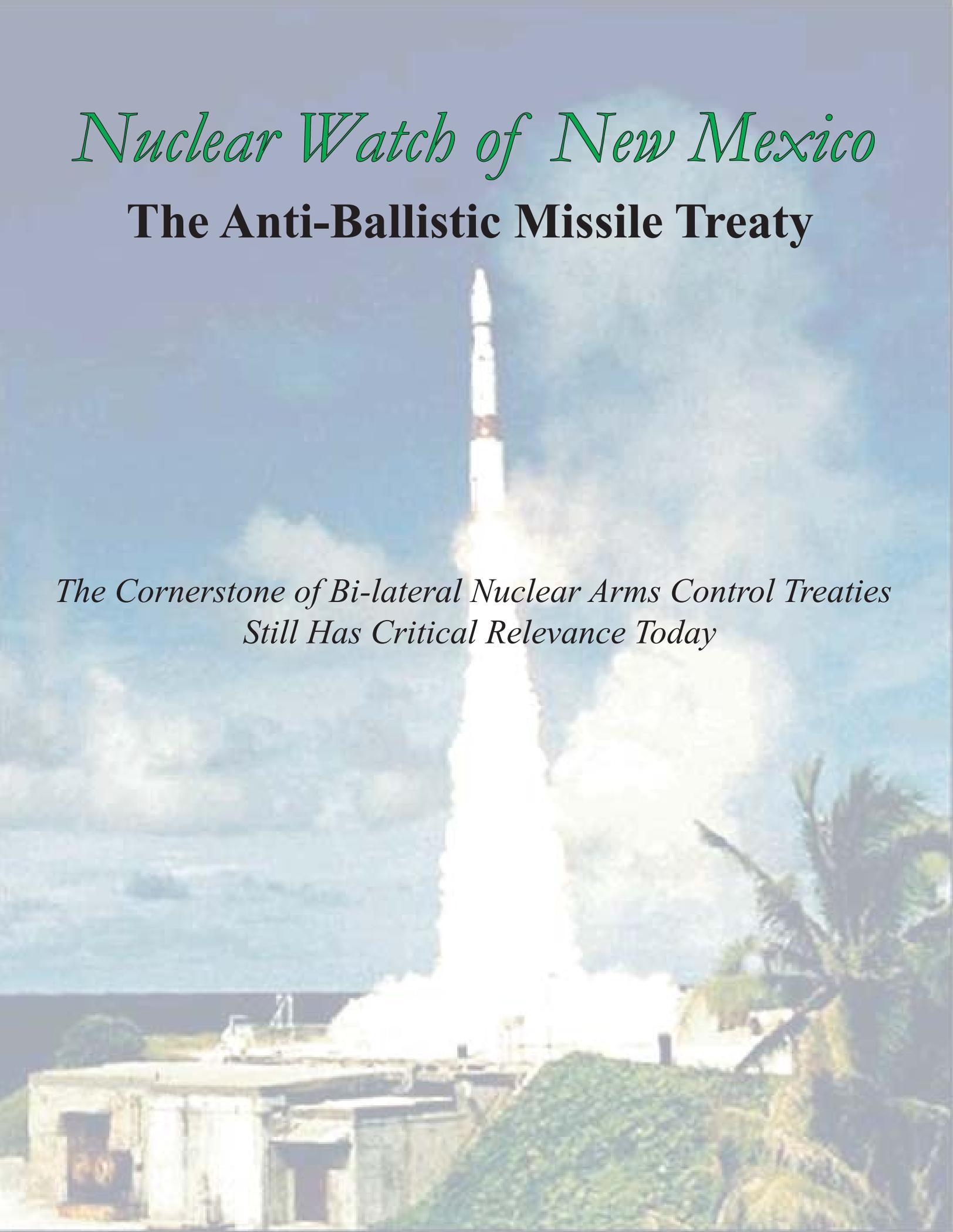


Nuclear Watch of New Mexico

The Anti-Ballistic Missile Treaty

*The Cornerstone of Bi-lateral Nuclear Arms Control Treaties
Still Has Critical Relevance Today*



