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Selling "New START"

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I was asked recently by a journalist what I thought would be – or at least *should* be – in a possible resolution of ratification for the "New START" strategic arms agreement currently pending before the U.S. Senate. Assuming that the Senate is not simply to reject the Treaty, what could it do to help make the deal, with all its weaknesses, acceptable? With the Senate Foreign Relations Committee (SFRC) now reportedly working behind closed doors on this very issue, it's probably time to offer some thoughts. So here goes.

I. *Basic Numbers*

I have said previously on this site that the basic numbers embodied in the "New START" agreement are not inherently problematic. I think we'll be alright with 1,550 operationally deployed strategic weapons, and with the missile numbers as set forth in the Treaty. The former figure is (slightly) above the number below which Defense Secretary Gates indicated he could live back when he worked for George W. Bush, and I see no reason to second-guess this assessment now. The "New START" delivery system caps also seem adequate to me, even if they *do* allow one to game the counting rules and avoid warhead "reductions" by uploading weapons onto strategic bombers that are counted as "one" deployed warhead no matter how many they actually carry. That's goofy, and a trifle embarrassing, but probably not disastrous: we're not particularly worried about Russian bombers – and we can presumably do much the same thing with our B-52s if we really want, and we, too, can still keep as many *non*-deployed weapons available (perhaps for such upload purposes) as we like. All in all, therefore, I cannot help thinking that the basic numbers in the "New START" deal are something of a yawn.

I also, however, agree with former Secretary of Defense James Schlesinger's conclusion that in light of the broader context, these "New START" numbers are only "barely" adequate. His ultimate conclusion in favor of ratification has been gleefully cited by the Obama Administration and its supporters, but their happiness with it only means that they didn't really read his testimony. In fact, despite his willingness to accept the agreement as written, Schlesinger makes the Administration's negotiations sound rather inadequate.

Even though Democrats skewered President George W. Bush for his failure to address Moscow's huge arsenal of non-strategic nuclear weapons (NSNW) in the Moscow Treaty of 2002, President Obama has continued to do nothing about these Russian weapons even while squandering the negotiating advantage that might have been conferred by America's (demonstrated) willingness in "New START" to make *greater* strategic cuts than the Russians. Russia's NSNW directly threaten our NATO allies and serve as tools of intimidation in the Kremlin's continuing efforts to recover a Soviet-style sphere of influence in its "near abroad." This is not a hypothetical problem: in recent years, Moscow has repeatedly threatened to deploy Iskander missiles in Kaliningrad, and has undertaken war games that involve targeting Poland with nuclear strikes. At a time when the United States is seeking to reduce its reliance upon nuclear weapons and lead the world into new rounds of arms reductions – and many years after the United States finished implementing its own unilateral reductions in NSNW – Russia's new nuclear doctrine is also unabashedly enthusiastic about the early and liberal use of non-strategic

nuclear weaponry. Moscow seems to be heading, in other words, in quite the *wrong* direction.

The Obama Administration has said or done essentially nothing about this except to make strategic concessions – vindicating Kremlin NSNW saber-rattling by abandoning Bush-era missile defense plans in Europe after Russia's Iskander threats, which President Medvedev pointedly re-issued in his first state of the (Russian) union address on the very day after President Obama's election. Moscow thus can certainly be forgiven for concluding that its "non-strategic" weapons do have a strategic deterrent and indeed intimidation effect, especially vis-à-vis NATO. Arguably, in fact, the "New START" cuts make this problem worse: as Schlesinger pointed out to the SFRC, the significance of Russia's "tactical" arsenal increases as strategic arms are reduced. Yet the NSNW issue remains unaddressed.

