

## Author's Rebuttal to the Department of Defense

**A**ssistant Secretary of Defense Ashton Carter's 9 September letter responding to my article, "To Russia, With Cash" (*Reader's Digest*, June 1996) states, "Much of what was said in the article is either incorrect or misleading."

Carter does not substantiate his assertion. He addresses only one specific point in the article—my statement that:

American aid funneled through the Cooperative Threat Reduction [CTR] program was to help Russia destroy its nuclear, nerve-gas and germ-warfare weapons. Instead, U.S. aid has helped dismantle mostly obsolete military equipment Moscow wanted to scrap anyway.

Even here, Carter does not address his complaint. He glosses over my concern—that the stewardship of U.S. aid has funded the expansion of Russia's nuclear stockpile while Moscow continues to pursue nuclear, chemical, and biological weapons modernization—and directs his criticism from a dimension that I did not even mention: proliferation.

I agree in general with Carter's proliferation concerns, but since those are not my areas of emphasis, I will address his letter point by point.

### Point 1

**Carter:** "CTR [Cooperative Threat Reduction] assistance ensures that weapons systems targeted by the Strategic Arms Reduction Treaties (START I/II) are destroyed, rather than still being in existence when new weapons are brought on-line."

**Response:** Instead of refuting my argument, Carter reaffirms that CTR helps dismantle only *obsolete* weapons while Russia modernizes its nuclear arsenal.

**Arcane language and jargon project false assertions.** Carter uses artful language and jargon to imply that CTR "ensures" that the actual nuclear weapons targeted by START are "destroyed." His assertion is simply not true. Not a cent of CTR funds has been used to help destroy a single nuclear warhead in the former Soviet arsenal. The Russians have not permitted any U.S. involvement in nuclear warhead destruction, and the United States has not pushed the point. The Department of Defense declined to comment on this when the General Accounting Office (GAO), the independent auditing arm of Congress, raised the issue in 1994, and subsequently admitted that the Russians wanted no such assistance.<sup>1</sup>

• **The law specifically calls for CTR aid to destroy "nuclear weapons."** "Weapons systems" are not "weapons." In his letter, Carter dances around this point by referring to "weapons systems." Weapons systems are not warheads, but

the entire system: “one or more weapons with all related equipment, materials, services, personnel and means of delivery and deployment,” according to the official *Department of Defense Dictionary of Military and Associated Terms*. Under CTR, the United States is helping to destroy only obsolete underground silos, obsolete bombers, obsolete submarines and a few obsolete missiles (the Pentagon is unclear on these points); basically everything but the actual weapons.

- ***The CTR law is being violated.*** The original CTR legislation, which sets eligibility requirements for assistance, states that recipient countries must be committed to “Forgoing any military modernization program that exceeds legitimate defense requirements and forgoing the replacement of destroyed weapons of mass destruction.”<sup>2</sup> Yet in his letter, Carter acknowledges that the destroyed systems are being replaced; indeed, he states explicitly that “new [strategic] weapons are brought on-line.” Therefore, continued CTR “systems” dismantlement aid is running contrary to congressional intent that Russia be “Forgoing any use in new nuclear weapons of fissionable or other components of destroyed nuclear weapons.”<sup>3</sup> While the law contains a “national interest” waiver, Secretary of State Warren Christopher confirmed to Congress—falsely—that Russia meets the conditions.<sup>4</sup>

**Concerning START.** Indisputably, CTR assistance has helped Kazakstan, Ukraine, and to a lesser extent Belarus to eliminate “systems” targeted by START—while transferring the warheads to Russia. However, helping Russia comply with START is another matter. Restricting CTR’s major emphasis to systems targeted by START severely narrows down the field of weapons of mass destruction to be destroyed.

- ***No need for certain aid.*** According to the September 1996 GAO report, “Russia met its START I delivery vehicle limit before significant amounts of CTR aid were delivered.”<sup>5</sup> While CTR assistance reportedly has speeded up further dismantlement, the administration has weakened the goal of the program from eliminating “nuclear weapons” to merely eliminating “systems” targeted by START II.

- ***A failure for five reasons.*** The administration’s far less ambitious policy of sacrificing demilitarization in favor of mere START compliance is a failure for five major reasons: (1) It provides dismantlement aid while Russia continues to modernize, a violation of the CTR law. (2) It officially endorses Russian strategic modernization.<sup>6</sup> (3) It presumes that the State Duma will ratify START II, when all indications at this point suggest otherwise. (4) The Russian government made its support for START II contingent on an effective veto over the nature of NATO expansion and of the United States waiving its right under the Anti-Ballistic Missile (ABM) treaty to withdraw with six months’ notice—thus denying the United States the right to build even the most limited strategic defense system and even weakening the capabilities of planned theater missile defense systems. (5) The policy’s limit to START ignores violations of other arms control treaties, including the Biological Weapons Convention; the president has stated he cannot certify that Russia is abiding by the biological treaty, even though biological weapons are covered under CTR.<sup>7</sup>

**Repeated exaggerations about program effectiveness.** Carter's obfuscation is not surprising. Administration officials with direct responsibility for CTR, including Carter himself, have repeatedly exaggerated the effectiveness of the program, as the following examples indicate.