Introduction

The 1972 **Anti-Ballistic Missile (ABM) Treaty** is the most important bi-lateral nuclear arms control treaties ever signed by the United States and the Union of Soviet Socialist Republics because it underpins all subsequent arms control treaties between the two countries. The ABM Treaty, in conjunction with the **Strategic Arms Limitations Treaty (SALT) I** of 1972, is the cornerstone of the first major arms control measures during the Cold War. What the ABM Treaty instituted had been previously provided for only indirectly and all too generally through the provisions of two other treaties: the 1970 **NonProliferation Treaty (NPT)** and the 1963 **Limited Test Ban Treaty (LTBT)**. With respect to the latter, although it was an important confidence building step and ended global fallout from atmospheric testing, it did nothing to quantitatively control the rapidly accelerating nuclear arms race. With respect to the NPT, although the treaty was successful in preventing the proliferation of nuclear weapons among signatories that did not have nuclear weapons, unfortunately the declared nuclear powers (the US, USSR, France, the U.K. and China) never did honor Article VI's mandate to enter into serious negotiations leading to total nuclear disarmament. Hence, the NPT also had little direct impact on controlling the arms race between the US and the USSR.

On the other hand, the ABM Treaty set the groundwork for limiting national defenses against inter-continental ballistic missiles (ICBMs)^{*} which had been deployed by the two Cold War adversaries at an ever escalating pace. The primary reason that the ABM Treaty was a significant measure was because the development of large-scale ABM defenses could have provided a protective shield over a whole nation. Instead of being a good thing, if a national ABM defense system were developed and deployed the two nations feared that it would pre-empt the effectiveness of the other nation's ICBM force and thus undermine "mutually assured destruction." The country jeopardized by the imbalance of power created by its adversary's deployment of an ABM system would then react by building its own nuclear strategic forces, thereby creating an endless cycle of greater defense quickly matched by greater offensive capabilities. Both nations recognized that an arms race spiraling out of control would destabilize the so-called strategic balance created by mutual "deterrence."

Nuclear Watch of New Mexico (NWNM) fears that any attempt by the US to abrogate the ABM Treaty could destabilize the entire nuclear arms control and reduction framework. An unilateral withdrawal would not only impact the US and the Russian Federation, but other nations as well, particularly in Asia and the Indian sub-continent. NWNM's concern is particularly heightened by the prospect of war in South Asia, in retaliation for the terrorist attacks of September 11, 2001. Southern Asia has been a region scarred by conflict for decades between two arch-rival states, India and Pakistan, that possess nuclear weapons. The development of an American **National Missile Defense (NMD)** would not only erode Russia's confidence in the US commitment to reduce its nuclear weapons arsenal, but could also create irresistible pressure on it to again expand

* An ABM system is designed to knock down incoming ICBMs before they reach their target. ABM systems use specially designed "kill vehicles" and high powered radar tracking to guide the kill vehicle to the incoming ICBM. ABM defenses are limited by the number of kill vehicles deployed, so an ABM system can be overwhelmed by launching more ICBMs (or decoys) than the ABM system is capable of knocking down.

its own nuclear forces in order to preserve strategic parity with the US. Recent news media has quoted Russian authorities as stating that if the US withdraws from the ABM Treaty, Russia might be forced to withdraw from the Strategic Arms Reduction Treaties (START) or even consider them void. NWNM fears that this could trigger a new arms race between the US and Russia. We would then witness even greater nuclear weapons budgets at the Los Alamos National Laboratory and at other national laboratories. In addition, NWNM fears that a new arms race would inevitably result in the resumption of nuclear weapons testing by both nations. This would have grave international consequences, as previously evidenced by India and Pakistan. When those two nations conducted their nuclear tests in mid-1998, they claimed as partial justification for those tests the fact that the US and other nuclear weapons states had yet to honor the NonProliferation Treaty's mandate to disarm.