Given Russia's continuing attachment to NSNW, the Obama Administration – desperate for some arms control deal with Russia in order not immediately to squander the impression of disarmament *bona fides* it had so steadfastly cultivated and for which our president has already received the Nobel Peace Prize – clearly considered NSNW to be "too hard" an issue this time. (I predict that former Senator Joe Biden won't be apologizing to former President Bush for criticizing the Moscow Treaty for this same failing, but he should.) And it may be that the price of insisting upon NSNW in last year's "New START" talks would indeed have been "no deal" with the Russians.

But the window in which such thorny subjects can be evaded is closing fast. Obama's own 2010 Nuclear Posture Review (NPR) has conceded the importance of addressing non-strategic weapons, as well as non-deployed strategic weapons, in any follow-on deal with Russia. This is indeed essential, and if Moscow refuses to accept NSNW reductions, we must be willing to take "no deal" as an outcome. This would mean that after the "New START" cuts – promoted by the Obama Administration as a "first step" towards a nuclear "zero" – there *wouldn't* be any subsequent steps negotiated for the foreseeable future, at least with regard to force reductions. (This would not necessarily rule out *transparency and confidence-building agreements*, but let's discuss that another time.) Nonetheless, sometimes it is best simply to walk away. Arms control is too valuable and too important to be done stupidly.

If I were a U.S. Senator considering "New START" today, therefore, I would seek to ensure that any resolution of ratification is utterly clear on the fact that given Moscow's current approach to non-strategic weaponry, it is the Senate's understanding that *there can be no more arms reductions with Russia unless and until NSNW are successfully brought into the equation*. I envision the Senate crafting two documents in this regard.

- First, it should adopt a reservation declaring that there exists an interrelationship between strategic offensive arms and *non-strategic* nuclear weapons, that this interrelationship will become more important as strategic nuclear arms are reduced, and that issues related to the threat or use of *non-strategic* arms are thus inextricably related to the subject matter of this Treaty.

- Second, an accompanying Senate declaration should express the view that any further strategic arms reductions negotiated with Russia must also result in a reduction of Moscow's vast numerical advantage in so-called non-strategic nuclear weapons.

Written as I have suggested, the reservation itself would not affect the substantive legal obligations created by "New START," but would make clear that we will not accept Russia doing whatever it likes with NSNW just because these devices are not addressed in the current treaty text. By declaring non-strategic weapons to be "related to the subject matter" of the Treaty, this reservation would track the language of the withdrawal provisions in Article XIV, thus serving notice that Russian abuse of its non-strategic arsenal could give us grounds to withdraw from "New START." (Article XIV permits a party to withdraw where extraordinary events *related to the subject matter* of the Treaty jeopardize its supreme interests. If NSNW were for some reason deemed to be *not* related to the subject matter of the Treaty, the Kremlin would no doubt claim it to be unlawful for us to withdraw as a result of Russian abuses in this particular regard.) The accompanying Senate declaration would increase the political pressure upon future U.S. administrations to ensure that NSNW are covered in any future Russo-American arms control talks.

II. *Missile Defense*

As I discussed in an essay posted on the New Paradigms Forum website (NPF) (www.NewParadigmsForum.com), the potential impact of "New START" upon U.S. missile defense programs is highly controversial. The problem lies with phrasing in the Preamble declaring that the two parties

> "[r]ecogniz[e] the existence of the interrelationship between strategic offensive arms and strategic defensive arms, that this interrelationship will become more important as strategic nuclear arms are reduced, and that current strategic defensive arms do not undermine the viability and effectiveness of the strategic offensive arms of the Parties …."

This phrasing has been seized upon by Russian officials in claiming that the United States must not increase its ballistic missile defense (BMD) capabilities, either qualitatively or quantitatively.

Importantly, however, the "New START" Preamble doesn't actually say precisely what this strategic offense/defense "interrelationship" actually is. The language is clearly intended to help Russia claim that the relationship is a *negative* one – that is, that improvements to U.S. BMD would be destabilizing, potential grounds for Treaty withdrawal, and perhaps even some kind of violation. But it is within the U.S. Senate's power to help counter that interpretation.