- **Goodby's claims.** James E. Goodby, the chief CTR negotiator, made the wild claim that "Nunn-Lugar funds played a vital role in getting Ukraine's adherence to START I, the Lisbon Protocol, and the Nuclear Non-Proliferation Treaty."<sup>8</sup> The truth is that Ukraine, upon gaining independence in 1991, agreed to all three documents and signed the Lisbon Protocol on 23 May 1992, long before implementation of the CTR program.

- **Carter's claims.** Ashton B. Carter, as assistant secretary of defense, made the following boast to Congress in March 1994:

*As a result of our diplomacy, in which the CTR program has provided critical leverage and reinforcement, Belarus, Kazakstan and Ukraine have agreed to denuclearize completely, removing all nuclear weapons from their territories in a short period of time.<sup>9</sup> (Emphasis added.)*

Carter's statement is entirely untrue. Belarus, Kazakstan, and Ukraine "agreed to denuclearize completely" in 1991, before Congress passed the CTR act in December of that year, well before CTR was implemented, and well before the Clinton administration took office in 1993. In fact, Carter himself acknowledged this in early 1992, when he was still at Harvard, well before implementation of CTR.<sup>10</sup>

- **GAO findings.** The GAO has consistently found the administration to have exaggerated the results. In a 1994 study of the CTR program, the GAO concluded,

CTR officials appear to have overstated the probable impact of [nuclear delivery vehicle dismantlement] programs in Russia. Russia can meet—without CTR aid—its Strategic Arms Reduction Treaty I (START) obligations and eliminate thousands of strategic nuclear delivery vehicles and launchers over the next decade. Russia also does not want U.S. involvement in actually destroying its nuclear warheads.<sup>11</sup>

In a 1995 study of CTR, the GAO found that comments from the Department of Defense (DoD) "imply that every missile and every warhead deactivated in the former Soviet Union since December 1991 can be attributed to the CTR program." The GAO added,

DoD does not provide a clear accounting as to how and to what extent CTR hardware has been used by the FSU states to eliminate a specific number of systems . . . . Although we have asked it to provide support for the material impact of CTR aid in dismantling specific numbers of systems, DoD has not done so. DoD officials recently informed us that it may be impossible to determine this impact in terms of specific numbers of systems.<sup>12</sup>

In the same report, GAO investigators added,

We question DoD's emphasis on the tangible impact of the program with regard to dismantlement efforts. In various documents, DoD officials attribute the deactivation of thousands of nuclear warheads and the dismantlement of hundreds of strategic launchers to CTR assistance. When asked to document their claims, DoD offi-

cials could not provide the data needed to substantiate the direct impact of CTR dismantlement assistance.<sup>13</sup>

GAO investigators also found the Defense Department to have exaggerated the effectiveness of CTR-provided equipment to cut up obsolete heavy bombers and nuclear submarines, and of the CTR's laboratory-to-laboratory program.<sup>14</sup> Under the leadership of Defense Secretary William Perry, according to the report, the administration even claimed credit for helping dismantle weapons systems that the Russians eliminated on their own without foreign involvement:

DoD [noted] that the CTR program had contributed to the elimination of approximately 630 strategic launchers and bombers since the Soviet Union's 1991 collapse. However, in and of itself, the material impact of the CTR strategic delivery vehicle elimination aid provided to date is less than DoD's comment would suggest, since Russia had eliminated over 400 of these 630 launchers prior to initial deliveries of this aid.<sup>15</sup>

In its September 1996 report on CTR, the GAO stated repeatedly that the Department of Defense lacked the means to account for the effectiveness of the results being claimed. The GAO recommended that the secretary of defense vastly improve his reports to Congress and "refrain from obligating funds" for two major projects until costs and transparency could be established and accurately reported.<sup>16</sup>

In sum, three years of GAO investigations have found the administration consistently to have misrepresented the facts about its stewardship of the CTR program.

## Point 2

**Carter:** "Mr. Waller's statement regarding U.S. money aiding the transfer of warheads from Belarus, Kazakstan, and Ukraine to Russia was a misrepresentation of the facts. Because of these transfers, only one country, as opposed to four, has access to these weapons, thus achieving one of our most important nonproliferation goals."