A resumption of nuclear weapons testing or a new arms race are not the only issues that are being raised by those concerned about the Bush Administration's push for a National Missile Defense (NMD). Recent documents released from the US Air Force suggest that NMD is only a preliminary step in a much larger plan to militarize space. The initial phase is in many respects similar to President Ronald Reagan's Strategic Defense Initiative (SDI), popularly known as the "Star Wars" program of the 1980s. Bush Jr.'s plan appears, however, to be much more comprehensive and aggressive than Reagan's Star Wars program. The Air Force Strategic Space Command is now developing space based laser systems and complex networks of satellites for space domination. US Senator Robert Byrd (D-WV) has recently suggested that some possible reasons for such an effort (ultimately costing tens, if not hundreds of billions of dollars) is that space represents the final great frontier, one which already has a tremendous economic impact because of satellite communications. Senator Byrd remarks that therefore it could be understood to be in the best interests of the US to gain military dominance of space. However, in the same breath, he strongly warns against such an attempt. He claims that a unilateral effort on the part of the US could ultimately make America even more vulnerable and isolated because this policy explicitly seeks to undermine other nations' access to space. This could be seen as an attempt by the US to build a vast economic empire spanning the whole globe which "not all of our friends, allies, and competitors will see as benign."¹

For these reasons, it is imperative that a careful examination of the ABM Treaty be undertaken, even in the rush to further augment the defense budget after the September 11 attacks. It behooves us as citizens to understand the Treaty text itself and the context in which it was written, implemented, and enforced, as well as the domestic political environment that is behind the Bush Administration's desire to withdraw from the Treaty and develop a NMD system

A Summary of the ABM Treaty

The ABM Treaty, signed by President Nixon of the US and General Secretary Brezhnev of the USSR, entered into force on October 3, 1972.² The purpose of the Treaty was to limit the American and Soviet ABM defense capabilities and thereby discourage the escalating deployment of offensive ICBMs meant to overwhelm an opponent. The Preamble of the Treaty declares that:

"Proceeding from the premise that the limitation of anti-ballistic missile systems, as well as

certain agreed measures with respect to the limitation of strategic offensive arms, would contribute to the creation of more favorable conditions for further negotiations limiting strategic arms."

The Preamble goes on to re-affirm the two nation's previous commitments to completely disarm, stating that:

"Mindful of their obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to take effective measures toward reductions in strategic arms, nuclear disarmament, and general and complete disarmament."

With this stated purpose of far reaching consequences, the two "super powers" ushered in a treaty that was to lay the foundation for the future arms reduction treaties between the two nations.

The Treaty was originally written to limit each party to two sites for ABM systems. One system could be deployed around the nation's capital city and another could be placed around one ICBM launching area. The Treaty also limited the nature of the two allowable ABM systems. Article V states "Each Party undertakes not to develop, test, or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based." The proposed ABM sites were around Moscow and Washington, DC, to defend the capitals. The USSR chose not to deploy an ABM system at an ICBM silo launcher area, but the US deployed one at the Grand Forks ICBM silos in North Dakota. However, the Grand Forks ABM system has been inactive since 1976³ and the US never did deploy an ABM system around Washington, DC.⁴ In 1974, an amending Protocol to the Treaty was signed limiting each party to only one ABM site.⁵ From that point on the agreed upon deployment sites were the capital city Moscow and the American ICBM deployment area at Grand Forks.

In Article III, the Treaty limits the deployment of radar systems that will be or could be used for ABM systems. Each party is allowed two large phased-array ABM radar systems around an ICBM launch area. However, the language of Article III was also amended in the 1974 Protocol to allow only one large phased-array radar system. That radar system could be located at the site of the nation's declared ABM system. The US could deploy its large phased-array radar at the Grand Forks ICBM site and the USSR could deploy its phased-array radar around Moscow. Eighteen smaller radar systems could be deployed if each individual radar has less potential than the smaller of the two large phased-array radar systems.

