

## **By Baker Spring**

The Obama Administration released its overdue Nuclear Posture Review (NPR) on April 6, 2010. [1] The review establishes five specific objectives for the future nuclear force of the United States. Missing from these five objectives is what should be the most important objective of all: defending the U.S. and its allies against strategic attack. Accordingly, Congress, the American people, and America's allies need to ask the Obama Administration a simple and straightforward question: Why won't you defend us?

The NPR lists the following objectives:

1. Preventing nuclear proliferation and nuclear terrorism;
2. Reducing the role of nuclear weapons in the U.S. National Security Strategy;
3. Maintaining strategic deterrence and stability at reduced nuclear force levels;
4. Strengthening regional deterrence and reassuring allies and partners; and
5. Sustaining a safe, secure, and effective arsenal.

Each of these objectives may be worthy, but they are not connected to the basic obligation to protect and defend the people, territory, institutions, and infrastructure of the U.S. and its allies against strategic attack. As a result, the NPR's more specific recommendations fall short in explaining how to organize, manage, sustain, and modernize the U.S. nuclear force in a cohesive and coherent way. This is not to say that the Administration and Congress cannot find ways to fashion the NPR's recommendations into a broader strategic posture that acknowledges that both nuclear weapons and the tools of arms control and nonproliferation continue to play essential roles in protecting the U.S. and its allies.

### **Fixing the Weaknesses in the NPR**

The NPR exhibits at least five prominent weaknesses. Each is listed below, followed by a recommendation on how to eliminate the weakness.

**Weakness #1:** The NPR assumes that maintaining a strong and modernized U.S. nuclear arsenal is incompatible with meeting nonproliferation objectives.

Other elements of the NPR explain, albeit indirectly, why this assumption is wrong. Other sections of the report talk about maintaining deterrence, maintaining stability, and reassuring allies. Successful nonproliferation ultimately rests on taking determined steps, both positive and negative, to convince existing and would-be proliferating states that having nuclear

weapons will not benefit them.

The U.S. has taken successful steps in this regard, some when the U.S. had a much larger and more powerful nuclear arsenal than it has today. Successes include Belarus, Kazakhstan, South Africa, and Ukraine entering into the Nuclear Non-Proliferation Treaty. In another case, Libya, the U.S. used the tool of interdiction to make a convincing case for nonproliferation.

Remedy #1: In combating proliferation, emphasize the direct tools of nonproliferation over the indirect tool of arms control.

Steps like the Proliferation Security Initiative (PSI), strengthening safeguards on civil nuclear materials and facilities, adopting effective sanctions, and maintaining the policy of extended deterrence will more effectively combat proliferation because they directly address the proliferation problem. The NPR talks about these steps, but they need to be emphasized over the steps of arms control.

Weakness #2: The NPR properly acknowledges that the international environment has changed dramatically since the Cold War and continues to change, but asserts that the U.S. nuclear force does not need new weapons with new capabilities to meet the new military requirements.

Changing circumstances require new weapons, such as weapons that can destroy hardened and deeply buried targets. In the U.S. conventional forces, new weapons and equipment are introduced almost daily in response to changing circumstances made clear by the conflicts in Afghanistan and Iraq. It is puzzling and disturbing that the NPR fails to recommend the same approach for U.S. nuclear forces, which were developed during the Cold War. U.S. ratification of the Comprehensive Test Ban Treaty, as President Obama clearly wants, would greatly exacerbate this weakness.

Remedy #2: Commit to building new nuclear weapons to adapt the nuclear force to the more defensive strategic posture required for today's and tomorrow's world.

As the threat description in the NPR states, nuclear terrorism and the spread of nuclear weapons capabilities to more states are key emerging threats. Nuclear weapons will continue to play an essential, although narrower, role in the U.S. defensive strategic posture. The important thing is to modernize the weapons infrastructure to meet the new requirements for an extended period. Neither the Administration nor Congress should believe that the modernization effort can focus solely on the glaring atrophy of the nuclear weapons infrastructure and arsenal and then consider these problems fixed.