**Response:** My article stated: "Far from helping reduce Moscow's nuclear-warhead stockpile, the Clinton Administration has actually expanded it by paying for warheads from Belarus, Kazakstan and Ukraine that are transferred to Russia, away from the eyes of U.S. military monitors." I did not discuss the nonproliferation goal. I discussed the demilitarization goal, specifically by addressing the size of the nuclear arsenal of the Russian Federation in the context of Russia's continuing strategic nuclear modernization. However, having made a casual reference to strategic modernization, Carter changes the subject, avoiding the argument.

Let us discuss Carter's nonproliferation argument. As one of the visionaries of the CTR program at Harvard, Carter argued in 1991 that one of the most important steps toward achieving nonproliferation goals would be for the United States to pay for "immediately inventorying and tagging all the nuclear weapons covered by the program and placing them under secure (and in some cases possibly international) safeguards."<sup>17</sup> This was to have been one of the very first steps: to

account for and to secure all nuclear devices. But when Russia refused to go along, the Bush administration stopped pushing Moscow for making such an accounting open to U.S. inspectors. Under Clinton, with Carter at the helm of the CTR program, the misguided Bush policy ironically continued; the United States effectively adopted the Russian position and gave up trying to account for and inspect all warheads—even those in Belarus, Kazakstan, and Ukraine. Now we are faced with the potentially disastrous specter of “loose nukes,” and we have no means to account for whether or not any might be missing. Here is the danger of dismantling only “weapons systems” and not the actual weapons themselves.

### Point 3

**Carter:** “Waller also neglected to mention that nearly all of the weapons transferred are slated for dismantlement, and the resultant material will be held in a new, secure storage facility which has state-of-the-art protection and transparency measures.”

**Response:** I neglected to mention this because the United States has no assurances that the objective will be realized. Carter is again playing word games and claiming victory for a program that is nowhere near to accomplishing its objective.

**Storage for redeployment?** Carter says that “nearly all of the weapons” transferred and stored are “slated for dismantlement.” That means that a quantity is not to be dismantled—that U.S. aid is helping to transfer and store an unknown quantity of nuclear warheads to Russia that Moscow will preserve. To what end? To deploy on new generations of missiles? Sending aid under such circumstances would be in violation of the CTR law.

**Doubts about need for expensive facility.** Carter says that I neglected to mention that “the resultant material will be held” in a new secure, high-tech facility. The need for such a facility is not clear because Russia already has its own secure storage sites.<sup>18</sup> After refusing to permit the United States to inspect, inventory, and tag nuclear warheads,<sup>19</sup> Moscow proposed the new storage facility and demanded that the United States fund its construction in Mayak. Then-Undersecretary of State Reginald Bartholomew cited “real questions about the solution the Russians are proposing, which is a new and very expensive facility.”<sup>20</sup> The project has been plagued with disputes and delays, and the design phase as of this writing is nearly two years behind schedule.<sup>21</sup> Even if the construction runs smoothly, the Mayak facility will not open until 1999, and the storage process will not be complete until 2001.<sup>22</sup> This hardly constitutes an accomplishment today, five years after CTR became law.

**No transparency.** Unless Carter has devised something new, the United States has no independent means to account for the warheads, as the following examples show:

- **Newspaper accounts.** The *New York Times* reported in January, 1996 that the administration was “scrambling to fend off accusations that it cannot verify whether Moscow is cheating” on warhead dismantlement. The same month, the *Washington Post* reported, “Russia has balked at implementing any of the nuclear

security and weapons inspection agreements announced by President Clinton and President Boris Yeltsin at their summit meeting last May,” and that “the mutual inspections and data exchanges on weapons and nuclear materials—which the presidents said would happen—are not about to happen.”<sup>23</sup>

- **Harvard study.** A 1996 Harvard study led by former Assistant Secretary of Defense Graham Allison states that the United States “currently does not have adequate inspection rights.”<sup>24</sup>

- **Ambassador Morningstar affirmation.** President Clinton’s chief advisor on aid to Russia, Ambassador Richard Morningstar, confirms in his 29 July rebuttal to my article that the United States “currently” has no means of verifying whether Russia is dismantling warheads as it claims to do.<sup>25</sup>

- **1996 GAO report and Pentagon affirmation.** A GAO report released on 27 September 1996—nearly three weeks after Carter’s rebuttal—states repeatedly that absolutely no official verification arrangements for the Mayak facility have been approved:

