# The Suppression of Information Concerning Soviet SALT Violations by the U.S. Government

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Since 1967 the government of the United States has been committed to the notion that strategic arms limitation is the answer to U.S. strategic problems.[1] In 1972 the U.S. signed what was then hailed as an epic arms control agreement, the SALT I accords. The net result thus far has been the creation of a limited capability but rapidly expandable Soviet ABM force and a fivefold increase in the number of Soviet strategic nuclear warheads; admittedly, the U.S. also increased its warhead numbers and fortunately maintains a two-to-one lead. However, the number of Soviet warheads should equal those of the U.S. by 1982.[2] In addition, the Soviets will increase their present lead in throw-weight and megatonnage. Much of this threat has developed because the United States had not demanded Soviet compliance with the 1972 accords as they were explained to Congress.

The issue of SALT compliance has been a very sensitive one for the U.S. government. The issue is political dynamite and has been recognized as such. As the Senate Select Intelligence Committee said in 1976, "The spectre of important information, suggesting Soviet violation of strategic arms limitations, purposely withheld for extended periods of time from analysts, decision makers and Members of Congress, has caused great controversy within the Intelligence Community."[3] The Committee reported that, "The record indicates that Dr. Kissinger, U.S. architect of the accords, has attempted to control the dissemination and analysis of data on apparent Soviet violations of the SALT pact."[4] The CIA was told that "Dr.

1. *Statement of Secretary of Defense Robert S. McNamara Before The Senate Armed Services Committee On The Fiscal Year 1969-73 Defense Program and 1969 Defense Budget* (Washington: Government Printing Office, 1968) p. 54; and *Department of Defense Annual Report Fiscal Year 1979* (Washington: Defense Department, 1978) p. 47.

2. *Is America Becoming Number 2?* (Washington: Committee on the Present Danger, 1978) pp. 8-11.

3. "The Select Committee Investigative Record," *The Village Voice*, February 16, 1976, p. 92.

4. *Ibid.*

Kissinger wanted to avoid any written judgments to the effect that the Soviets have violated any of the SALT agreements. If the Director believes the Soviets may be in violation, this should be the subject of a memorandum from him to Dr. Kissinger. The judgment that a violation is considered to have occurred is to be one that will be made at the NSC level."[5]

The implications of the subversion of congressional policy are startling. Under SALT II, judgment of the most basic characteristics of every Soviet system could suddenly become a political decision to be made by the political establishment of the NSC staff. The record of Soviet compliance with the terms of the SALT I accords and other related arms control agreements is not good. It suggests that the SALT II limits, instead of being a ceiling for Soviet capabilities, will provide the loopholes through which Soviet strategic forces will seek to emerge as a force superior to that of the U.S. We must be certain that U.S. intelligence estimates will clearly portray Soviet capabilities as they are, particularly when they violate the SALT limitations.

The record of the United States government in enforcing the SALT accords and in keeping the public informed about compliance issues is abysmal. In not a single instance has the government taken the initiative in bringing a violation or potential violation to the attention of the American people. In every case it has simply reacted to press exposure of the violations. In each case the U.S. has provided thin rationalizations of the Soviet violation.

The recent report of Secretary of State Cyrus Vance on SALT compliance is probably the most startling of these efforts condoning Soviet violations. It reads more like a slickly worded, artfully designed legal brief than a report to the Congress from what claims to be an open Administration. The most shocking aspect of this report was the disclosure of a virtual agreement not to reveal SALT violations to the American people in the name of maintaining diplomatic secrecy.[6]

5. *Ibid.*

6. The regulations of the Standing Consultative Commission, which was established for the discussion of SALT compliance matters, states, "The proceedings of the Standing Consultative Commission shall be conducted in private. The Standing Consultative Commission may not make its proceedings public except with the express consent of both

In late 1977, Melvin Laird, Secretary of Defense during the negotiation of the SALT I accords, declared, "The evidence is incontrovertible that the Soviet Union has repeatedly flagrantly and indeed contemptuously violated the treaties to which we have adhered."[7] This is perhaps a slight overstatement. Another way to put it is that the Soviets have on a very large scale selectively violated the agreements in areas that are highly significant strategically and closely linked to the Soviet objective of obtaining a war-fighting, war-surviving, war-winning strategic nuclear capability against the United States. They have tended to avoid open violations in areas where there is little strategic significance and violations that are relatively easy to spot.

The Soviet violations can be grouped into three areas: (1) deployment of prohibited offensive force levels; (2) development of prohibited ABM capabilities; and (3) concealment and deception activities related to both of the above.

## Strategic Offensive Force Deployment

The Interim Agreement on strategic offensive forces limited ICBM forces to those silos operational or under construction on 1 July 1972. No specific number was included in the Treaty. The agreement provided that launchers for ICBMs or other heavy ICBMs would not be converted into launchers for modern heavy ICBMs. The agreement included no definition of a heavy ICBM, but the U.S. issued a unilateral statement that it would regard "any ICBM having a volume significantly greater than that of the largest light ICBM now operational on either side a heavy ICBM."

The Protocol to the Interim Agreement limited the U.S. to 710 ballistic missile launchers on 44 modern ballistic missile submarines and the Soviets to 950 launchers on 62 modern submarines (post-1964 designs). To go above 656 SLBM launchers for the U.S. and 740 for the U.S.S.R. an equal number of older

Commissioners." Quoted in "Compliance With the SALT I Agreements," *Congressional Record*, February 28, 1978, p. S2336. This is very convenient for the Administration, because once they discuss something with the Soviets they can then argue that they are bound by agreement not to tell the American people about the issue.