The Treaty does not restrict testing and development of ABM systems so long as those systems can only launch "one ABM interceptor missile at a time from each launcher." The Treaty does explicitly forbid deployment of that system in areas other than that allowed by the 1974 Protocol. The Common Understanding of April 1972 and Agreed Statement of November 1978 define the agreed upon testing ranges to be "Sary Shagan, Kazakhstan, and on the Kamchatka Peninsula" for the USSR and "White Sands, New Mexico, and at Kwajalein Atoll" for the US. These ranges may be used for modernization of existing ABM systems so long as those efforts fall within the rules set by the Treaty. Testing of ABM systems must be conducted within the agreed

upon testing ranges. New or additional ABM testing ranges may not be added without consent from both parties. These additional ranges must be "consistent with the objectives and provisions of the Treaty and, in particular, with the obligations of each Party provided for in Article I of the Treaty not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such a defense."⁶

Article IX of the Treaty prohibits the party states from transferring technical information or equipment to other states for the use in developing their own ABM systems. This article also prohibits the deployment of an ABM system outside the national territory of the party states. Article X forbids the Parties from entering into other treaties that may conflict with the aim and intent of the ABM Treaty. Article XI states that "The Parties undertake to continue active negotiations for limitations on strategic offensive arms."

Article XII limits Treaty compliance verification measures to "national technical means" (NTM). NTM entails the use of remote observation equipment such as satellites which do not intrude upon the national boundaries of the nation. But because NTM methods are remote, they have the inherent risk of improper identification. The USSR had historically been very cautious of on-site verification procedures similar to those used after the Gulf War when inspectors physically went to Iraqi factories suspected of developing weapons of mass destruction.

Article XIII acts as the foundation for a Treaty review body called the Standing Consultative Commission (SCC). The SCC is composed of members from both Party States. The purpose of the SCC is to review the effectiveness of the Treaty and to provide any recommendations to further enhance the ability of the Treaty to meet its intended purpose. This review is conducted every five years. In addition to the periodic review of the Treaty, the SCC must hold periodic sessions to occur at least twice a year.⁷ The SCC also addresses compliance concerns raised by the Party States and issues surrounding NTM verification. The SCC had to hear concerns from both the US and USSR in 1988 after the third review of the Treaty (please see Treaty Compliance Issues below).

Article XIV covers issues surrounding modifications of the Treaty and stipulates that the Parties will convene a SCC review of the treaty every five years after entry into force.

Article XV states that the Treaty is of unlimited duration, but a party may withdraw "if it decides that extraordinary events have jeopardized its supreme interests." Notice of intent to withdraw must be submitted six months prior to withdrawal.

Treaty Compliance Issues

During the third review of the Treaty in 1988, both parties accused each other of non-compliance. The US claimed that the construction of a radar system in the Krasnoyarsk region in Russia was a violation of the treaty. The US argued that this radar system was a "large phased-array radar." Article III allows for two large phased-array radar systems allowable at an ICBM launch area, but no other systems with a potential of more than 3 million watts can be constructed because of possible application for ABM systems. The US stated that for the USSR to be in compliance, they "must" dismantle the radar. In the US Delegation's Unilateral Statement,

President Reagan is quoted as saying "No violations of a treaty can be considered to be a minor matter, nor can there be confidence in agreements if a country can pick and choose which provisions of an agreement it will comply with " 8

The USSR responded to the US allegations, stating that "the radar station under construction in the Krasnoyarsk region is intended for the tracking of space objects and does not come under the ABM Treaty restrictions. In order to show goodwill, and in an attempt to remove the concern that had arisen on the part of the United States, we expressed readiness to dismantle the equipment of this station in a way that would be verifiable " 9

The USSR then went on to cite the US for violations that it felt to be serious, one of which the Soviets had been attempting to address for over a decade. The Soviet SCC Delegation stated that:

"Since 1975, the Soviet side has been expressing concern over the US deployment of large phased-array radar stations on US territory and elsewhere. The essence of our concern is that these large radar stations have parameters sufficient to carry out the tasks of ABM radar stations. In conjunction with the radar station at the Grand Forks base, these stations could provide a radar base for an ABM defense of its territory, which is incompatible with the provisions of Article I " 10

The systems the USSR was referring to was a completed radar station at Thule, Greenland, and another station under construction in Fylingdales, Great Britain. The radar system at Thule, according to the Soviet Delegation, " has a potential considerably in excess of 3 million watts. The Thule region does not constitute a position on the perimeter of US national territory. The American side itself has indicated that the radar station at Thule is intended for missile attack warning. Consequently, the deployment of a large phased-array radar station in the Thule region is a violation of the ABM Treaty."¹¹ Both of the US radar systems are still active, and have recently been upgraded.¹² A third smaller early warning system is located in Clear, Alaska.

