Rusk, arguing that failure to negotiate an NPT “might well result in our foreclosing our last chances to close the floodgates to national proliferation and in the process create conditions which would render the MLF ineffective or even dangerous as an instrument of US foreign policy.”⁴³

Despite ACDA’s objections, Johnson initially sided with the MLF proponents and thus negotiations in Geneva stalled while the American delegation received strict orders not to budge on language that would preclude the possibility of an MLF.

Over the course of the next year, however, a series of internal and external drivers led Johnson to

³⁹ George Bunn, *Arms Control By Committee*, (Stanford: Stanford University Press, 1992), 64.

⁴⁰ Schlesinger, 873.

⁴¹ Dean Rusk, *As I Saw It* (New York: W.W. Norton, 1990), 341.

⁴² Glenn Seaborg, *Stemming the Tide* (Lexington: Lexington Books, 1987), 99.

⁴³ Seaborg, 131.

eventually change course on the NPT and sacrifice the MLF.

The first major development came in October 1964, when China tested a nuclear device. This prompted Johnson to appoint a special committee to make recommendations on US nonproliferation policy. Headed by former Deputy Secretary of Defense Roswell Gilpatric, the committee met between November 1964 and January 1965 and invited representatives of the executive branch agencies to present their views on nonproliferation, setting the stage for a bureaucratic fight between the State Department and ACDA.⁴⁴

Undersecretary of State George Ball represented the State Department, arguing for a country-by-country approach to non-proliferation and warning against sacrificing the MLF for a broader nonproliferation agreement. This was consistent with the views expressed earlier by Secretary of State Dean Rusk who said that “American interests might be best served by encouraging Indian and Japanese proliferation as a counterweight to PRC power.”⁴⁵ These sentiments led Gilpatric to privately note his dismay that there was “so little State interest in nonproliferation agreements.”⁴⁶

ACDA offered a very different view. The agency strongly supported a broad nonproliferation agreement. William Foster argued before the committee that the proliferation problem was urgent and that his agency could conclude a non-proliferation pact with the Soviet Union if it were not for the MLF.⁴⁷

In the end, the committee sided with ACDA, recommending that the United States “seek the earliest conclusion of the widest and most effective possible international treaty on non-dissemination and non-acquisition of nuclear weapons.”⁴⁸ Importantly, the committee added that the effort to negotiate a non-proliferation pact “should not wait, or be dependent upon, the resolution of any issues relating to an Atlantic nuclear force, however helpful such resolution might be.”⁴⁹

Though the Gilpatric findings were not enough to cause Johnson to immediately abandon the MLF, they considerably strengthened ACDA’s hand in the interagency process. Over the next six months, Johnson and National Security Advisor McGeorge Bundy (much to the dismay of the State Department) allowed Foster to discreetly signal a shift in US policy.⁵⁰ In May 1965, Foster was given permission to publish an article in *Foreign Affairs* magazine calling for an immediate negotiation of a non-proliferation treaty.⁵¹ On June 28 1965, Johnson issued National Security Action Memorandum 335, which stipulated that “the initiative in preparing this [nonproliferation] program should be with the US Arms Control and Disarmament Agency.”⁵² A month later, ACDA submitted an arms control program that prioritized the NPT over the deployment of the MLF.⁵³

⁴⁴ Francis J. Gavin, “Predicting Proliferation during the 1960s,” (paper presented at the conference “Intelligence and Prediction in an Unpredictable World” at Stanford University, June 2003): 18.

⁴⁵ Hal Brands, “Progress Unseen: US Arms Control Policy and the Origins of Détente, 1963-1968,” *Diplomatic History* 30 no. 2 (April 2006): 266.

⁴⁶ Brands, 266.

⁴⁷ Gavin, 18.

⁴⁸ Seaborg, 142.

⁴⁹ Seaborg, 142.

⁵⁰ Brands, 267.

⁵¹ Brands, 268.

⁵² McGeorge Bundy, “National Security Action Memorandum 335,” 28 June 1964, accessed <<http://www.lbjlib.utexas.edu/johnson/archives.hom/nsams/nsam335.asp>>.

⁵³ Brands, 269.

By late 1965, other developments further strengthened ACDA's case. First, the French government ratcheted up its opposition to the MLF, believing that it would threaten the viability of its much-prized "force de frappe."⁵⁴ Second, the British started to back away from the MLF following the election of Harold Wilson.⁵⁵ Third, Congress began to weigh in on the NPT, passing a resolution endorsing the immediate negotiation of a non-proliferation pact.⁵⁶ In mid-1966, Johnson relented and ACDA negotiators were finally given the green light to negotiate a "no transfer" deal, paving the way for a broader non-proliferation agreement to be reached.⁵⁷