7. Melvin R. Laird, "Arms Control: The Russians Are Cheating!" *Reader's Digest*, December 1977, p. 98.

ICBMs or older SLBMs would have to be retired.[8]

The prohibition of the conversion of light ICBM launchers into launchers for heavy ICBMs has been widely recognized as the most significant SALT I Interim Agreement limitation on offensive forces. The failure of the U.S. government to force Soviet compliance with this provision has undermined the SALT exercise more than any other single factor, even to the extent of making it counterproductive in its effect on U.S. national security.

The highest priority Soviet objective in SALT was to halt the U.S. ABM program, designed to protect the U.S. deterrent capability, while at the same time avoiding any limits on Soviet offensive forces that would hamper efforts to eliminate the deterrent effectiveness of the U.S. Minuteman ICBMs (which constitute half of all U.S. strategic delivery vehicles). They were forced to make a concession on the issue of conversion of light or heavy missiles but successfully fought off all efforts to define a light or heavy missile.[9] This gave the American government an excuse to retreat on this issue when the Soviets began to deploy their SS-17 and SS-19 ICBMs to replace the older SS-11; and the U.S. government took it. The Carter Administration has even gone so far as to declare that the deployment of even the larger missile, the SS-19, is "not a violation" and that we only raised the issue to "emphasize the importance the U.S. attached to the distinction between 'light' and 'heavy' ICBMs . . . ."[10]

Both the SS-17 and SS-19 dwarf the capabilities of the missile they are replacing, but are only 20-60 percent larger in size. The SS-11 Mod I had a throw-weight[11] of 1,500 pounds. Its yield was in the one to two megaton range, probably closer to the lower figure. Then in 1974, Secretary of Defense James Schlesinger told the Congress that the SS-17 carried four MIRVs in the one megaton yield range and the SS-19 carried six similar-yield MIRVs. The throw-weight of the SS-17 and

8. *U.S. Arms Control and Disarmament Agency: Texts and History of Negotiations* (Washington: U.S. Arms Control and Disarmament Agency, 1975) pp. 133-47.

9. Fred Charles Ikle, "What to Hope for, and Worry About, in SALT," *Fortune*, October 1977, p. 182.

10. "Compliance with the SALT I Agreements," p. S2554.

11. Throw-weight is another way of saying missile payload. It is the total weight of the warhead(s) and MIRV system, if any.

SS-19 is in the 7,000-8,000 pound range. This compares with 13,500 pounds for the *largest* of the heavy ICBMs the Soviets had at the time of SALT I.[12] As Schlesinger testified in 1974, "At the time of SALT I we thought that, if we could get control of the SS-9 or its replacement, we would have a handle on the Soviet throw weight problem. What we were unprepared for was the enormous expansion of Soviet throw weight represented by the SS-X-19 as the potential replacement for the SS-11."[13] That replacement was not supposed to happen under the SALT I agreement.

In 1972 Dr. Henry Kissinger assured us that the conversion of SS-11 silos into heavy missile launchers was prohibited by the agreement despite the lack of a definition of what constituted a heavy missile in the agreement. He assured Congress that:

> Now with respect of the definition of heavy missiles, this was the subject of extensive discussions at Vienna and Helsinki, and finally Moscow. No doubt, one of the reasons for the Soviet reluctance to specify a precise characteristic is because undoubtedly they are planning to modernize within the existing framework some of the weapons they now possess. The agreement specifically permits the modernization of weapons. There are, however, a number of safeguards. First, there is the safeguard that no missile larger than the heaviest missile that now exists can be substituted.

12. Mark B. Schneider, "The Soviet Capability in Strategic Offensive Forces," *Ordnance*, March-April 1973, p. 370; Mark B. Schneider, "SALT and the Strategic Balance: 1974," *Strategic Review*, Fall 1974, p. 43; Paul Nitze, "Consequences of An Agreement" (Washington: Committee on the Present Danger, Mimeo., 1978) p. 2; Mark B. Schneider, "Schlesinger, SALT and the 'Arms Race,' " *Survive*, July-August 1974, p. 10; Dr. William Van Cleave, "SALT On The Eagle's Tail," *Strategic Review*, Spring 1976, p. 50; *The Military Balance 1978-1979* (London: International Institute for Strategic Studies, 1978) p. 81; *Measures and Trends: US and USSR Strategic Force Effectiveness* (Alexandria: Defense Nuclear Agency, March 1978) p. A-1; John M. Collins, *American and Soviet Military Trends Since the Cuban Missile Crisis* (Washington: Georgetown University Press, 1978) p. 120; William Van Cleave, "Soviet Doctrine and Strategy: A Developing American View," in Lawrence L. Whetten, ed., *The Future of Soviet Military Power* (New York: Crane, Russak & Co., 1976) p. 53.

13. Senate Foreign Relations Committee, *U.S.-U.S.S.R. Strategic Policies* (Washington: Government Printing Office, 1974) p. 5.

> Secondly, there is the provision that the silo configuration cannot be changed in a significant way. . . .
>
> We believe that these two statements, taken in conjunction, give us an adequate safeguard against a substantial substitution of heavy missiles for light missiles. So we think we have adequate safeguards with respect to that issue.[14]

Ambassador Gerard Smith, chief of the SALT I delegation, told the Congress, "There will be a commitment on their part not to build any more of these ICBMs that have concerned us over the years. That commitment will extend to not building such things as SS-9s. . . ." He went on to say, "We have put them on clear notice that any missile having a volume significantly larger than their SS-11, we will consider that as incompatible with the Interim Agreement."[15]

**Definition of 'Heavy' Missile**

In a quasi-official history of SALT I, commissioned by Henry Kissinger, John Newhouse gave the early Kissinger view of SALT I limitation on light missile conversions. Noting that the agreement had no definition of a heavy missile, Newhouse wrote, "Still, any violation of the spirit of this language, let alone the letter, would probably oblige the United States to withdraw from the agreements. Moscow understands that."[16] Unfortunately, Moscow understood far too well the pliable character of the U.S. leadership and went ahead with their deployment.