The Senate should adopt a reservation on BMD. It should *not*, I think, repudiate the Treaty's contentious Preamble. To adopt a reservation flatly contradicting a treaty's text could be problematic, either raising questions about the validity of the reservation or

simply amounting to a "no" vote or an attempt at amendment. The Senate should avoid actually going this far, in part because of this potential for legal problems, in part because it would simply be wrong to deny the existence of *any* relationship between offensive and defensive capabilities, and in part because protecting U.S. BMD interests does not require such a step.

Rather, the reservation would embrace the idea that there is an "interrelationship" between offensive and defensive arms, and one that *will* become more important as arsenals shrink. It would, however, explicitly clarify that this relationship is not negative but in fact positive. The reservation could thus make three basic points:

- First, it would agree that the relationship between offense and defense capabilities is not a fixed one, and that this relationship will indeed become "more important" as reductions continue. It would note with regard to this increased importance, however, that strategic defenses are *more* valuable against small arsenals than large ones, precisely because this is when such defenses are most likely to be effective. (The Senate might even tip its hat to the President's professed disarmament agenda by observing that missile defenses would be at their *most* valuable at a position of complete nuclear disarmament, where they would help provide a degree of insulation against the rapidly destabilizing impact of a violator's effort to achieve "breakout" from an abolition regime.) The reservation would thus declare that the "New START" Preamble actually embodies a recognition of the *importance* of missile defense at low arsenal levels.

- Second, the reservation would agree that "current" strategic defensive arms do not undermine the effectiveness of the parties' strategic offensive arms, for this is clearly true. Significantly, however, it would also express the understanding that in saying this, the Treaty's Preamble embodies not a position *against* additional BMD but rather the hope that both parties will be able, in time, to reduce their reliance upon nuclear weapons to a point where strategic stability in their relationship will coexist with an increasingly robust system of missile defenses to guard against proliferation threats.

- Finally, the reservation would also express the clear position – and here it might be expedient to draw in part upon pronouncements made by Obama Administration officials themselves – that nothing in the "New START" agreement or its Protocol restricts in any way whatsoever America's right to improve its defenses against ballistic missile or other nuclear attacks, either qualitatively or quantitatively, or both.

On one level, it should be noted, this focus upon the *positive* relationship between arsenal size and BMD has been the position of multiple U.S. administrations. In fact, we have pursued BMD for many years specifically in order to provide protection against the emerging arsenals of rogue proliferators regimes such as North Korea and Iran: both sides of the American political aisle are on record *supporting* BMD to counter the threats presented by relatively small numbers of incoming ballistic missiles. The Senate would in

effect enshrine this insight about the *benefits* of BMD against small arsenals in its reservation, thus providing a clarification of the ambiguities of the "New START" Preamble and preventing it from being read – or misread – alone.

Russia, of course, is not likely to be very happy with such a reservation. It claims to view U.S. BMD as being aimed at countering *Russia's* nuclear arsenal, and to be worried that strategic arms reductions – especially coupled with American BMD augmentations – could bring Moscow's forces down to the point at which it would be unable to threaten us with nuclear destruction. (Some in the Kremlin purport even to be afraid that defenses could be used to facilitate a U.S. nuclear first strike, by immunizing us against Russian retaliation.) Addressing this challenge is the point of the second prong of the reservation: it aims to articulate the understanding that possessing more robust defenses does not necessarily have to undermine the basic "viability and effectiveness" of either side's strategic arms.

The aim here is not to press Russia into accepting some repudiation of its anti-BMD policies, but instead merely to highlight – in an official way – the basic *indeterminacy* of the relationship between defenses and the effectiveness of strategic arms by pointing out, in effect, that the conclusions that flow from assuming some such relationship depend upon the degree to which each party relies upon strategic nuclear weapons for security vis-à-vis the other party in the first place. If the parties come to rely less upon such weapons in their bilateral security relationship, defenses will have less impact upon the viability and effectiveness of strategic deterrence in this relationship – even while retaining great utility against proliferation threats.