After the Collapse of the USSR: The FSU Successor States and the MOUS

The Soviet Union collapsed in 1991, leaving unanswered questions to this day about the continuing validity and binding nature of the ABM Treaty. Many conservatives in the United States argue that the Treaty is void in part because it was signed by a nation that no longer exists. In 1993, President Bill Clinton stated that the US must uphold its end of the Treaty until further clarification between the US and the former Soviet Union (FSU) successor states. The FSU successor states in which the USSR had maintained its allowable ABM facilities under the Treaty are the Republics of Belarus and Kazakhstan, the Ukraine, and the Russian Federation. In an attempt to address this issue a delegation of members representing the US and the four FSU successor states met in New York City. The result of their work was a Memorandum of Understanding of Succession (MOUS) signed on September 26, 1997, with Madeleine Albright as the signatory for the US. The purpose of the MOUS was to transfer all ABM Treaty responsibilities and obligations formerly held by the USSR to the FSU successor states.

As already noted, the US had been pursuing Reagan's Strategic Defense Initiative (SDI)

since the 1980s. The Russian Dumas¹³ had expressed strong concern over SDI and the effectiveness of the Russian nuclear deterrent if it were to be put in place. The Russians also had concerns about the US's commitment to the ABM Treaty and further development of anti-ballistic missile systems by the US. When Russian President Boris Yeltsin asked the Dumas for ratification of the Strategic Arms Reduction Treaty (START) II, he wrote in his letter of transmittal that "It goes without saying that the START II treaty can be fulfilled only providing the United States preserves and strictly complies with the bilateral ABM treaty of 1972."¹⁴ In an attempt to resolve Russian concerns, the US and the FSU successor states negotiated the 1997 MOUS and supporting documents.

Under the MOUS, the four successor states would be limited to one total ABM system deployment at any one time. The MOUS also specifically addressed the allowable maximum velocities of ABM interceptor missiles. The Russian Federation and the Ukraine ratified the MOUS, but the US never did. According to a legal advisor for the US State Department's Office of Arms Control, the MOUS was never transmitted to the Senate, despite President Bill Clinton's request.¹⁵ The MOUS was blocked by Senator Jesse Helms (R-NC) who was Chair of the Senate Foreign Relations Committee. The current Chair of the Senate Foreign Relations Committee, Senator Joseph Biden (D-DE), is powerless in this matter despite his expressed wish to see the MOUS ratified.¹⁶ In order for the MOUS to be considered by the Senate, the President must formally ask for its re-submittal, which is unlikely under the Bush Administration. The Senate also requires a two-thirds majority to ratify it. The Senate Foreign Relations Office told NWNM staff that they now have an additional fourteen supporters, but it is still unlikely that a two-thirds majority could be reached if the MOUS were sent to a full Senate vote today.