The NPR does not appear to fulfil the requirement in Section 1251 of the Defense Authorization Act, which requires the Administration to report to Congress on its "plan to enhance the safety, security, and reliability of the nuclear weapons stockpile"; "modernize the nuclear weapons complex"; and "maintain delivery platforms for nuclear weapons," including a 10-year budget outline.[2] As indicated by the law, this report should be submitted when the follow-on treaty to the Strategic Arms Reduction Treaty (START) is submitted to the Senate.[3]

**Weakness #3:** The NPR is unclear about the circumstances in which the U.S. may use nuclear weapons.

The entire discussion is predicated on retaliatory scenarios rather than keeping all options on the table to fulfil the most important objective--protecting the American people. The exceptions that it notes could require a bevy of lawyers to determine how to respond to an attack on the U.S.

The United States used to have a declaratory policy that was simple and forceful. This new policy creates categories of decision making that are confusing and could potentially delay U.S. reactions in times of crisis. The NPR sends confusing messages to our allies and adversaries alike, undermining the ability of U.S. nuclear forces to act as a deterrent. It could even invite aggression, particularly the use of conventional, chemical, or biological weapons.

**Remedy #3:** The U.S. should clearly state that it reserves the option to use nuclear weapons under circumstances in which their unique capabilities will substantially improve the likelihood of successfully defending itself and its allies against strategic attack.

This statement should place the duty of defence, not revenge, at the heart of the policy on nuclear use. In this context, "deterrence" will take on new meaning. During the Cold War, it came to mean convincing an adversary not to attack because the U.S. retaliatory response would impose unacceptable damage. Today, "deterrence" should mean convincing the adversary not to attack because he will calculate that any such attempt would likely fail to achieve its political or military objectives and therefore not be worth the investment or the risk.

**Weakness #4:** The NPR directs that U.S. nuclear forces be structured to maximize the President's decision time in a crisis regarding the possible use of these forces.

The good news is that the NPR rejects President Obama's assertion during the campaign that U.S. nuclear forces are on "hair trigger" alert and should be "de-alerted." Increasing the decision time for the President is always valuable, but the weakness is the assumption that these decision times can be extended under all circumstances by how the U.S. postures its nuclear forces.

Yet a would-be enemy of the U.S. could still consider attacks that call for very rapid employment of U.S. forces. In this context, the timelines for employment are driven by more than the survivability of U.S. nuclear forces. They would largely be driven by the need to provide an effective defence by quickly destroying a strategic target that poses a particular threat.

**Remedy #4:** Maintain operational flexibility across the nuclear force.

An effective nuclear deterrent force cannot be separated from operational considerations. If it could, the NPR would have adopted the statement that the sole purpose of U.S. nuclear weapons is to deter, in the Cold War meaning of the word, the use of nuclear weapons by other states against the U.S. or its allies. This statement was wisely rejected. It would have turned the deterrence policy into a policy of bluff. If the sole purpose of U.S. nuclear weapons is Cold

War-style deterrence, then the purpose ceases to pertain if the U.S. or its allies are attacked and deterrence, by definition, has failed. The better answer in terms of presidential decision timelines would have been for the NPR to state that the U.S. will maintain operationally flexible nuclear forces to meet targeting requirements.

**Weakness #5:** The NPR asserts that through disarmament the U.S. can create international pressure that will cause all nuclear weapons-capable states to move toward less reliance on nuclear weapons and to join the U.S. on the path to zero nuclear weapons.

The assertion is not as simple as the notion that states, such as Iran and North Korea, will follow the U.S. lead in creating a world without nuclear weapons. The argument assumes that if the U.S. emphasizes disarmament first, then other non-nuclear-weapons states will join the U.S. in creating irresistible public pressure on the remaining nuclear weapons states to move toward zero nuclear weapons.

This approach will not work. The nations that possess nuclear weapons or are seeking them want the weapons as much for reasons that are unique to them as for the characteristics of the weapons themselves. Further, this disarmament-first strategy can be dangerous and counterproductive. If the U.S. limits the capacity of its nuclear force through the disarmament process on the assumption that it will lead to successful outcomes in nonproliferation and the assumption proves false, it may not have the capacity in its nuclear force to respond to unexpected threats.