Such a reservation, therefore, would aim to hold open legitimate conceptual space for the development of an ongoing Russo-American strategic dialogue that seeks further arms reductions, stronger defenses, *and* reduced reliance upon nuclear weaponry. Some such reservation is needed to help prevent "New START" from being interpreted to prevent progress on the latter two of these important fronts, effectively "locking in" the two parties' indefinite reliance upon mutual assured destruction (MAD). It is certainly not a given that we can actually transcend relationships based upon MAD, of course, but why would we want to *preclude* doing so by tying ourselves to Russian theories on missile defense? A well-crafted Senate reservation could help avoid this.

III. *Prompt Global Strike*

As outlined in an earlier NPF essay, the "New START" agreement will have some impact upon U.S. options in developing near-term "prompt global strike" (PGS) capabilities – that is, the ability to hit critical but perhaps fleeting targets with *conventional* warheads on a near-real-time basis. Given the potential importance of such tools in counter-terrorist and counter-proliferation operations, and in light of the Obama Administration's ostensible commitment to PGS as a means of reducing our reliance upon nuclear weaponry, these limitations on near-term "prompt strike" capabilities are worrying. The precise impact of "New START" upon PGS is, however, fundamentally unclear – not least because the Administration has yet to give a clear account of precisely how it sees PGS fitting into U.S. strategy and force posture planning.

The Senate, therefore, should force an end to this lack of conceptual and programmatic clarity with regard to PGS. It might do two things in this respect:

- First, the Senate should adopt a reservation making clear that because of the publicly-announced importance of non-nuclear strategic strike capabilities to the United States' strategic posture – and the role that they are intended to play in reducing reliance upon strategic nuclear weaponry – these capabilities are inextricably "related to the subject matter" of the "New START" agreement. This would help solidify the legal groundwork for potential withdrawal from the Treaty if the strategic environment were to develop in such a way that our need to use ballistic missiles for PGS purposes outstrips our ability safely to remove such missiles from nuclear service. This is an unlikely eventuality, to be sure, but because Article XIV purports to limit the grounds for withdrawal to problems "related to the subject matter" of the Treaty, we should make clear that severe PGS-related challenges could indeed thus qualify.

- Second, the Senate – in accompanying legislation – could mandate the preparation of a detailed report on the Obama Administration's PGS planning, and the strategic logic that underlies it. The White House makes much of its support for PGS and the importance of such programs. But it is now also asking the Senate to accept some limits upon these same programs. Perhaps the Administration is right that the near-term limits "New START" will impose on PGS are not really a problem. The Senate should not settle for vague reassurances, however. It is time to force U.S. officials to spell out their thinking in detail.

IV. *The BCC*

In an NPF essay in July 2010, I discussed the worries some conservatives seem to have about the Bilateral Consultative Commission (BCC) that would be set up by the "New START" agreement and its Protocol. I would agree that there is some value in creating a body such as the BCC to serve as a forum for the discussion of compliance concerns, and a body through which to develop tailored inspection and verification procedures in the event that either side develops new missiles not covered by the detailed provisions set forth in the Protocol for existing types. Yet the BCC's authority, as envisioned in the Treaty and its Protocol, is remarkably broad.

The Senate might be able to lessen the risk of abuse in the BCC, however. In the SFRC hearings on "New START," it has been suggested that the Senate explore express limitations on the BCC's authority. This might be hard to do as a matter of law without actually amending the draft text, but nothing would seem to prevent Congress from striking an agreement with the President – perhaps backed up by some form of domestic legal requirement through the authorization or appropriations process – pursuant to which the U.S. Government would refuse to support or condone certain objectionable uses of BCC authority.