Over the next two years, as the negotiations proceeded in Geneva, the State Department and ACDA rehashed their debates all over again, this time over the issue of safeguards (ACDA and the Atomic Energy Commission wanted mandatory IAEA safeguards; State supported voluntary safeguards with a European exception). State's position was largely influenced by an interest in accommodating West German complaints about the IAEA. ACDA's position (which was also rigorously advanced by the Atomic Energy Commission) took the view that mandatory safeguards would lead to a stronger nonproliferation regime, which in turn, would be good for US national security. A compromise text on safeguards was finally agreed on in late 1967, leaving few obstacles in the way of negotiating the final treaty text.⁵⁸

While ACDA should by no means take too much credit for the NPT, it is clear that its contributions to it were significant. First, ACDA led the charge in actually negotiating the treaty text, bringing together a team of lawyers and scientists to work on the negotiations in Geneva. Second, by consistently calling for the non-proliferation agreement in the interagency process even at the expense of the MLF, it served to produce a considerably more deliberative and informed decision-making process. By being "the skunk at the garden party," as Foster put it, ACDA reminded senior decision-makers of the high costs of failing to agree on a meaningful non-proliferation pact. Of course, much of ACDA's success depended on William Foster and his personal ability to influence Gilpatric, Rusk, Bundy, and Johnson, among others. Nevertheless, the agency—by virtue of the substantive arguments that it was mandated to deliver—contributed to a more effective decision-making process that weighed regional concerns against broader nonproliferation objectives. Thus, separating arms control equities from broader foreign policy considerations carried strong organizational advantages and contributed to the successful negotiation of arguably the most important arms control treaty of the nuclear age.

⁵⁴ David Tall, "The Burden of Alliance: The NPT Negotiations and the NATO Factor, 1960-1968," in *Transatlantic Relations at Stake*, ed. Christian Nuenlist and Anna Locher (Zurich: Center for Security Studies at ETH Zurich, 2006) 106.

⁵⁵ Bunn, 72.

⁵⁶ Bunn, 73.

⁵⁷ Bunn, 74.

⁵⁸ Bunn, 83-105.

Case Study: The Pressler Amendment and Pakistan

The Pressler Amendment, introduced by Senator Larry Pressler of South Dakota in 1985, banned US financial and military assistance to Pakistan unless the President certified on an annual basis that Pakistan did not possess a nuclear explosive device. Between 1986 and 1990, despite growing evidence that Pakistan had in fact developed a nuclear weapon, the State Department recommended that the President make the Pressler certification.⁵⁹ At the time, the US relied on Pakistan as a base for delivering covert assistance to the Mujahadeen fighting Soviet forces in Afghanistan. Invoking Pressler, the State Department (and the Defense Department) argued, would damage US-Pakistani relations and thereby hurt our efforts in Afghanistan.

ACDA, however, argued each year against certification on the grounds that technical evidence pointed to the strong likelihood that Pakistan had developed a nuclear explosive device. Failure to invoke Pressler, ACDA insisted, would damage the nuclear nonproliferation regime and would contradict the intended spirit of the Pressler Amendment, which was to establish a disincentive for Pakistan's suspected development of a nuclear weapons program.⁶⁰ In 1990, President George H.W. Bush finally reversed US policy and no longer continued to make the Pressler certification, deferring to ACDA's verification assessment. Of course, by then, the Soviets had pulled out of Afghanistan and the US lost much of its strategic interest in the region. Invoking the Pressler amendment in 1990 did not carry the same kind of strategic drawbacks had Pressler been invoked in 1986.

Nevertheless, ACDA's consistent opposition to the near-consensus view of the other agencies contributed to a deliberative decision-making process that weighed nonproliferation objectives alongside country-specific foreign policy interests. Each year, ACDA presented the President with the arguments for invoking Pressler. Though the intelligence community had similar information, it could not make policy recommendations along the same lines as ACDA. Had ACDA not existed, it is difficult to imagine that the State Department would have made such arguments to the President, considering that nonproliferation concerns would have quickly been overruled by more powerful region-specific interests in the Department (as was indeed the case). ACDA's ability to access the most senior levels of government and offer an unfiltered nonproliferation perspective allowed for a more deliberative, and arguably, more effective decision-making process.

⁵⁹ Thomas Graham Jr., *Disarmament Sketches* (Seattle: University of Washington Press, 2002), 215.

⁶⁰ Graham, 215.

Case Study: The Zero-Yield CTBT

Achieving a comprehensive nuclear test ban has been on the arms control agenda for well over fifty years. Following the *Lucky Dragon* incident in 1955 (during which Japanese fishermen were struck with radiological fallout from an American nuclear test in the Pacific) as well as the rise in public concern over the presence of strontium-90 (a by-product of nuclear explosions) in milk, the United States began to consider limitations on the type and frequency of nuclear tests. In 1963, the United States signed the Limited Test Ban Treaty, which prohibited nuclear tests in the atmosphere, underwater, and in outer space—but not those conducted underground.

