Procuring Swords for Plowshares: Congressional Use of Strategic Weapons Acquisition to Influence U.S. Arms Control Negotiations

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The US-Soviet strategic arms talks that ushered in the Cold War endgame in the 1980s and 1990s witnessed an extraordinary intervention by the Congress in the Executive’s traditional policymaking areas at a time of evolving inter-branch institutional relationships and domestic perceptions of the global distribution of power. A central puzzle focuses on whether Congress used its constitutional spending and military oversight powers over acquisition of weapons simultaneously subject to bilateral negotiations to exert policy influence in diplomatic negotiations. The study asks: *Why, how, and under what conditions did Congress, through the acquisition of strategic weapons, actively influence strategic arms control negotiations, American foreign policy and grand strategy during the Cold War?*

Five strategic weapons acquisition cases subject to bilateral arms talks from 1973-1993 are examined. The study employs an inductive case study approach to posit a causal role of Congress in foreign policy outcomes. Two theoretical perspectives are employed: Neoclassical Realist IR theory, in which Congress serves as key unit-level intervening variables to help explain foreign policy behavior, and New Institutionalism’s American Political Development, which posits that the Congress can influence national policy outcomes by forcing the Executive to accept its policy preferences by means of innovative legislative procedure. The study employs a structured, focused comparison that includes within-case process tracing and across-case content analysis, archival research of congressional and presidential administration data and subject interviews with key congressional and security policy elites.

The study develops detailed hypotheses and a theory of congressional causality in foreign policy, positing that legislative intervening variables can: 1) exert a heavy influence on U.S. negotiation policy and grand strategy by innovative weapons acquisition means; 2) force the President to accept alternative versions of material requirements for strategic stability and deterrence; and 3) under alternating ideational conditions of a ‘peace psychology’ and pursuit of strategic parity, affect the creation and maintenance of arms control regimes relevant to the international distribution of power.
Procuring Swords for Plowshares: 
Congressional Use of Strategic Weapons Acquisition to Influence U.S. Arms Control 
Negotiations

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B.A., The George Washington University, 1979

A Dissertation
Submitted in Partial Fulfillment of the
Requirements for the Degree of
Doctor of Philosophy
at the
University of Connecticut

2016
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2016
APPROVAL PAGE

Doctor of Philosophy Dissertation

Procuring Swords for Plowshares:
Congressional Use of Strategic Weapons Acquisition to Influence
U.S. Arms Control Negotiations

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2016
“...And these atomic bombs which science burst upon the world \textit{that night were strange even to the men who used them}.”

“\textit{Weapons speak to the wise, but in general they need interpreters}.”
— Pindar, Olympian Odes
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Chapter One
Explaining Congressional Influence in Cold War Strategic Arms Negotiations

“SECTION 903: It is the sense of Congress-
(1) that Congress, in exercising its authority under the Constitution “to raise and support Armies” and
"provide and maintain Navies" and, in the case of the Senate, to advise and consent to the ratification of
treaties, has a role to play in formulating arms control and defense policies of the United States, but,
(2) that Congress, in exercising that authority, should not usurp, undermine, or interfere with the
authority of the President under the Constitution to negotiate and implement treaties, especially in the
case of treaties which affect arms control and defense policies of the United States.”

Introduction: Domestic bargaining over International bargaining over Strategic Arms. This
study explores legislative activism shaping U.S. strategic arms negotiation stances and U.S.-
Soviet arms control agreements in a key period of the late Cold War, a time of rapidly evolving
executive and legislative institutional relationships and changing domestic perceptions of the
global distribution of power. The study explores the phenomenon of why, how and under what
conditions Congress attempts to exert its influence in national security and foreign policy? Its
central focus is on legislative actors’ perceptions of the distribution of material power in a
bipolar international system, congressional-executive power relations, and factional competition
among congressional elites to shape American foreign policy behavior. To what degree did elite
legislative actors – designated as prospective Intervening Variables Hawks, Doves and Owls1 –
by competing for influence and power over American negotiation stances in strategic arms
control talks, help shape grand strategy for concluding the Cold War on peaceful terms?2 While
the above quotation from Congress would suggest acknowledgement of a neat and orderly
separation of power between the branches, in the area of national arms control policy and grand
strategy the reality is nothing of the sort; it remains a gray area where ‘political questions’ and