*According to DoD, Mayak transparency should provide the United States with reasonable assurance that Russia is storing only materials from dismantled nuclear weapons and that these materials are not being reused for weapons. . . . However, the United States and Russia have yet to conclude an agreement specifying exactly how Russia’s transparency pledges will be implemented at Mayak. According to executive branch officials, U.S. efforts to pursue such an arrangement went into a hiatus when the U.S. and Russian governments launched the broader Safeguards, Transparency, and Irreversibility (STI) negotiations. . . . However, the STI talks ceased in late 1995. Given recent Mayak design and construction progress, DoD and MINATOM agreed in early 1996 that Mayak transparency efforts would proceed regardless of STI’s status. U.S. and Russian technical experts met in June 1996 to discuss the planned Mayak control and accounting process. . . . However, the United States and Russia have not begun discussing the extent to which the United States will have access to such data at Mayak. DoD officials have not developed a position concerning the degree of access DoD requires at Mayak or a timetable for completing the transparency arrangements. . . . Until a detailed transparency arrangement is agreed upon, the United States does not know exactly how it will be able to insure that Mayak is being used as intended.*<sup>26</sup> (Emphasis added.)

Five days before Carter’s letter, Assistant to the Secretary of Defense for Atomic Energy Harold P. Smith, Jr., wrote to the GAO, stating, “The [Defense] Department concurs with the report.”<sup>27</sup>

- **Pentagon plan affirms no “direct knowledge.”** The Defense Department’s own 1996 draft CTR multiyear plan, according to the GAO, “acknowledges that . . . DoD lacks (1) direct knowledge of Russian nuclear warhead dismantlement activities, (2) control cases, and (3) data and models needed for assessing risk.”<sup>28</sup> (Emphasis added.)

- **Pentagon admits it might have to terminate program due to lack of accountability.** In the *Reader’s Digest* article, I specifically state that the United States is faced with serious long-term problems “because the U.S. government failed to link inspection of warheads to aid.”<sup>29</sup> Carter appears to imply in his letter that my assertion is “either incorrect or misleading” or a “misinterpretation of the facts.”

What Carter did not say in his 9 September letter was that his CTR colleague, Assistant to the Secretary of Defense for Atomic Energy Harold P. Smith, Jr., agreed in writing to a more limited version of the linkage idea five days earlier. Addressing GAO's criticisms and recommendations, Smith wrote:

The GAO suggested that Congress may wish to consider linking DoD authority to obligate some or all of the funds that it may provide for constructing a fissile material storage facility in Russia to completion of a transparency agreement regarding the facility's use. . . .

DoD concurs with the recommendation that construction funds for the fissile material storage facility should not be completely disbursed unless and until transparency measures have been agreed with Russia.<sup>30</sup>

Having said that, however, Smith backtracked by saying that "Since DoD and MINATOM are still working out the details of the transparency at Mayak, to hold up funding for construction work would cause needless delays. . . . If such agreement cannot be reached, DoD's commitment to completing the facility will have to be reconsidered."<sup>31</sup> In short, the administration recognizes that it may have to terminate an expensive CTR program because it failed from the beginning to require accountability.

#### Point 4

**Carter:** "The U.S. has a wide range of means to assure these funds are used for their intended purposes. . . . While isolated instances of diversion or misuse may arise in a program of this size and scope, we are confident to date that CTR assistance is serving the purposes intended."

**Response:** If the United States lacks the ability to determine what Russia is doing with an increased nuclear arsenal in its possession, it is not reasonable to make such an assurance. Carter does not dispute my contention that Russian officials have been hampering legal U.S. inspections of Russian chemical weapons facilities.

**The original policy opposed replacement of destroyed nuclear weapons.** James Goodby, the chief CTR negotiator, stated clearly in early 1993: "These requirements are . . . forgoing the replacement of destroyed nuclear weapons," "facilitating U.S. verification," and "complying with *all* relevant arms control agreements" (Emphasis added).<sup>32</sup>

**DoD depends on unverifiable Russian-supplied data.** The Defense Department's own (incomplete and overdue) 1996 draft CTR multiyear program states that the United States is dependent on Russian-provided figures from which to base drawdowns on specific projects—and not on "quantifiable data available to the United States."<sup>33</sup>

**Russia denies access to U.S. officials.** Moscow is also denying U.S. officials access to some of the sites where U.S.-supplied equipment is supposedly being used. According to the September 1996 GAO report, "Russian officials recently denied a DoD audit team access to MoD sites where CTR-supplied emergency response equipment was located and instead brought such equipment to the DoD team." (The United States did not insist in its bilateral CTR agreements that Rus-

sia allow full access to all facilities receiving CTR aid; the agreements only provide for such access “if possible.”<sup>34</sup>