- U.S. representatives, for instance, could be given standing instructions not to accept any modification by the BCC of the various provisions of the "New START" Protocol that define the BCC's own authority, unless such changes are subjected to Senate advice and consent. (As drafted, Article XV(2) of the Treaty allows the BCC to modify the Protocol on its own authority, including the parts of the Protocol that define the BCC's own powers.)

- U.S. participants in the BCC process might also be enjoined from using their power under Article XIII – *inter alia*, to "resolve any ambiguities that may arise" in treaty interpretation – to accept any interpretation that would tend to suggest that the Treaty imposes any kind of limitation upon U.S. ballistic missile defense. This would include the adoption of any interpretation of the definition of Treaty-covered missiles that sweeps within it U.S. missile defense interceptors. (Such an injunction would complement the abovementioned BMD-related reservation, which would make clear that any BCC decisions in this regard would traduce the United States' understanding of the Treaty at the point of its ratification.)

V. *Rail-Mobile & Reload Missiles*

In NPF postings on on April 26 and May 3, 2010, I raised concerns about the Treaty's treatment of the possibility of rail-mobile intercontinental ballistic missiles (ICBMs), or indeed any other form of mobile ICBM that falls outside the Protocol's constrained definition of what counts as a "mobile launcher of ICBMs."

After repeated consultations with multiple insiders knowledgeable about the negotiation and contents of "New START" and its Protocol – people whom I obviously cannot identify here, though they are doing a great service to their side of these debates by making themselves accessible and offering me clear and articulate off-line counterpoints – I have come to accept that the Treaty itself is adequately drafted in this respect. To be sure, I still think the Protocol is somewhat confusing on its face in its definition of what constitutes a "mobile launcher of ICBMs," but the basic scheme of the agreement is not fundamentally faulty, and this confusion is something I think the Senate can help rectify in the ratification process.

It is true that the definition of a "mobile launcher of ICBMs" in Paragraph 45 of the Protocol is written in a way that would *not* cover a rail-mobile launcher – or indeed any other non-self-propelled ICBM launcher. The negotiators of the agreement, I am told, opted *not* to describe verification procedures for any type of missile that the two parties do not currently possess. (The Russians no longer have any rail-mobile systems, for instance, and it was not thought to be a problem that the Protocol is written to miss them.) I have been told that the omission of rail-mobile and other potential "exotic" basing systems from the Protocol definitions was thus deliberate – and that, as I suspected, it was done at the insistence of the Russians. That is in itself somewhat worrisome.

Article II(1) of "New START," however, caps all ICBMs without qualification – whether or not they fall within the Protocol's definition of "mobile" launchers. On the basis of Paragraphs 37 and 6 of the Protocol – which define, respectively, ICBMs and what it means to be a "ballistic missile" in the first place – the term "ICBM" covers every land-based missile capable of delivering a weapon more than 5,500 kilometers and that has "a ballistic trajectory over most of its flight path." (Paragraph 28 also specifies that an "ICBM launcher" is anything that is "intended or used to contain, prepare for launch, and launch an ICBM." A launcher's degree of mobility is irrelevant to this particular definition.) Whether or not the Protocol specifically provides procedures for handling rail-mobile intercontinental-range ballistic missiles, any such system *would* fall within the Article II limits on ICBMs.

So what happens if the Russians decide to build new rail-mobile systems, or some other type of system that falls outside the Protocol's current definitions? As long as a missile meets the definition of an ICBM set forth by Paragraphs 37 and 6 of the Protocol, such a device would still be limited by Article II and subject to the declaration and (admittedly very general) location reporting mechanisms of the Protocol. If it has technical characteristics that differ from previously-declared types as described in Paragraph 46 of the Protocol, this new missile would be a "new type" of ICBM – for which declaration and reporting procedures are required. (If a "new type" has not been deployed or launched more than 20 times, it is designated a "prototype" under Paragraph 58, for which various reporting and notification rules are provided under Part Four of the Protocol.)