Testing of the SS-17 and 19 began just after the signing of SALT I. From our current perspective it would seem that the delay in their testing until after the signing of the agreement was really the first phase of what would become the Soviet SALT concealment and deception effort. The Senate would never have approved the agreements if it had known about the fourth generation Soviet MIRVed ICBMs.

At the time of the signing of SALT I, the U.S. government issued a unilateral statement defining a heavy missile which,

14. Congressional Budget Office, *SALT and the U.S. Strategic Forces Budget* (Washington: Government Printing Office, 1976) pp. 6-8.

15. *Ibid.*, p. 8.

16. John Newhouse, *Cold Dawn* (New York: Prentice Hall, 1973) p. 177.

as Dr. William Van Cleave, the leading critic of SALT I, pointed out, became an acute embarrassment. The U.S. government defined a heavy ICBM as any one having "a volume significantly greater than the largest light ICBM operationally deployed by either side at the time of the U.S. unilateral statement of May 26, 1972."[17] In 1975 Secretary of Defense James Schlesinger told the Congress that the SS-19 had a volume 50 percent greater than that of the SS-11. A more recent estimate has put this figure at 60 percent.[18]

Kissinger's response was immediate when the SS-19 size became a public issue. He told the press that:

> There are other issues, some having to do with unilateral American statements which the Soviet Union specifically disavowed. I think it is at least open to question whether the United States can hold the Soviet Union responsible for its own statements when the Soviet Union has asserted that it does not accept this interpretation.[19]

What Henry Kissinger was really saying was that the United States cannot hold the Soviet Union to American interpretation of the unclear provisions of SALT. Surprisingly, even some major critics of the SALT I accord have gone along with this line of reasoning, pointing out, with what they consider to be reasonable justification, that Kissinger and other Administration spokesmen actively misled the Congress concerning what exactly had been agreed upon. However, unilateral statements do have international legal significance. For example, article 147 of the American Law Institute's *Restatement of the Foreign Relations Law of the United States* indicates that:

> The factors to be taken into account by way of guidance in the interpretative process include:
>
> . . .
>
> (e) unilateral statements of understanding made by a signatory before the agreement came into effect, to the extent that they were communicated to, or otherwise known to, the other signatory or signatories.

17. "Compliance With the SALT I Agreements," p. S2553.

18. Senate Armed Services Committee, *Soviet Compliance With Certain Provisions of The 1972 SALT I Agreements* (Washington: Government Printing Office, 1975) p. 3; Collins, *American and Soviet Military Trends Since The Cuban Missile Crisis*, p. 110.

19. "The Secretary of State, Press Conference," December 9, 1975 (Washington D.C.: State Department, 1975) p. 5.

Under international law, treaties are interpreted under the plain meaning rule. Article 31 of the Vienna Convention on The Law of Treaties, May 23, 1969, declares, "A Treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its objective and purpose." The plain meaning rule is tempered by the recognition that the intent of the parties should be carried out.[20]

The U.S. intent to ban the deployment of light ICBMs with much increased payload and more destructive potential than the SS-11 was made clear to the Soviets during the SALT talks. The reason for the Soviet refusal to put a definition of "heavy" missile into the agreement was not made clear to the United States. The Soviet Union did not plan a small, say 10, 20 or 30 percent increase of capabilities, but rather a 400 percent increase. A MIRVed SS-11 probably would have carried three warheads of .1 to .15 megaton. The SS-19 carries 6 one megaton MIRVs.[21] Even the SS-17 with its four 1 megaton range MIRVs represents a very significant increase in capabilities.

The SS-11 had about 1/8 of the capabilities of the largest pre-SALT ICBM, the SS-9. The SS-9 has between 60 and 75 percent of the capabilities of the various versions of the SS-9 and its follow-on replacement, the SS-18. With six MIRVs the SS-19 dwarfs the counterforce capability of the pre-SALT SS-9. In the case of the SS-9 Mod I, the first version to be deployed, the area destruction capability is probably no greater than the SS-19. The SS-19 far exceeds capabilities of earlier "heavies." The Chairman of the JCS in a 1975 report to the Congress wrote that "The SS-7 and 8s are both pre-1964 'heavies.'"[22] The SS-7 and 8 have about half the payload of the SS-17 or 19.[23]

In a 1975 press conference, James Schlesinger told his audi-

20. William W. Bishop, Jr., *International Law* (Boston: Little, Brown and Co., 1971) pp. 173-75.

21. Schneider, "The Soviet Capability in Strategic Offensive Forces," pp. 370, 372.

22. *United States Military Posture For FY 1976* (Washington: Government Printing Office, 1975) p. 10.

23. Schneider, "The Soviet Capability in Strategic Offensive Forces," p. 370; *The Military Balance 1977-1978* (London: International Institute for Strategic Studies, 1977) p. 77.

ence that the SS-17 and 19 "can no longer be treated as light missiles."[24] Recently, in highly censored congressional testimony, the Director of Defense Research and Engineering compared what was evidently the SS-19 and SS-18 with the MX:

> We call the MX a heavy missile; certainly it is relative to the Minuteman III, and yet it is of comparable size to the (deleted) not the (deleted).[25] The MX has a throw-weight of 8,000 pounds which makes it identical to the SS-19 in its destructive potential.[26]

The deployment of the SS-19 would have justified, indeed, should have demanded U.S. abrogation of the SALT accords. Deployment of the SS-17 and 19 with MIRVs resulted in at least a twofold increase in Soviet counter-value and counter-military capability. Under international law this would have justified treaty abrogation on the grounds of major violation.