**More word games.** What does Carter mean by “the purposes intended?” If the purposes are the 1991 intentions for CTR—to inventory, tag, store, and destroy nuclear warheads above all else—then the program has not been used as intended.<sup>35</sup> None of Carter’s approximately thirty-five CTR initiatives directly facilitates the prime goal of the law.<sup>36</sup> The administration has failed to respond adequately to the national emergency of controlling loose nuclear material; more than three years after CTR’s enactment, the administration spent barely one-tenth of the \$1.6 billion in congressional authorizations, and even much of this was of questionable utility.<sup>37</sup>

The way the administration has run CTR, the “intended purposes” keep changing as administration officials put their pet projects (some of which were their business interests prior to serving in the Clinton administration<sup>38</sup>) before the priorities set by law,<sup>39</sup> or worse, as retrograde elements in the Russian armed forces and military industry dictate.<sup>40</sup>

### Point 5

**Carter:** “Were diversion or misuse to be identified, we would of course take appropriate remedial steps.”

**Response:** The entire program has been “remedial.” There has been little if any real strategy.

**Administration’s mismanagement prompted remedial action.** Execution of the CTR program diverged sharply from the brilliant strategy laid out by its architects, who include Carter. Outside intervention, particularly from the GAO, drove near constant remedial action from the administration, which also lost sight of its original objectives by continuously bowing to strong pressure from revanchist elements in the Russian military and military industry. Without outside scrutiny, CTR would have issued no long-term action plan or multi-year budget, and would have developed no means of accountability. Each measure was initiated or imposed after the fact by Congress and its auditing arm, the GAO.

- **Disorganized program with ill-defined goals.** The administration’s stewardship of CTR has been so disorganized that it had neither a program office to develop project selection and long-range planning, a written plan, nor a multi-year budget until Congress imposed them in FY1995. This mismanagement runs directly counter to Carter’s own very visionary plan while he was still at Harvard. According to a Library of Congress defense analyst, “Carter had said [in 1992] that the program should begin operation by writing a five-step plan, but once he had the authority to write the plan, he did not follow his own advice.”<sup>41</sup>

- **Poor management at DoD.** In large part because of the Defense Department’s poor supervision of CTR, management and oversight of nine major projects were transferred in 1996 to other federal agencies.<sup>42</sup>

- **No long-range requirements.** In 1994, the GAO found that under Carter’s stewardship at the Pentagon, “program officials have not established a process to

ensure that annual budget requests are driven by a long-range assessment of tasks that need to be accomplished and have not estimated total requirements for achieving CTR priority objectives.” Indeed, the budgets, set at \$400 million, were based on what CTR chiefs thought Congress was likely to support, versus what was needed.<sup>43</sup> Carter even admitted to Congress that his FY1995 budget request was not based on specific requirements.<sup>44</sup> The required 1996 report to Congress—to lay down the long-term requirements and objectives—was not complete in September, nine months after its due date.<sup>45</sup>

- **No independent assessment available by 1996.** The Defense Department’s own 1996 draft multiyear plan for CTR admits, according to the GAO, that “the program lacks the data and tools needed to independently assess the effectiveness of CTR chemical weapons and nuclear safety projects in achieving CTR objectives of reducing the threat from weapons of mass destruction.”<sup>46</sup>

**Bowing to pressure: the Mayak nuclear storage facility.** One of the two reasons U.S. officials gave GAO for their support of the dubious Mayak facility was that, even if it was not needed, “Russia could blame dismantlement delays on the U.S. government if it fails to support the facility.”<sup>47</sup> Fear of blame does not appear to be prudent stewardship of such scarce and urgently needed resources.

Nevertheless, the administration went ahead with paying costs for building the Mayak facility, without first establishing transparency measures to enable the United States to verify that the facility would be used as the United States intended. The GAO now notes, “A failure to reach [a verification and transparency] agreement in the future would force the United States to choose between curtailing support for the facility—after investing many tens of millions of dollars—and compromising on its access rights.”<sup>48</sup>

Yet even under those circumstances, the administration sees its policy as a success. An unidentified “key DoD policy official” told the GAO that even if Russian intransigence on transparency compels the United States to abandon the Mayak project, the initiative would be a success because “even a partially built facility—if eventually completed by Russia alone—would help secure Russian fissile materials.”<sup>49</sup>

**Bowing to pressure: Sending aid despite blockage of audits.** When the GAO found in October 1994 that Russia was blocking U.S. audits of key, high-tech CTR programs, the administration doubled CTR program obligations and tripled expenditures over the following six-months, instead of withholding aid as a precondition of transparency.<sup>50</sup>

**Concealing problem areas from Congress.** The U.S. government has been silent about military hard-liners’ evolving “doctrine,” a key measure of intent and of the utility of much of the CTR program, and has said almost nothing about fraud and corruption in the aid process.