The debate continues to swirl around the current binding nature of the ABM Treaty due to the stalled MOUS. Despite the ongoing debate, the Bush Jr. Administration is pushing forward with its National Missile Defense (NMD) program. This position, however, was not even supported by the policy laid out by his father's administration. Bush Sr.'s Secretary of State James Baker stated that, "I made the point to President Yeltsin that the United States remains committed to the ABM Treaty. [W]e expect the states of the commonwealth to abide by all of the international treaties and obligations that were entered into by the former Soviet Union, including the ABM Treaty."¹⁷ Russia's President Putin and his aides firmly believe that the ABM Treaty is the vital cornerstone to nuclear arms control and reductions between the two countries. Putin's Administration has so far refused multilateral withdrawal from the Treaty and has stated that if the ABM Treaty were abandoned a new nuclear arms race could result. The Russian President's sentiments are also voiced by many ranking Democrats in the US Senate. In May of 2001, Senator Carl Levin (D-MI) stated that "there surely is doubt that unilaterally deploying NMD would increase our security. But there is serious possibility that if we take the wrong approach it would decrease our security and increase the risk of nuclear proliferation. I think we could even start a second Cold War, Cold War II."¹⁸ Senator Levin, currently the Chair of the Senate Armed Services Committee, went on to say, "We must also think about China. If China believes our NMD system is designed to negate its nuclear deterrent, it could increase its nuclear forces far beyond what it would otherwise do. This could lead India and Pakistan to reciprocate. We should be very cautious about taking a step that could result in many more nuclear weapons in China, prompting a buildup in India and Pakistan, thus increasing the likelihood that any conflict between them would involve

nuclear weapons."¹⁹ Senator Levin's remarks ring true in that both Russia and China voice strong opposition to the US NMD plan. On the other hand, India is one of the few countries that supports missile defense, and has recently expressed an interest in cooperating with the US in developing NMD.²⁰ At the same time, China is believed by the US to be assisting Pakistan (India's arch enemy) in modernizing its missile technologies.

The Pentagon has plans to begin developing the NMD testing site in Fort Greely, Alaska, by the summer of 2002. The US has not received agreement from Russia to develop the Fort Greely site, as is required by the Treaty. When development begins, the US will be in indisputable violation of the ABM Treaty's Article II. That article was clarified when the two Parties stated that activities must be "consistent with the objectives and provisions of the Treaty and, in particular, with the obligations of each Party provided for in Article I of the Treaty not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such a defense."²¹ Russia and other nations are likely to strongly react if they feel the Treaty has been violated. The Fort Greely site is intended for "more realistic" testing of missile defense systems, but may also be used as a possible "emergency" missile defense site as early as 2004.

Why the Debate Becomes Yet More Relevant after September 11, 2001

Consequences and Alternatives

With the tragic events of September 11, 2001, the US must now clearly be diligent in guarding against future terrorist attacks. That fateful day also demonstrated that a NMD system designed to shield the US from missile attacks launched by rogue states or terrorists may indeed be too "conventional." It was most ignominiously demonstrated that the US is extremely vulnerable to unconventional acts of aggression such as hijacked airliners used as weapons of terror. Obviously ICBMs or other missile delivery systems are not the sole method potential enemies can use to strike the US. It is painfully obvious that a program that is expected to cost \$8 billion next year alone would not have saved the lives of the thousands of people lost on September 11. It is imperative that the NMD debate be re-examined in light of the attacks on the World Trade Center and the Pentagon. Does a real threat exist from a ballistic missile attack from terrorists like Osama bin Laden or "rogue states" such as North Korea or Iraq? It is necessary to examine the legitimacy of the threat of such an attack and to carefully weigh whether that threat merits the resources that are being allocated to it. The Bush Administration spending request of approximately \$8 billion next year on NMD may greatly hamper the ability of the US to adequately respond to other forms of terrorist attack such as biological or chemical weapons delivered via truck or airplane, or even more unconventional attacks such as we witnessed on September 11. In May 2000, the General Accounting Office (GAO) estimated that the NMD program would have a total cost of over \$36 billion.²² However, the NMD program has already run into serious cost overruns. On top of that, the Bush Administration is pursuing NMD much more aggressively than the former Clinton Administration, so the GAO's completion cost will inevitably grow. In light of the present national emergency, these costs (in conjunction with a slowing economy and vanishing budget surpluses) may over-tax our ability to respond to all too real terrorist threats and at the same time maintain important domestic programs.