1 The hawk-dove-owl typology serves in this dissertation as a heuristic device to classify congressional arms control policy
preferences and as a means to link those preferences to actions on nuclear weapons acquisition. The typology was identified by
Allison, Carnesale & Nye (1985) as part of the Avoiding Nuclear War Project at Harvard’s JFK School of Government.
2 In this study, ‘grand strategy’ is defined as the art of employing all the resources of the state and its instruments of power to
achieve national objects of war and peace. Grand strategy during the Cold War was characterized by containment of the Soviet
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constitutional prerogatives are continually posed, challenged and frequently evolve, with foreign policy outcomes never predictable or easily explained.

The research question asks: *Why, how, and under what conditions did Congress, through the acquisition of strategic nuclear weapons, actively influence strategic arms negotiations, American foreign policy and grand strategy during the Cold War?* The premise of the study is threefold: first, that inter-branch bargaining over strategic weapons procurement is a result of differences between threat perceptions of the executive branch and congressional elites. Second, subsequent inter-branch bargaining over nuclear threats and program responses results in weapons acquisition that frame American arms control negotiation stances undertaken with the Soviet Union in the late Cold War period. Third, aggressive inter-branch bargaining over nuclear weapons acquisition reflects distinct legislative policy influence over the conduct and outcome of superpower negotiations. The study frames this “why/how” foreign policy puzzle from two theoretical perspectives: Neoclassical Realist International Relations (IR) theory, where congressional factions serve as a key unit-level intervening variables to help explain U.S. foreign policy behavior, and the New Institutionalism School of American Political Development (APD), positing that the Congress can influence national policy outcomes and force the executive to accept its policy preferences by means of innovative legislative procedure. Using a conceptual approach of two-level game negotiations posited by Putnam (1988), this study uses as primary methods of investigation content analysis of congressional defense actions, case studies employing process tracing of key decisions within select cases and focused comparisons across these cases, and interviews with key congressional and policy elites.

Broader theoretical questions of IR and American Politics are addressed as well. The study examines both a broad second-level of analysis IR theoretical issue – the impact of key domestic-level variables on foreign policy behavior – and within American Politics, a theory of
evolving institutional development and innovation in the ongoing American democratic experiment. Its purpose is an improved understanding of why, how and under what conditions domestic actors are motivated to use institutional power to influence the conduct of international negotiations over the development of, and constraints upon, instruments of state material power. The study uses five late Cold War-era strategic weapons acquisition cases that examine Congress’s ability to both perceive changes in global power dynamics and to marshal state power capabilities on issues of major national security, using its constitutional power “to provide for the common defence” and its authority over defense acquisition to influence the executive’s diplomatic negotiation prerogatives (U.S. Constitution, Art. I, Sec. 8).

Central Questions: Why, How and Under What Conditions does Congress attempt to exert its influence in national security/foreign policy? The U.S.-Soviet strategic arms talks that extended from the 1970s into the 1990s, ushered in the Cold War’s endgame by lessening competitive tensions and redirecting offensive nuclear arsenals from ever larger, more provocative and potentially destabilizing military postures. These actions were part of a conflict resolution process that effectively ended decades of great power competition without a major war and reflected seismic changes in the global distribution of power and systemic polarity. This same period also witnessed an extraordinary intervention by Congress in the modern Presidency’s almost exclusive direction of American foreign policy making and security strategy, an activism that reflected a rapidly evolving executive-legislative institutional relationship and changing domestic perceptions of global power distribution in the late Cold War. This study explores the causal linkage between these two developments: the changing systemic distribution of power and contributions of legislative elites to facilitating arms agreements at the end of the Cold War.
A central puzzle for investigation focuses on Congress’s contribution to American foreign policy behavior in this period: whether Congress directed strategic weapons acquisition programs that were simultaneously subject to bilateral negotiations in a manner designed to exert direct policy influence on the arms negotiation process and, indirectly, on U.S. foreign policy and grand strategy. Specifically, the research puzzle investigates whether Congress directed weapons acquisition in a manner to affect U.S. diplomatic strategy in key negotiation forums. Could relatively small, elite groups of legislative players, acting on their collective assessments of international threats and opportunities, bargain with the chief executive over weapons procurement as a means to influence arms negotiation positions and pursue their preferred security policy and strategy ends? To answer this puzzle, the study investigates the several aspects of foreign policy formulation at the societal level, especially the important problem of inter-branch bargaining over how U.S. foreign policy should be conducted through negotiations with foreign powers concerning the major instruments of national power and global influence.