- **Concealment of Russian military intentions and emerging doctrine.** Secretary of Defense William Cohen, as a United States Senator, directly accused the Clinton administration of concealing the military intentions and emerging doctrine of the Russian leadership. In 1994, the Senate adopted his amendment to

require the president to submit a report to Congress on Russia's revised military doctrine and its military operations in the "near abroad." The report, he said, was necessary "because Russia has been engaging in a systematic effort to regain effective control over the countries that formerly made up the Soviet Union. The tools Moscow has been using in this effort have included economic, political, and military, including blatant military intervention and covert military actions." For these and other reasons, Cohen continued,

the Senate adopted the amendment requiring the President to tell us and the American people what the Russian military was doing and what the implications were for American and allied security.

But when the President submitted the report [in September 1994], it was classified from cover to cover, even though much of the report did not warrant being restricted by a security classification. . . . Perhaps the administration was worried about being embarrassed itself given its acquiescence to Russian military adventures.

In any case—no need to speculate about this—the decision to classify the report from cover to cover has prevented Congress from conducting a complete public debate about Russian actions and the administration's policy toward Russia, and it has prevented the American people from becoming fully informed on these matters.<sup>51</sup>

- ***Concealment of arms control violations.*** Furthermore, the administration has deliberately concealed information on Russia's across-the-board violations of arms control agreements, as shown in the regular Arms Control and Disarmament Agency (ACDA) report to Congress, where the administration apparently abused the secrecy classifications to prevent certain violations from becoming public knowledge. Much of what we know about the violations comes from press leaks from within the administration.<sup>52</sup> The administration also refused to provide key data on Russian chemical weapons to the chairmen of the Senate Foreign Relations Committee and Select Committee on Intelligence prior to a scheduled vote on ratification of the Chemical Weapons Convention,<sup>53</sup> and, while reinterpreting the Conventional Armed Forces in Europe (CFE) Treaty to allow Russian hardliners to mass more troops, tanks, artillery, and armor near the Baltic states, Finland, and Turkey, tried to circumvent the Senate and induce the chamber to surrender its constitutional advise and consent duty.<sup>54</sup>

- ***Failure to report to Congress.*** The GAO repeatedly has taken the administration—particularly the Department of Defense under William Perry—to task for incomplete, vague, delayed, and otherwise inadequate reporting on its stewardship of the CTR program.<sup>55</sup> The GAO reported in September 1996 that the Pentagon has "failed to comply" with a 1994 law requiring the secretary of defense to submit annual CTR multiyear reports to Congress to provide lawmakers with greater visibility into long-term CTR strategy and necessary resources to implement that strategy.<sup>56</sup>

## Conclusion

The administration has squandered substantial resources and priceless time in its unfortunate stewardship of the Cooperative Threat Reduction program. Events

have shown that when it comes to maximizing the effectiveness of U.S. assistance to Russia and other former Soviet republics, the administration responds only to outside scrutiny and pressure. Inaccurate or misleading responses to constructive outside criticism further underscore that the administration's frankness and accuracy leave much to be desired. Further public scrutiny from Congress, the press, and academia is required to ensure that national resources are spent as the law intended, and not in half-measures to appease retrograde holdovers in the Russian armed forces and military industrial complex.

—J. MICHAEL WALLER

#### NOTES

1. General Accounting Office, *Weapons of Mass Destruction: Reducing the Threat From the Former Soviet Union: An Update*, GAO/NSIAD-95-165, June 1995, 57.

2. Cooperative Threat Reduction Act, PL 103-160, Section 1203(d)(2).

3. *Ibid.*, Section 1203(d)(3).

4. James E. Goodby, U.S. negotiator on safe and secure dismantlement of nuclear weapons, "Address before the Third U.N. Conference on Disarmament Issues," Kyoto, Japan, 13 April 1993, transcript in U.S. Department of State, *Dispatch*, Vol. 4, No. 17, 26 April 1993. Goodby stated, "the Secretary of State has informed the U.S. Congress that Russia, Belarus, Kazakstan, and Ukraine have met the eligibility requirements for assistance under the Nunn-Lugar legislation. Briefly these requirements are that each country must be committed to: . . . Forgoing any modernization program that exceeds legitimate defense requirements and forgoing the replacement of destroyed nuclear weapons; Forgoing any use in new nuclear weapons of fissile or other components of destroyed nuclear weapons; Facilitating U.S. verification of any weapons destruction carried out under this legislation; Complying with all relevant arms control agreements."

5. GAO, *Weapons of Mass Destruction: Status of the Cooperative Threat Reduction Program*, GAO/NSIAD-96-222, September 1996, 17.