Instead, the U.S. is legitimizing the SS-17 and 19 deployment in the SALT II agreement. Indeed, the agreement will probably allow the Soviets to upgrade these systems to a 10 warhead configuration. It will also allow the Soviets to deploy several hundred SS-17 and 19 follow-on missiles with single warheads in the 10 to 20 megaton range.[27]

24. "News Conference With Secretary of Defense James Schlesinger and Dr. Fred C. Ikle, Director, Arms Control and Disarmament Agency" (Washington: Defense Department, 1974) p. 12.

25. Senate Armed Services Committee, *Department of Defense Authorization For Fiscal Year 1979* (Washington: Government Printing Office, 1978) p. 1406.

26. Colin S. Gray, "The Strategic Forces Triad: End of the Road?" *Foreign Affairs*, July 1978, p. 785.

27. Bernard Gwertzman, "Carter, Key Aides Confer on Eve of Gromyko Visit," *Washington Star*, September 30, 1978, p. A-6.

Based on the record of Soviet SALT I compliance, it is reasonable to predict that the Soviets will violate SALT II in a manner similar to SALT I violations. They will get around the Protocol limitations by calling their fifth generation ICBMs improved fourth generation. They will cheat on the edges of the agreement. They certainly know that there are major problems in estimating missile throw-weight and some margin of uncertainty exists. They also know the U.S. government bends over backwards to rationalize their violations. They almost certainly could get away with a 10,000 pound throw-weight for the next generation of ICBMs. This would make them heavy ICBMs beyond any shadow of a doubt.

The extra throw-weight would be devoted to increasing the yield of the warheads or more likely a combination of additional yield and

It is important to note that Secretary of Defense Harold Brown in his first posture statement told the Congress that "We believe that the SS-19, because of its combination of accuracy and yield, though with fewer reentry vehicles than the SS-18, is currently the most capable of the three newer missiles." Recently *Aviation Week* has reported the testing of improved SS-18 and SS-19 ICBMs with accuracies comparable to the best the U.S. has achieved.[28] This, combined with their far larger warheads, gives them much greater counterforce capability than U.S. ICBMs and will create a very near term threat to the survivability of the U.S. ICBM force. Much of this threat has developed because the U.S. allowed the deployment of the SS-19 in violation of SALT I.

SALT II should have been devoted to the elimination of the SS-18 and the establishment of strategic parity at a much reduced offensive level. Instead, all that can be claimed for SALT II is that it *may* limit the Soviets to a severalfold increase in the already lopsided margin or superiority they obtained in SALT I. There is simply no doubt that the Soviet Union can build under the SALT II limits an offensive component of a war-winning strategic capability, unless the U.S. undertakes much more vigorous programs than now envisioned.

The fact that the Soviets had deployed the SS-19 was used as an excuse by the U.S. government to justify the retreat from the position in the early days of the Carter Administration that SALT II had to result in a reduction in the Soviet heavy ICBM force. In effect, the SALT exercise, because of the SS-17 and 19 deployment, has become a charade.

### Dismantling ICBMs

When the Soviet SLBM force was expanded beyond 740 in late 1975 the Soviets, under the Interim Agreement Protocol, had to begin the dismantling of older ICBMs when the new SSBNs went on sea trials and to complete the dismantling

targeting flexibility. The Soviets might be able to deploy 10 RVs and yet keep the yield up to a good fraction of a megaton.

28. Harold Brown, *Department of Defense Annual Report Fiscal Year 1979* (Washington: Government Printing Office, 1978) p. 50; Clarence A. Robinson, Jr. "Soviets Boost ICBM Accuracy," *Aviation Week and Space Technology*, April 9, 1978, p. 14; Robert L. Leggett, "Two Legs Do Not a Centipede Make," *Armed Forces Journal International*, February 1975, p. 30.

within four months. This is the only provision of the SALT accords the U.S. government will admit that the Soviets violated.

This was dismissed by the State Department as a mere "technical violation." Rather than view this as the illegal deployment of modern SLBMs, the State Department presented it as a failure to dismantle obsolete weapons. Cyrus Vance reports that the Soviets admitted that they had failed to dismantle 41 ICBMs on time in 1976. He goes on to state that "Since that time, although we have observed some minor procedural discrepancies at a number of those deactivated launch sites, all the launchers have been in a condition that satisfied the essential substantive requirements, which are that they cannot be used to launch missiles, and cannot be reactivated in a short time."[29]

This statement suggests calculated deception by the Carter Administration. One must ask why the Carter Administration abandoned the policy followed by every Administration for twelve years — releasing the exact number of Soviet ICBMs and SLBMs. The number released by Secretary Brown in 1978 was 1,400+ and 900+ respectively for Soviet ICBMs and SLBMs.[30] Perhaps the reason is that the actual numbers added up to significantly more than what is allowed under SALT and, for the first time, this would be obvious to the reader. If so, the American government acquiesced to a major Soviet SALT violation for over two years.

Why did the Soviets do this? By 1976 they had gotten away with numerous SALT violations and quasi-violations for a couple of years. In an article published in November 1975, Dr. Colin Gray was able to catalogue a dozen specific violations or possible violations of SALT I.[31] It was also an election year in 1976, and the Soviets knew the Administration would not do anything to upset the apple cart of

29. Bernard Gwertzman, "Soviets Promise to Rectify Violation of '72 SALT Pact," *Washington Star*, May 25, 1976, p. A-4; "Compliance With The SALT I Agreement," p. S2555.

30. Brown, *Department of Defense Annual Report Fiscal Year 1979*, p. 47; Dr. Colin S. Gray, "SALT I Aftermath: Have the Soviets Been Cheating?" *Air Force Magazine*, November 1975, pp. 28-33.