**Remedy #5:** Pursue nonproliferation and disarmament goals sequentially.

It is important to examine the history of disarmament and nonproliferation in the years following World War II. The U.S. sought disarmament in the immediate aftermath of World War II and was rebuffed, primarily by the Soviet Union. It then turned to nonproliferation to lessen nuclear dangers. Given the proliferation threat that is described in the NPR, the prudent course is to reverse the cycle. This means first pursuing the object and purpose of the nonproliferation regime--a world with only five acknowledged nuclear weapons states and no others--and then examining the options for disarmament.

### What Congress Should Do

Each of these remedies lends itself to a congressional initiative. If they are pursued effectively, Congress can correct the worst weaknesses in the NPR. Specifically, Congress should:

- \* Adopt a sense of the Congress resolution that states that the primary objective of the U.S. strategic posture, including its nuclear forces, is to defend the people, territory, institutions, and infrastructure of the U.S. and its allies against strategic attack. This resolution could be attached to the defence authorization bill for fiscal year 2011, which will come before Congress later this year.

- \* Hold hearings on the new declaratory policy outlined in the NPR regarding the circumstances in which the U.S. may use nuclear weapons. This declaratory policy is so convoluted that

Obama Administration officials will have difficulty defending it. This is particularly evident when the convoluted language of the NPR is compared to a more straightforward commitment to reserve the right to use nuclear weapons for defensive purposes. Members of Congress should challenge Administration officials to defend the new policy in congressional hearings. If Congress applies enough pressure in the hearings process, the Obama Administration may be forced to reconsider this policy.

\* Adopt a legislative directive on the nuclear command, control, and communications system. The NPR acknowledges that increasing the President's decision time on potentially using nuclear weapons in a crisis will involve upgrading the nuclear command, control, and communications system. Congress could include a provision in the defence authorization bill for fiscal year 2011 that directs the Department of Defense to upgrade the nuclear command, control, and communications system in a way that ensures the President will have the opportunity to use nuclear weapons to destroy targets that pose a direct strategic threat in a timely manner. The considered upgrades should not be about the resiliency of the command, control, and communications system alone, as important as that is to an effective nuclear force.

\* Require a presidential certification that the United States will neither engage in negotiations on a treaty requiring nuclear disarmament nor take substantive unilateral steps toward that end until after the object and purpose of the Nuclear Non-Proliferation Treaty is fulfilled. The object and purpose of the Nuclear Non-Proliferation Treaty is that only China, France, Great Britain, Russia, and the U.S. retain nuclear weapons. The fulfilment of this treaty is a step that must precede disarmament. This certification could be attached as a condition to the resolution of ratification accompanying the new follow-on START treaty.

\* Adopt a sense of the Congress resolution that identifies the factors that have contributed the most to the successes of U.S. nonproliferation policy. This resolution should point out that the entry of Belarus, Kazakhstan, and Ukraine into the Non-Proliferation Treaty as non-nuclear-weapon states is attributable to the policy of extended deterrence and security assurances to those countries. Further, it should point out that South Africa divested itself of nuclear weapons after domestic political changes that were largely brought about by sanctions. Finally, the resolution should state that Libya ceased its weapons of mass destruction programs after an effective interdiction effort. The implication of these points is that arms control steps are at best a minor contributing factor to achieving nonproliferation goals and that maintaining a modern and effective U.S. nuclear force contributes far more toward nonproliferation than arms control initiatives can contribute.

## Conclusion

Regrettably, the NPR is weak in some important ways. Chief among them is its failure to make a clear commitment to defend the U.S. and its allies. However, the weaknesses can be corrected. If Congress is willing to press the Obama Administration, it could easily result in a stronger U.S. nuclear posture and serve important nonproliferation and arms control objectives.

The 2009 report of the Strategic Posture Commission reveals how an alternative approach can produce a better product. [4] Congress tasked the bipartisan commission with examining all

aspects of the U.S. strategic posture as a whole. Given the results of the relatively weak NPR, Congress might consider eliminating the current requirements to produce separate Nuclear Posture, Ballistic Missile Defense, and Space Policy Reviews [5] in favour of a single strategic posture review. This appears more likely to produce a report that coherently and logically addresses the same nexus of issues. In addressing issues of such vital importance to the security of the United States, the nation cannot afford second best.

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