6. In his seven-page rebuttal to "To Russia, With Cash," Ambassador Richard Morningstar, special advisor to the president and secretary of state on assistance for the NIS, quarrels with the author's objections to Russian ICBM modernization by stating, "Mr. Waller fails to note that this modernization is permitted under START I and START II." Richard Morningstar, letter to Rep. Tom Campbell, International Relations Committee, 26 July 1996, 5.

7. Statutory language of the 1996 National Defense Authorization Act bars use of \$60 million in FY1996 for funds for Russia "because the president could not certify that Russia was complying with multilateral obligations concerning biological weapons," according to the GAO. See GAO/NSIAD-96-222, 6n.

8. James E. Goodby, "Dismantling the Nuclear Weapons Legacy of the Cold War," *Strategic Forum* (February 1995):2.

9. Ashton B. Carter, "Testimony of Assistant Secretary of Defense Ashton B. Carter on the Former Soviet Union Cooperative Nuclear Threat Reduction Program," Subcommittee on Defense of the Appropriations Committee, U.S. House of Representatives, 9 March 1994, 2.

10. Ashton Carter, "Reducing the Nuclear Dangers from the Former Soviet Union," *Arms Control Today* (January-February 1992):11.

11. General Accounting Office, *Weapons of Mass Destruction: Reducing the Threat from the Former Soviet Union*, GAO/NSIAD-95-7, October 1994, 2-3.

12. GAO/NSIAD-95-165, June 1995, 4-5.

13. *Ibid.*, 56.

14. Ibid., 56-57.

15. Ibid., 13.

16. GAO/NSIAD-96-222, September 1996, 4, 22.

17. Carter, "Reducing the Dangers," 11.

18. The GAO reported in October 1994 that U.S. proponents of building the storage facility argued that "existing storage space, designed for other purposes, may not be well suited to store weapons components." GAO stated, however, that "U.S. agencies have been unable to confirm that a shortage [of nuclear materials storage facilities] exists," and that "some agencies believe that Russia has adequate storage space. These agencies believe that sufficient space could be available at Russian Military of Defense (MoD) nuclear storage facilities. In the past, however, MINATOM [Ministry of Atomic Energy] has argued against the use of MoD facilities. Recent Russian statements suggest that warhead dismantlement could proceed without the new facility." GAO/NSIAD-95-7, October 1994, 7-8.

19. Even though denied access to verify whether the aid is being used as intended, the administration has agreed to help the Russian Ministry of Defense to "develop a prototype automated nuclear weapon inventory system, which Russia reportedly lacks, and has begun providing needed computers and training," according to GAO/NSIAD-96-222, 11.

20. Undersecretary of State Reginald Bartholomew, testimony before the Senate Armed Services Committee, 11, cited by Rich Kelley, "The Nunn-Lugar Act: A Wasteful and Dangerous Illusion," Cato Institute *Foreign Policy Briefing* No. 39, 18 March 1996, 5.

21. GAO/NSIAD-96-222, 7-8.

22. Ibid., 8.

23. William J. Broad, *New York Times*, 29 January 1996; Thomas W. Lippman, "Russia Balks at Arms Accord," *Washington Post*, 21 January 1996.

24. Graham T. Allison, et al., *Avoiding Nuclear Anarchy: Containing the Threat of Loose Russian Nuclear Weapons and Fissile Material* (Cambridge: MIT Press, Advance Proof Copy, January 1996).

25. Richard Morningstar, letter to Congressman Tom Campbell, 26 July 1996, 5 (released 5 September 1996).

26. GAO/NSIAD-96-222, 8-9.

27. Harold P. Smith, Jr., letter to Harold J. Johnson, associate director, International Relations and Trade Issues, National Security and International Affairs Division, General Accounting Office, 4 September 1996, reprinted in GAO/NSIAD-96-222, 32.

28. GAO/NSIAD-96-222, 10.

29. The article specifically refers to the U.S. government's inability to verify "whether the Russians are dismantling warheads or simply selling us surplus uranium." The statement is in reference to the proposed \$12 billion cash transfer to a corporation controlled by the Russian Ministry of Atomic Energy for recycled highly-enriched uranium, to be used as nuclear fuel in the United States. The \$12 billion initiative is not part of the CTR program.

30. GAO/NSIAD-96-222, 32, 34.

31. Ibid.

32. Goodby, Kyoto address, 13 April 1993.

33. GAO/NSIAD-96-222, 16-17.

34. Ibid., 12. The report also states, "Similarly, any DoD integrating contractor for the nuclear weapons storage site security project would be precluded from visiting actual weapon storage sites."

35. From the beginning, the administration was vague about its objectives for paying for much of the Mayak storage facility, and did not "clearly articulate" its intent until the GAO raised the issue in 1994 and urged Congress to consider "requiring the executive branch to provide a detailed explanation of how the nuclear material storage facility will (1) serve U.S. nonproliferation interests and (2) directly affect Russian warhead dismantlement." GAO/NSIAD-95-7, October 1994, 14.