31. *Soviet Compliance With Certain Provisions of the 1972 SALT I Agreements*, p. 20; and "Compliance With the SALT I Agreements," p. S2554.

detente. The opposition was even more committed to SALT than the Kissinger-Ford team was during that period. Why then invest manpower and resources to dismantle weapons when they could be used to build them?[32]

The Soviet Union has for a number of years been building 150 silos which they claim are for launch-control purposes (which contain a launch crew and associated equipment). This silo, the type III-X, can rapidly be converted into a launcher for a heavy ICBM. The U.S. government has accepted their deployment on the grounds that they are currently used for launch-control purposes.[33]

The current use of the silos is irrelevant. They are basically incompatible with a SALT environment. There is no reason to build them. Silos are inherently inferior to the conventional buried type of launch-control center in terms of hardness. In addition, even if the silo survives, the launch crew would receive a large dose of radiation which it would not get in a conventional buried installation. Acceptance of the Soviet activity position was clearly an act of weakness on the part of the U.S. government.

There have been other charges in the press concerning silo-related SALT violations that the Carter Administration has chosen to ignore. The reports include the illegal construction of some additional ICBM silos. Admiral Zumwalt and Worth Bagley report that the Soviets have violated that 15 percent limitation on silo size increases in the Interim Agreement. Despite the "common understanding" on this issue, the Soviets have interpreted the 15 percent limitation to apply to all dimensions, allowing a 50 percent increase in the size of the silos.[34]

32. The Soviets retaliated by questioning U.S. dismantling of Atlas and Titan I missiles which had been completed six years before SALT I. There was no requirement under the SALT agreement to dismantle any U.S. silos, because we have not gone above the Interim Agreement limit on SLBMs – we have not built any since 1967. There seems to be a pattern in the raising of such spurious claims by the Soviets. They seem to be used to cover Soviet violations. We will return to this issue again.

33. *Soviet Compliance With Certain Provisions of the 1972 SALT I Agreements*, p. 20.

34. Gray, "SALT I Aftermath," p. 31; Elmo R. Zumwalt, Jr. and Worth Bagley, "Soviets Cheat, and We Turn Our Backs," *Washington Star*, August 10, 1975, p. C-4; Van Cleave, "Salt On the Eagle's Tail," p. 51.

What about 18 "operational test" silos for the SS-9? The Soviets did not tell us about them at the time of SALT.

The issue of the deployment of the SS-16 and SS-20 will be discussed in the section on concealment and deception. The SS-16, if deployed, would be a violation of the U.S. unilateral statement on mobile ICBMs. While there have been reports that the range of the SS-20 is long enough to qualify it as an ICBM by the SALT definition, the real threat of the system is that it can be clandestinely upgraded from IRBM to ICBM.

Compared to the strategic consequence of the SS-17 and SS-19 deployment, the SS-16/20 issue is minor but it could represent the clandestine deployment of an entire new leg of the Soviet deterrent. It is not an isolated issue and must be put into perspective with the other Soviet activities in the offensive and defensive systems area.

## The ABM Treaty

The ABM Treaty provided that "Each party undertakes not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such defense, and not to deploy ABM systems for defense of an individual region except as provided for in Article III of this Treaty."[35] Article III provided for the deployment of an ABM system at the national capital with one hundred interceptor missiles and six radar sites. Another complex could be located in an ICBM silo field. It was limited to two large-phase array radars, eighteen smaller radars and one hundred interceptor missiles. Sea, air, space and mobile land-based ABM systems were banned as were automatic and semi-automatic launchers for ABM missiles. A provision was included to prohibit the transfer of ABM systems or components to other countries. Radars for early warning of ballistic missile attack were to be located along the periphery of the nation and oriented outward. The Treaty included an undertaking not to give air defense missiles and radars any ABM capability. Interference with national technical means of verification was prohibited and a Standing

35. *Arms Control and Disarmament Agreements: Texts and History of Negotiations* (Washington: U.S. Arms Control and Disarmament Agency, 1975) pp. 133-47.

Consultative Commission was established to consider compliance issues.

The Soviet Union is very clearly violating a number of the provisions of the ABM Treaty. The evidence at this point is at least consistent with an interpretation that the Soviets are right now in the process of deploying a nationwide ABM system.

The ABM Treaty of 1972, as modified by the 1974 agreement, limits the construction of battle management radars except at Moscow.

The Carter Administration has refused to address the issue of the construction of prohibited radar capabilities. We have had reports from other sources. The *Washington Star* has reported that:

> The Soviets have built a number of high power radars along northern missile routes from the United States that could provide precision information on missiles at ranges of 1,000 to 2,000 miles. These radars, 400 feet high and 600 to 700 feet wide, use the latest technology called "phase array."[36]

These new radars could be the basis of a nationwide ABM system. They are the long lead time component. They could be used either with the rapidly deployable ABM-X-3 system or as part of a Surface-to-Air Missile (SAM) upgrade effort.[37] They could even be used to deploy a nationwide area defense composed of long range interceptors that would not require the Soviets to deploy engagement radars and could be deployed clandestinely.

The threat of a rapidly deployable ABM has been intensified by the Soviet development of a high acceleration ABM interceptor and a tactical ABM system.[38] Hence, we face a range of potential ABM threats from the rudimentary to the very

36. Henry S. Bradsher, "Soviet ABM Defense Stepup Has Pentagon Concerned," *Washington Star*, February 16, 1977, p. 1; and Jack F. Kemp, "Congressional Expectations of SALT II," *Strategic Review*, Winter 1979.