According to a retired physicist and arms control specialist from Los Alamos National Laboratory, it is not necessary to develop a NMD system on the scale that the Bush Administration and Pentagon have mapped out.²³ Nor, does he claim, is it necessary to withdraw from the treaty at this point in time. What can be done, he states, is to modify the existing treaty. As previously explained, the Treaty permits 100 missile interceptors on 100 launchers to be located at one site. The original Treaty (prior to its modification in the 1974 Protocol) allowed two sites with 100 interceptors each and 100 launchers each for a total of 200 missile interceptors and launchers. While the technology for NMD is yet to be proven, the former Los Alamos employee recommends that the US come to a compromise with Russia which would allow the US to develop a limited missile defense system at a location such as Fort Greeley and deploy 200 interceptors along with launchers. This is essentially what was intended in the original 1972 Treaty. When the technology is adequately developed and working, it should be sufficient to defend the US from attacking "rogue states." If 200 interceptors is eventually felt not to be enough, "withdraw from the treaty then," but hold on to the stability that it gives us for the time being, he asserts.

To demonstrate the interrelated nature of the arms control agreements between the US and Russia, we need to look at the bi-lateral ratification process of the Strategic Arms Reduction Treaty (START) II and the ongoing problems in that arena. It was not until April 14, 2000, that the Russian Dumas ratified START II, but conditioned the treaty on future US adherence to the ABM Treaty. Because the START II document that was eventually ratified by the Russian Dumas was different than the document that the US Senate ratified, the US Senate must now ratify START II in the form that the Dumas ratified. Without that ratification, the treaty can not enter into force. Insistence on the part of the Bush Administration to go ahead with NMD development and deployment could very well jeopardize the future of bilateral arms control treaties between the US and Russia. Treaties that would be most immediately impacted would likely be the START I and II treaties and a much-talked about future START III treaty. Meanwhile, over 2,000 missiles with nuclear warheads remain on hair-trigger alert in both countries.

Among all these considerations there is an additional problem that must be examined very carefully: that is the political and strategic tensions between the US and China. China is currently modernizing its nuclear weapons program. If China feels that its security is critically threatened by a US missile defense program it could accelerate its nuclear weapons programs on an even faster and broader course. If this occurs, it could have potentially disastrous results by creating a domino effect in Southern Asia. India and China share a common border, over which one war was already fought in the 1960s. An increase in China's nuclear arsenal could spur India to expand its own existing nuclear weapons program. An increase in India's nuclear weapons program could, in turn, cause India's arch rival Pakistan to further expand its program.²⁴ The US development and deployment of NMD could precipitate not only a new arms race between the US and Russia, but could also act as the catalyst for an incredibly volatile nuclear arms race in Asia. This absolutely must be avoided, particularly with the possibility of an "enduring" US military campaign against the Taliban regime in Afghanistan and the serious possibility of political instability in Pakistan.

Lastly, of great concern is the aggressive approach the US is taking towards "full spectrum dominance,"²⁵ which very much includes the control of space. The US Space Command, which is

responsible for developing NMD, states that American "Control of Space is the ability to assure access to space, freedom of operations within the space medium, and the ability to deny others the use of space protecting US military, civil, and commercial investments in space."²⁶ US Space Command "will have a greatly expanded role as an active warfighter with the potential for a space-based global precision strike capability [including] space-based strike weapons" and space-based laser systems for NMD.²⁷ This doctrine defies several international treaties, including the ABM Treaty which forbids the deployment of ABM systems in space and the Outer Space Treaty of 1967 which prohibits weapons of mass destruction in space. Current American space doctrine further pushes the US into a position in which it is forced to rely ever more on its military fire-power to achieve national objectives, rather than multi-lateral cooperation. The US Space Command agenda brings us one step closer to a true Fortress America.

In conclusion, the US must proceed with great caution on the subject of NMD. The principle of self-defense is, of course, good. However, we need to think through unintended consequences, the appropriate allocation of resources, and how other nations will perceive NMD as a threat. The US must weigh every piece of evidence before it conclusively decides either to withdraw from the ABM treaty, unilaterally or otherwise. For its own good, the US must consider the global strategic balance as well as its own national security when making a decision in this world "forever changed" by September 11, 2001. Above all, American plans for a NMD should not be used as cover for future US militarization of space. What is required now is a skeptical approach to what will likely be the illusory safety of a National Missile Defense.

¹ "Space Wars," Senator Robert Byrd, The Congressional Record, 9/26/01. pp. S9826-28.