After decades of modest progress towards achieving a CTB, prospects finally looked good in the early 1990s. In 1992, Congress passed legislation which established a nine-month moratorium on testing. [It is worth noting that the legislation, like most arms control related agreements, was a compromise agreement between arms control champions and skeptics: in return for the moratorium, the skeptics received a commitment from the administration for at least fifteen additional nuclear tests after the moratorium expired.⁶¹] The Russian and French governments had announced testing moratoria earlier in the 90s, and the British were bound by the American moratorium since they used the Nevada Test Site. Just after the Clinton Administration took office, the CTB began to take center stage in arms control circles. The federal agencies, however, were far from a consensus position on the matter.

In February 1993, Robert Bell, the NSC staff director for arms control and defense matters, circulated a proposal to the agencies calling for the US to support an international ban on nuclear tests with an explosive yield greater than one-kiloton.⁶² His rationale for the threshold was that the U.S. did not yet have the verification systems in place to distinguish earthquakes from small nuclear tests, and therefore the one-kiloton threshold was necessary to ensure proper verification of the treaty. The NSC proposal was soon supported by all of the other agencies, except the State Department (which by most accounts, had its own threshold proposal) and ACDA (which supported a zero-yield treaty).

Thomas Graham Jr., the acting director of ACDA at the time, represented the agency at deputies and principals-level meetings on the subject. He argued against the Bell proposal “on the ground that it would be viewed as no CTBT at all” and therefore that it would significantly hurt US chances for achieving an indefinite extension to the NPT at the 1995 NPT Review and Extension Conference.⁶³ In May, with only two months left in the testing moratorium, the issue of both the test ban threshold and the possible extension of the moratorium went up to the principals.

At the principals meeting, National Security Advisor Tony Lake asked the agencies to present their views.⁶⁴ Secretary of State Christopher and Secretary of Defense Les Aspin both argued in favor of letting the moratorium expire and move forward with the fifteen nuclear tests, since that was what Congress had agreed to in the 1992 legislation. When Lake asked whether anyone wanted to speak

⁶¹ Hugh Gusterson, “An Appreciation: The Republican Senator who Opposed Nuclear Arms,” *Bulletin of the Atomic Scientists*, 10 August 2011, <http://thebulletin.org/appreciation-republican-senator-who-opposed-nuclear-arms> (accessed on 20 March 2013).

⁶² Graham, 239.

⁶³ Graham, 241.

⁶⁴ Accounts of NSC meetings pertaining to the CTBT are detailed in Thomas Graham Jr., *Disarmament Sketches*, 237-256.

in favor of the moratorium, Graham raised his hand and presented the ACDA view: a resumption of nuclear testing would significantly undermine broader nonproliferation goals. Colin Powell (who was then Chairman of the Joint Chiefs of Staff) reminded the participants that nuclear weapons were “our crown jewels” but deferred his judgment to the Department of Energy, the agency which was ultimately responsible for ensuring the reliability of the nuclear stockpile.

Secretary of Energy Hazel O’Leary took an unexpected stance. According to Tom Graham, this is what happened next at the meeting:

Hazel, however, to the annoyance of [National Security Advisor] Tony [Lake], stopped the show. She said she was a new kid on the block and that she had not really had time to study the issue and consult her experts. She wanted to put off any discussion of this issue for two weeks so that she would have time to study and understand it. This created something of a furor, but she stuck to her guns... Grumpily, Tony announced that there would be no decision, no outcome to send to the president, and that the principals would meet again on this issue in two weeks’ time.⁶⁵

Several days after the meeting, Graham met directly with O’Leary, who said that the Department of Energy would support the moratorium position advanced by ACDA. At the next principals meeting in late May, Graham again made the arguments for the moratorium, after which O’Leary and White House Science Advisor John Gibbons seconded his position. Since the NSC took a split decision (the Pentagon and the State Department stood by their original positions), the decision went up to the President. On July 3, President Clinton announced that he was continuing the moratorium with a view towards negotiating the CTBT. Two years later, on August 9, 1995, Washington formally expressed its support for a zero-yield threshold CTBT. ACDA negotiators then went on to conclude negotiation of a zero-yield CTBT in Geneva in 1996.

ACDA’s consistent stance in favor of both a testing moratorium and a zero-yield CTBT ultimately paid off. It managed to forge an alliance with the Department of Energy, thereby counterbalancing the views held by the Pentagon and the State Department. It also maintained political interest and technical support for the test ban issue across multiple Presidential administrations, ensuring that the idea stayed alive until the political conditions were ripe for the negotiation of a CTBT.

⁶⁵ Graham, 243.

About the Project on Managing the Atom

The Project on Managing the Atom (MTA) is the Harvard Kennedy School's principal research group on nuclear policy issues. Established in 1996, the purpose of the MTA project is to provide leadership in advancing policy-relevant ideas and analysis for reducing the risks from nuclear and radiological terrorism; stopping nuclear proliferation and reducing nuclear arsenals; lowering the barriers to safe, secure, and peaceful nuclear-energy use; and addressing the connections among these problems. Through its fellows program, the MTA project also helps to prepare the next generation of leaders for work on nuclear policy issues. The MTA project provides its research, analysis, and commentary to policy makers, scholars, journalists, and the public.

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