37. The ABM-X-3 uses a small phase array radar. *Department of Defense Authorization For Appropriations For Fiscal Year 1979*, p. 6526.

38. Bradsher, "Soviet ABM Defense Stepup Has Pentagon Concerned," p. 1; *Is America Becoming Number 2?*, p. 16.

sophisticated, all of which can be deployed prior to any effective U.S. counteraction due to the apparent U.S. acceptance of the new Soviet radar construction.

### The Kamchatka Radar Deployment

In 1975 the Soviets installed an ABM-X-3 radar in the Kamchatka impact area for their ICBM testing. Unless this was an ABM test range in 1972, the deployment violates the ABM Treaty. The U.S. provided the Soviets with a list of ABM test ranges and Kamchatka was not on it. The Soviets did not confirm or deny the list.[39]

The deployment of the ABM-X-3 radar on Kamchatka can be deemed to be a double violation of the agreement. The United States told the Soviet Union that we regarded any radar that was "not permanently fixed" to be a violation of the ABM Treaty provision against mobile radars. The Soviets replied that there was "a general common understanding on this matter."[40]

The Carter Administration is arguing that "The USSR does not have a mobile ABM system or components of such a system." It does admit that:

> Since 1971, the Soviets have installed at ABM test ranges several radar associated with an ABM system currently in development. One of the types of radars associated with this system can be erected in a matter of months, rather than requiring years to build as has been the case for ABM radars both sides have deployed in the past. Another type could be emplaced on prepared concrete foundations. This new system and its components can be installed more rapidly than previous ABM systems, but they are clearly not mobile in the sense of being able to be moved about readily or hidden. A single complete operational site would take about half a year to construct. A nationwide ABM system based on this new system would take a matter of a year to build.[41]

Note how this State Department report defined away the problem by ignoring the fact that there was agreement in 1972

39. "Compliance with the SALT I Agreements," p. S2556.
40. *Arms Control and Disarmament Agreements*, p. 145.
41. "Compliance with the SALT I Agreements," p. S2556.

that all ABM radars be permanently fixed. Moreover, the suggestion that we keep track of every concrete foundation built in the Soviet Union, or that it is difficult to hide a small radar, is spurious.

The ABM-X-3 radar is at least a semi-mobile system.[42] It can be clandestinely deployed and, for all we know, this could be going on right now.

The Soviet Union is apparently upgrading many of its Surface-to-Air (SAM) bomber defense missiles to ABM capability. Only a single one of the reported instances of SAM upgrade activities was reported in the recent report on SALT violations by Cyrus Vance – the testing of the SA-5 radar against strategic ballistic missile warheads.[43]

The Carter Administration's explanation was that it might have been used in a legitimate range instrumentation role and that, in any event, more testing would be required to give it an ABM capability. Indeed, "Extensive and observable modifications to other components of the system would have been necessary, but have not occurred." The Soviets denied that the radar was being tested in the ABM mode and terminated the testing.[44]

The testing of the SA-5 radar in an ABM mode is a far more significant violation than the Administration will admit. Mr. Vance neglected to inform the Congress that the SA-2 and SA-5 interceptor missiles have been tested many times by the Soviets at altitudes above 100,000 feet – clearly in an ABM mode. Melvin Laird has recently confirmed the many reports of this activity that have appeared in the press. Laird related that thousands of SA-5 interceptors have been deployed around 110 Soviet urban areas, and with appropriate radars and computers they could have a significant ABM capability. The SA-5 interceptor can intercept targets up to 150,000 feet at ranges of over 100nm. Its acceleration is slow, which limits dramatically its effectiveness against advanced penetration aid packages, but we will *not* have many of the forces with adequate penetrat-

42. Clarence A. Robinson, Jr., "Further Violations of SALT Seen," *Aviation Week and Space Technology*, February 3, 1975, p. 12; and Van Cleave, "SALT On The Eagle's Tail," p. 50; *Is America Becoming Number 2?*, p. 16.

43. Melvin R. Laird, "Arms Control: The Russians Are Cheating!" *Readers Digest*, December 1977, p. 99.

44. *Ibid.*

ing capability to survive a Soviet surprise attack in the early 1980s.[45]

As for the termination of Soviet testing of the SA-5 radar in the ABM mode, Admiral Zumwalt points out that "No one can be sure that the Soviets haven't by that cheating, already learned what they need to know."[46]

There have even been reports that the Soviets have been testing SAM missiles "against actual or simulated ballistic missile re-entry vehicles."[47] This is another issue that Mr. Vance successfully evaded in his report to Congress. If true, the Soviets could have at least a limited nationwide ABM capability today in violation of the SALT accords.

The suggestion by Secretary Vance that "extensive and observable" modifications of the system would be necessary for SAM upgrade is a deliberate distortion by the State Department. If the radar has been proven against missile RV, only improved computers and a nuclear warhead (if the system doesn't already have one) would be required to detect, track and destroy missile warheads. Reconnaissance satellites are not going to detect such minor modifications.

Even prior to the SAM upgrade testing after 1973, the U.S. military was far less sanguine than the State Department concerning the performance of the SA-5. In 1971 General Holloway, Commander of the Strategic Air Command, told the Congress that "with predicted intercept data from remote ABM radars, it could defend large areas of the Soviet Union against missile attack."[48] A year later he informed the Congress

45. There are no U.S. penetration aids on Poseidon. Any Poseidon RV that can be tracked by a SA-5 radar can be destroyed by a SA-5 interceptor. All U.S. penetration aids, chaff packages, are on Minutemen ICBMs which the Soviets will be able to eliminate by the early 1980s largely because they deployed the SS-19 in violation of the SALT I agreement.