² Please see the source text and related documents on the US State Department web site at <http://www.state.gov/www/global/arms/treaties/abmpage.html>. All quotes from the Treaty are made from this text.

³ 1997 Annual Report, Arms Control and Disarmament Agency (ACDA). <http://dosfan.lib.uic.edu/acda/reports/annual/chpt1.html>. Please note that the ACDA was folded into the US State Department in 1999, much to the dismay of the non-governmental arms control community.

⁴ "Agreed Statements, Common Understandings, and Unilateral Statements Regarding the Treaty Between the US and the USSR on the Limitations of Anti-Ballistic Missiles," May 26, 1972.

⁵ "Protocol to the Treaty between the US and the USSR on the Limitation of Anti-Ballistic Missile Systems," July 3, 1974.

⁶ "Agreed Statement," Section I, Standing Consultative Commission, November 1, 1978.

⁷ "Memorandum of Understanding Between the Government of the US and the Government of the USSR Regarding the Establishment of a Standing Consultative Commission," December 21, 1972.

⁸ "US Unilateral Statement Following ABM Treaty Review," August 31, 1988.

⁹ "Soviet Statement in Connection with the Third Review of the Treaty Between the US and the USSR on the Limitation of Anti-Ballistic Missile Systems," September 1, 1988.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² "Ballistic Missile Early Warning System," Federation of American Scientists, <http://www.fas.org/spp/military/program/nssrm/initiatives/clear.htm>.

¹³ Russian federal legislative body similar in some respects to the US House of Representatives.

¹⁴ "A Guide to the Nuclear Arms Control Treaties," David B. Thomson, July 1999, Los Alamos National Laboratory's Russian Nonproliferation Programs Office, LA-UR-99-3173, page 231.

¹⁵ Telephone conversation between Peter Olson, Arms Control Legal Advisor, US State Department, and Colin King, NWNM, July 2001.

¹⁶ Telephone conversation between Senate Foreign Relations Committee Aid and Colin King, NWNM, July 2001.

¹⁷ Senator Carl Levin, quoting James Baker, *Remarks of Senator Carl Levin on National Missile Defense* at the

National Defense University Forum Breakfast on Ballistic Missile Defense, May 11, 2001, <http://levin.senate.gov/releases/051101pr5.htm>.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ Any possible transfer of technical information to India by the US would clearly be a violation of Article IX which explicitly forbids the transfer of technical information or expertise relating to ABM systems from any Party State to another nation.

²¹ "SCC Agreed Statement Regarding Certain Provisions of Articles II, IV, and VI of the Treaty Between the US and the USSR on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, and the Utilization of Air Defense Radars at the Test Ranges Referred to in Article IV of the Treaty;" Section I; November 1, 1978.

²² "Status of the National Missile Defense Program," General Accounting Office, May 2000, <http://www.gao.gov/archive/2000/ns00131.pdf>.

²³ Telephone conversation between LANL retiree and Colin King, NWNM, September 2001.

²⁴ India and Pakistan have fought three wars since 1947 over the disputed area of Kashmir. Sporadic military conflict and terrorism continues to this day, raising the potential threat of a nuclear war in South Asia.

²⁵ "Full Spectrum Dominance" is the term used by the US military for American dominance in all potential battlefields. According to current US military doctrine there are four battlefields: land, sea, air, and space. Please see "Vision for 2020 Executive Summary," United States Space Command, August 1997, <http://www.spacecom.af.mil/hqafspc/>

²⁶ *Ibid.*

²⁷ *Ibid.*

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Questions, comments, and corrections are welcome. Please send them to: Nuclear Watch of New Mexico, 551 W. Cordova Rd., #808, Santa Fe, New Mexico 87505-4100. Phone 505-989-7342. Email colinking@nukewatch.org

Cover photograph: a Minuteman II missile with Kill Vehicle launched from Kwajalien Missile Range, South Pacific Ocean. Ballistic Missile Defense Organization, <http://www.acq.osd.mil/bmdo/bmdolink/html/bmdolink.html>

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