The system, in other words, is designed to provide notice of the existence of new types, and some reporting about their location and status. It is true that specific verification procedures have been crafted only for *existing* types – not for all possible ones. This may have been done at Moscow's insistence, but one can defend it on the not unreasonable grounds that the specific procedures needed for verification with regard to new types cannot really be known in advance. (The procedures appropriate for a rail-mobile ICBM, for instance, would surely differ greatly from those best suited to an air-mobile missile.) The idea, however, is that as such issues arise – that is, if and when new systems make an appearance – the BCC would be able to develop appropriate verification mechanisms for them and amend the Protocol accordingly. A party's refusal to agree to adequate procedures for verification and monitoring of a new type of missile could clearly raise Article XIV (withdrawal) issues, for strategic nuclear missiles are unquestionably "related to the subject matter" of the Treaty.

In one of my NPF postings, I also raised questions about potential rapid-reload capabilities, which would have a particular salience for the Russians since they possess road-mobile ICBMs that could fairly easily be accompanied by convoys of such reloads, and could take advantage of their mobility to undertake reload operations. (With their locations known, missile silos are less likely to have much opportunity to reload before being hit by retaliatory strikes.) Such practices are indeed not restricted by "New START."

The State Department's official press backgrounder responding to my reload concerns was embarrassingly inadequate – for it would not be a serious response to any real defect in the Treaty merely to point out that the two parties have, in a non-binding

"agreed statement" appended to the Protocol, happily opined that developing reload systems is "unwarranted and should not be pursued by either Party." Nevertheless, I do now agree with my insider contacts that ICBM reload missiles themselves, *because* they would still be ICBMs, would be both covered and reportable under the Protocol framework.

In the event that there remains any worry on either of these fronts, however, the Senate could easily craft a reservation emphasizing this point and making things quite clear:

- The reservation would set forth the U.S. understanding that: the Treaty limits *all* ballistic missiles of intercontinental range, entirely irrespective of their basing or launch mode; that all rail, air, or otherwise mobile missiles of the requisite range will be subject to notification and reporting; and that it would be the BCC's obligation to develop verification mechanisms tailored to the specific characteristics of any new system. Failure to agree to adequate procedures in this last respect would be a problem "related to the subject matter" of the Treaty.

- This reservation would also make clear that all intercontinental-range missiles and corresponding types of launchers are covered within the overall caps of Article II, irrespective of their physical location or degree of co-location – and that this means that any and all missile *reloads* for launchers of any sort are also caught by the Treaty limits.

VI. *Modernization*

The issue of modernization is not one necessarily or intrinsically tied to ratification of "New START," but this does not mean that it lacks salience in ratification debates. Quite the contrary. Obama Administration officials have accompanied their ratification arguments with commitments to increased funding for modernizing U.S. nuclear capabilities – a policy that the 2010 Nuclear Posture Review declared was not merely "consistent with our arms control and non-proliferation objectives" but in fact "essential to them."

The NPR proclaimed the importance of "[s]ustaining a safe, secure, and effective arsenal," in part by "modernizing our ageing nuclear facilities and investing in human capital" in the weapons production infrastructure. (Notably – though this has been little remarked – the Obama Administration's much-vaunted commitment to "no new nuclear weapons" has also been very carefully phrased. The Review's promise "not [to] develop new nuclear warheads" sounds like a politically-correct refusal to entertain the sort of weapons work contemplated during the Bush Administration, but in fact would permit precisely the same sorts of improvements studied at that time. According to the NPR, "refurbishment of existing warheads, reuse of nuclear components from different warheads, and replacement of nuclear components" – as well as the addition to U.S. warhead designs of improved safety, security, and use control enhancements – are all still permitted.)