46. Gray, "SALT I Aftermath," p. 30; and Van Cleave, "SALT on the Eagle's Tail," p. 50; Tad Szulc, "Soviet Violations of the SALT Deal—Have We Been Had?" *New Republic*, June 7, 1975, p. 15; Laird, "Arms Control: The Russians Are Cheating!" p. 99; Bradsher, "Soviet ABM Defense Stepup Has Pentagon Concerned," p. 1; Johan J. Holst, "Missile Defense, The Soviet Union and the Arms Race," in Johan J. Holst and William Schneider, Jr., *Why ABM? – Policy Issues in Missile Defense Controversy* (New York: Pergamon Press, 1969) pp. 150-51.

47. Van Cleave, "SALT on the Eagle's Tail," p. 50.

48. House Armed Services Committee, *Hearings on Military Posture* (Washington: Government Printing Office, 1971) p. 2909.

that ". . . I must treat it as an ABM. It is prudent to do so in our war planning, and the penalty for failure to suppress it as an ABM would be greater than the cost to negate it which we now plan to expend. My handling of the SA-5 in this sense is concurred in by the intelligence community."[49]

Unfortunately, the best weapon General Holloway could have used in the early 1970s to suppress the SA-5, the U.S. Minuteman III, will no longer be survivable in the 1980s, largely due to the SS-19 deployment.

The Soviets are apparently developing a tactical ABM system using a phased array radar and high acceleration interceptor. Unlike the advanced SAMs the Soviets have under development (which would have ABM potential significantly above the SA-5),[50] the new tactical ABM would be specifically designed to intercept ballistic missile warheads. The only difference between it and a strategic ABM would be that its components would probably be somewhat smaller. Such a system would certainly have a substantial capability against most if not all types of strategic missile warheads, probably even those with advanced penetration aids.

What is most disturbing about the new tactical ABM is that it could be produced by the thousands for tactical forces, and vast numbers could be clandestinely deployed for strategic purposes. It would have more capability in this area than the rapidly deployable ABM-X-3. The tactical ABM, by its very nature, would have to be a highly mobile system. To function at all in such a demanding role as tactical missile defense, it would have to be field-deployable in a matter of hours.

Not surprisingly, this is another issue that Mr. Vance did not deem important enough to address.

Individually, it is possible to rationalize the specific actions of the Soviet Union in the ABM area but they form a clear pattern of activity which seems aimed at a major Soviet operational ABM capability in the early to mid-1980s. Even before the construction of the new phased array radars, the Soviets

49. Senate Armed Services Committee, *Fiscal Year 1972 Authorization For Military Procurement, Research and Development, Construction And Real Estate Acquisition For The Safeguard ABM, And Reserve Strength* (Washington: Government Printing Office, 1971) p. 1693.

50. Bradsher, "Soviet ABM Stepup Has Pentagon Concerned," p. 1; *Is America Becoming Number 2?*, p. 16.

had enormous early warning and ABM augmentation capability in the large network of Hen House radars that have been built.[51] The only rational purpose for these new multi-billion dollar radars is the precise tracking necessary to launch ABM interceptors.[52]

The illegal Soviet ABM program with its emphasis on rapidly deployable systems and high technology interceptors combined with the SAM upgrade activities and the development of an anti-tactical ballistic missile system clearly point to a Soviet decision to furtively and incrementally deploy a major ABM capability.

### Concealment and Deception Activities

In SALT I, the Soviet Union agreed to non-interference with "national technical means of verification." It is very clear that this provision was intended to ban changes in procedures designed to deny the other side verification information. Indeed, the Treaty provides that "Each party undertakes not to use deliberate concealment measures which impede verification by national technical means of compliance with this Treaty."[53]

The report by Secretary Vance confirms reports of large scale concealment and deception activities. While these activities peaked in 1974, they continue to occur. The Administration justifies this failure to enforce one of the most important SALT provisions with the assertion that the Soviet activities did not prevent verification of the ABM treaty provisions and that we were only concerned about future verification if the pattern of concealment continued to expand. Secretary Vance tells us not that the violations have ceased since 1975, but that "there no longer appeared to be an expanding pattern of

51. Mark B. Schneider, "Russia and the ABM," *Ordnance*, March-April 1972, pp. 372-74.

52. The Soviet protests in the SCC of clearly legitimate U.S. early warning radar construction activity are clearly designed to give legitimacy to the new Soviet radars and tend to give support for the reports of their deployment which the Carter Administration will not confirm. The new Soviet radars are an acute embarrassment to the Administration because a 1972 U.S. unilateral statement put the Soviets on notice that even the far more primitive Hen House radars were regarded as having a significant ABM potential.

53. *Arms Control and Disarmament Agreements*, p. 135, 148.

concealment activities associated with strategic weapons programs."[54] Hence, the Soviets can continue to cheat as long as the cheating (we believe) doesn't prevent our verification. Just how we are expected to know how much the Soviet concealment programs are preventing us from seeing is not explained. Only a few of the Soviet concealment and deception actions are listed in the report and it attempts to give an impression that they are isolated actions, not large scale deception activity.

The only concealment activities reported by Vance were:

- "In early 1977, we observed the use of a large net covering over an ICBM test launcher undergoing conversion at a test range in the U.S.S.R."
- encoding of missile telemetry.[55]

On the encoding or encryption of the telemetry issue the report presents the same dubious rationale as it does for the other SALT violations – it is not a violation because it is not successful in denying us information.[56] A more reasonable assessment of the encryption problem was presented by Tad Szulc:

> Soviet interference with United States measurements by telemetry of Russian MIRV testing may be the most serious SALT violation, particularly in the light of last November's tentative agreement between Brezhnev and Ford in Vladivostok that for the first time added MIRVed vehicles to the limitation of strategic arms.[57]

Instead of mentioning only the single instance of concealment at the test ranges announced by Mr. Vance, James Schlesinger spoke of concealment "activities" in 1975. Among the activities that have been reported in the press but neglected by Mr. Vance are:

- Concealment activities in the shipyards. Placing large canvas covers over missile submarine construction and refit facilities at Severomorsk.
- Large scale use of large canvas covers over missile silo doors and other facilities.
- Testing of decoy submarines.