36. Goodby, 2, as cited by Kelley.

37. Kelley, 9; GAO/NSIAD-96-222, 10.

38. Defense conversion, a hobby horse and business interest of Defense Secretary William Perry and other Clinton administration officials, is a case in point. The *Far Eastern Economic Review* investigated a Perry-related "conversion" venture with the People's Republic of China, though no similar investigation of possible conflicts of interests with Russia is known. See Bruce Gilley, "Peace Dividend," *Far Eastern Economic Review*, 11 January 1996, 14-16; Bruce Gilley, "Not Over Yet: U.S.-China Technology Deal Raises Congress's Hackles," *Far Eastern Economic Review*, 18 January 1996, 15; Bruce Gilley and Nigel Holloway, "After the Fact: Pentagon to Probe Hi-Tech Transfer to China," *Far Eastern Economic Review*, 1 February 1996, 15-16; Rebuttals to the Gilley articles, *Far Eastern Economic Review*, 1 February 1996, 4; "Pentagon versus Pentagon: Boosting U.S. Trade—Or Building Up China's Army?" editorial, *Far Eastern Economic Review*, 1 February 1996, 5; and John Glashow, "China Tech Transfer Faces Congressional Inquiry," *Defense News*, 8-14 January 1996.

39. The GAO reported in 1994 that "DoD officials plan to make defense conversion a higher priority than nonproliferation—a congressionally designated priority—in deciding future CTR funding of projects, despite its uncertain prospects for success." GAO/NSIAD-95-7, October 1994, 3. The program was such a failure that Congress shut down the Defense Enterprise Fund in 1996.

40. For example, the GAO found, "While the chemical weapons destruction project management may have been persistent in its efforts to overcome U.S. and Russian differences, we also must note that in many significant differences—such as selection of a chemical weapons destruction technology and selection of the type of chemical munitions (artillery- or air-delivered munitions) to be destroyed first, among others—the Russian position has prevailed." GAO/NSIAD-95-165, June 1995, 57.

41. Kelley, 7-8.

42. GAO/NSIAD-96-222, 1, footnote 1.

43. GAO/NSIAD-95-7, October 1994, 1-2, 6-7.

44. Kelley, 7-8.

45. GAO/NSIAD-96-222, 6.

46. *Ibid.*, 5.

47. GAO/NSIAD-95-7, October 1994, 8.

48. GAO/NSIAD-96-222, 9.

49. *Ibid.*

50. GAO, Weapons of Mass Destruction, pre-publication draft viewed by the author, May 1995; and Bill Gertz, "Russia uses Pentagon funds in constructing new nukes: Moscow isn't allowing audits," *Washington Times*, 23 May 1993, A3.

51. William Cohen, remarks on Senate floor to propose Amendment 2724, *Congressional Record*, 21 September 1995, S14013.

52. The ACDA reports do not show what the Washington Post describes as a "pattern of compliance problems," based on leaks from U.S. officials. See R. Jeffrey Smith, "U.S. to Press Moscow on Alleged Arms Violations," *Washington Post*, 9 May 1995, A1, A13.

53. Marc Thiessen, press spokesman, Senate Foreign Relations Committee.

54. See J. Michael Waller, "White House 'stealth' amendment would usurp Senate power to ratify changes in CFE Treaty," *Foreign Policy Alert* No. 24, 18 September 1996.

55. See the above GAO reports from 1994, 1995, and 1996. GAO's October 1994 report (GAO/NSIAD-95-7) noted that despite big plans to spend money, CTR officials had not yet "(1) established a long-term planning process, (2) prepared a multiyear plan and requirements-based funding profile, or (3) implemented an audit and examination process." In its September, 1995 report (GAO/NSIAD-95-191), the GAO summarized that the 1995 DoD report to Congress "does not fully present all of DoD's audit and examination activities for fiscal year 1995, as required, and does not describe how DoD plans such activities. The report does not describe the condition of the assistance, as required, and

contains outdated and inaccurate listings of CTR assistance deliveries. . . . The limited number of projects DoD reviewed raises questions about the basis for DoD's programwide determination that CTR assistance—with one classified exception—has been accounted for and used for its intended purpose. According to DoD's report, this determination was based on information on 9 of 23 projects for which CTR-provided assistance was being used. Of these nine projects, only three had actually been audited. Other sources of information for the projects included random observations by U.S. technical teams, recipient-provided data, and national technical means."

56. GAO found that "DoD failed to comply with this requirement in 1996." GAO/NSIAD-96-222, September 1996, 6.