Nor did the NPR simply commit the United States to a modernized weapons production complex and improved products, however. It also noted that "technology development" is underway for a replacement for the *Ohio*-class submarine, as well as studies on a possible replacement for the Minuteman III ICBM and the air-launched cruise missile (ALCM). This work on possible new delivery systems is more along the lines of a feasibility study than a real commitment to system development, and the Administration still equivocates on the issue of a replacement strategic bomber, but this is beyond what one might have expected from our disarmament-minded Commander-in-Chief.

All this is no doubt quite unwelcome to the disarmament community, but is not actually inconsistent with a genuine disarmament agenda. By essentially *no one's* account will we *not* have to rely upon nuclear deterrence in some form for a good many more years, and for so long as we have nuclear weapons we will need to maintain them, to be able to deliver them reliably and precisely, and have high confidence that they will perform as advertised if we should have to use them. (Indeed, the need for operational certainty will increase as shrinking numbers reduce our ability to rely upon redundancy to ensure mission effectiveness.) Significantly, however, the current modernization program is also, in theory at least, music to the ear of Senate conservatives who have long worried about a creeping decrepitude in our ageing Cold War "legacy" warheads and delivery systems – and who are now being asked to support "New START" ratification. The Obama Administration clearly anticipates that its commitment to modernization will expedite approval of the new Treaty.

My impression is that the Obama Administration's commitment to modernization is good, but perhaps not yet enough. Our nuclear infrastructure, for instance, is still *structured* on largely Cold War lines, even though its actual size has been considerably reduced. To be the small, modern, efficient, and "responsive" system we will need it to be in order to ensure security as our deterrent forces shrink, the infrastructure doesn't need simply to be *maintained* but in fact to some degree rebuilt and reorganized if we are to sustain both the technical capabilities and (critically) the human capital needed to keep a reliability-ensuring and potentially reconstitutive capability alive as the Obama Administration says it wishes to do. Despite the money thrown at "stockpile stewardship" programs beginning in the Clinton Administration, we are barely keeping our heads above water in these regards right now – and are actually losing ground by some experts' accounts – so if Obama is serious about selling "New START" on the basis of a credible commitment to reductions-facilitating modernization, he may need to raise the ante. If he does, however, I think he can do much to win over the skeptics.

The problem, of course, is that such programmatic promises are only as good as the trust their recipient has in the ability and willingness of their maker to keep them. In this era of Obama Administration fiscal profligacy, however – with our *annual budget deficit* currently running half again as large as the staggering trillion-dollar bailout package established by the European Union and the International Monetary Fund for the bankrupt welfare economies in the southern tier of the Euro zone – there is much worry that today's promises of vigorous nuclear modernization spending will quickly be followed by the expedient abandonment of such initiatives when the inevitable fiscal crunch comes.

To some extent, there is nothing the Senate can do today to preclude "bait-and-switch" gamesmanship over nuclear modernization. One cannot really bind future Administration budget requests, nor ensure that Congress will not itself opt in the future to slash the very budgets upon the solidity of which "New START" approval may rest today.

Nevertheless, the Senate – working with the Executive Branch – *can* today increase the *political* stakes, maximizing the ability of such programs to resist future cutbacks by eliciting even stronger financial and programmatic promises from the White House, offering clearer and more emphatic articulations of the importance of such work to U.S. national security, and documenting the degree to which Treaty ratification today (and, implicitly, our future adherence) is indeed contingent upon appropriately robust levels of support for such work in the future. (Ironically, in this respect, our current president's commitments might have unusual political weight: what future leader responsible to American voters for the future of our national security would be entirely comfortable defending positions to the *left* of Barack Obama on nuclear weapons?) None of this will guarantee the preservation of modernization programs, but as a political commitment strategy it would at least help better equip their future defenders for the inevitable budget battles that lie ahead.

VII. *Conclusion*

One should take all this, then, for whatever it may be worth: it is how I would approach crafting a resolution of ratification if I were a U.S. Senator. To my eye, at least, such steps would make the "New START" package one that Senate conservatives could much more easily support.