54. "Compliance With The SALT I Agreements," p. S2554.
55. "Compliance With The SALT I Agreements," pp. S2555-6.
56. *Ibid.*
57. Szulc, "Soviet Violations of the SALT Deal," pp. 14-15.

– Large scale concealment activities related to the deployment of the SS-16/20 missiles.[58]

The possible Soviet concealment of the deployment of the SS-16 and SS-20 is perhaps the most important of the concealment activities because there is a significant possibility that the SS-16 has been clandestinely deployed in a mobile mode by the Soviet Union.[59] The other great object of Soviet concealment activities, the SS-20, is operational today.

The SS-20 may have a range as long as 3,100 nautical miles with its three MIRV warheads. With a single warhead this might be upgraded to 4,000 miles, making it a minimum range ICBM.[60] Even at a range of 3,100 miles it would be classified as an ICBM under the SALT definition (which is 5,500 km) and, hence, would be a violation of the U.S. unilateral statement on mobile ICBM deployment.

More significant is the fact that the SS-20 can easily be upgraded into an SS-16. The Chairman of the Joint Chiefs of Staff related in early 1978 that

> The SS-20 comprises the first two stages of the three-stage SS-16. By upgrading SS-20 deployment to the SS-16, the Soviets would increase their mobile ICBM capability relatively quickly. This could be accomplished by the addition of a third stage to the two SS-20 stages. Such action could significantly increase the number of ICBMs in Soviet intercontinental forces.[61]

What is so serious about the SS-20 upgrade threat is the fact that the Soviets plan deployment of at least 1,000 of them.[62] This is an action so basically incompatible with the SALT environment that, alone, it could justify treaty abroga-

58. Gray, "SALT I Aftermath," p. 31; and Szulc, "Soviet Violations of the SALT Deal," p. 14; *Soviet Compliance With Certain Provisions of the 1972 SALT I Agreements*, p. 3.

59. Francis P. Hoeber, "Strategic Forces," in William Schneider, Jr., and Francis P. Hoeber, *Arms, Men and Military Budgets* (New York: Crane, Russak & Company, 1976) p. 29; Zumwalt and Bagley, "Soviets Cheat, and We Turn Our Backs," p. C-4.

60. Clarence A. Robinson, "Another SALT Violation Spotted," *Aviation Week and Space Technology*, May 31, 1976, p. 12.

61. *United States Military Posture For FY 1979*, p. 25.

62. Joseph D. Douglass, Jr., *A Soviet Selective Targeting Strategy Toward Europe* (Arlington: System Planning Corporation, 1977) p. 35; and Donald H. Rumsfeld, *Annual Defense Department Report FY 1978* (Defense Department, 1977) p. 62.

tion. Instead, we accept it as we have accepted the SS-19 and the launch control silos.

Too much is sometimes made of the fact that the SALT I accords were bad agreements negotiated for the worst of reasons (domestic political advantage for an insecure chief executive). International agreements often have to be vague and leave many important terms undefined. This does not excuse the spinelessness with which the American government has enforced the terms of the SALT accord. Despite all their deficiencies, the SALT I agreements could have worked if the Soviet government had been held to a reasonable interpretation of them. Instead, we have been increasingly sold the line that the process of SALT-detente is so important that we should ignore the end results.

If the SALT mentality currently prevalent in the U.S. government is not reversed we will continue to get 7 percent solutions to 300 and 400 percent problems — agreements that force minor cutbacks in some areas while allowing major expansions of Soviet capability in the critical areas. The rationale now being presented for SALT II is roughly analogous to arguing that one should voluntarily accept an injection of a lethal substance because if we refuse it we may face the prospect of coming into contact with a somewhat larger dose.

# On the Freedom and Responsibility of the Press

VERMONT ROYSTER

When I first came to Washington as a fledgling journalist forty-two years ago, the Washington press corps, in total, numbered only a few hundred and you could know almost all of them by sight. There was no radio and television press gallery, not even a gallery to accommodate the periodical press. Today I am stunned by the number of pages it takes in the *Congressional Directory* to list the accredited press in all its forms; I refuse to use that word "media."

That was not all that was different. I well remember my first Presidential press conference. For the record, the date was Friday, May 15, 1936, and Franklin D. Roosevelt was holding his 295th press conference since he had become President.

I presented my shiny new press credentials to the guard at the Pennsylvania Avenue gate, walked up the winding driveway and entered the West Wing of the White House. To the left of the room was a modest office for Steve Early, the President's press secretary. Beyond and out of sight were offices for Marvin McIntyre, the President's only other regular aide, and for Missy Le Hand, his private secretary. There were two others, designated as executive clerks. And that was all — the entire White House staff. The press conference itself was held in the Oval Office. When the door opened, we gathered around the President's desk, no more than twenty of us. There were some desultory questions; I remember being overcome at being a few feet away from the President, at being one of the little band entitled to this privilege.

Press conferences of cabinet officials were equally informal. The Agriculture Department was my first beat and usually only four or five of us would meet with Henry Wallace in his office. There were no microphones, no snaking cables for lights and television cameras. It was no different with Henry Morgenthau or Harold Ickes or Cordell Hull.

In those days all the major government departments were within easy walking distance — Agriculture, Treasury, State, the White House, even War and Navy — and, since *The Wall Street Journal* office was then equally informally organized,