**Constitutional and Political Context: Inter-branch Bargaining.** Complex inter-branch bargaining cannot be explained through a conceptual two-level game framework alone. Explanations and greater understanding of how American foreign policy is formulated between the executive and legislative branches must be informed by both history and constitutional jurisprudence.

Within the American government, national policy is formulated by two “political” branches overseen by a third, judicial branch that performs the periodic role of “referee” to enforce constitutional guidelines where governing power is divided through a separation of powers. This arrangement is designed to insure no single branch becomes dominant over the others, while allowing each to perform specialized functions for making, executing, and interpreting the law, with some overlapping authority (“checks and balances”) within these basic functions. Power and
functionality is theoretically explicit in the Constitution’s framework; yet more difficult to assess is how in practice the branches contribute to the design and execution of a foreign policy.

Lindsay (2003) identifies a continual struggle in U.S. history for supremacy over foreign policy between the executive and legislative institutions and compares this struggle to a swinging pendulum on a grandfather clock. Yet why the pendulum swings and periodically shifts directions is not thoroughly understood; and how this struggle translates into foreign policy decisions involving both branches is also underexplained. The answer may lie in how shifts in elite perspectives on external relations, or how internal institutional changes within the critical branches of the U.S. Government, or both, affect foreign policy formulation. Thus to address the research puzzle, the NCR and APD theories provide an important means to investigate both the sources of congressional activism and the institutional causal mechanisms employed in foreign policy to explain why the “pendulum swings.”

Central to exploration of the research question is the congressional contribution to American security and diplomacy. The authority to conduct external affairs is shared between executive and legislative branches. Constitutional design allows the president (hereafter referred to as the Foreign Policy Executive, or FPE), performing the role of head of state, to represent the nation directly with other nations, particularly in terms of core diplomatic activities, and at the same time perform the role of commander-in-chief over the strategic and operational use of the instruments of national power. The vast expansion of American global power and influence in the 20th Century provided a growing primacy of the FPE in the formulation and conduct of foreign and security policy, although the legislative branch possesses various constitutional means to influence policy and check and balance executive power.

The Constitution vests in the Congress three primary powers to influence foreign policy: the war-making (war declaration) power, the treaty-making (ratification) power and the spending
Procuring Swords for Plowshares

(appropriation) power. Despite great effort by the founders to balance institutional roles of Congress and the FPE in federative affairs, subsequent growth and dominance of the Presidency over time has diminished and eroded Congress’s actual roles in foreign policy, particularly in the constitutional war-making and treaty-making powers.³ Since the executive branch is in theory totally reliant upon appropriations from Congress for all executive activities, this has left the power of the purse as most effective means for legislative influence in foreign policy-making.

Congressional Use of ‘the Purse” and the Foreign Policy Executive. National security interests are typically defined and resourced at the domestic level, where foreign policy and grand strategy is formulated (generally by the FPE) and resources prioritized and mobilized for strategy and policy implementation (usually a combined legislature-executive activity involving defense authorization and appropriations). The conduct of these functions within the American constitutional system allow for inter-branch cooperation and sometimes conflict. The 18th and 19th centuries saw relative co-operation between the branches over federative spending issues, with the branches generally respecting the separation of powers as arranged by the 1789 Constitutional Convention and the extensive ratification debate.⁴ The limited size of the national government, scope of its international interests and the relatively clear lines of authority allowed for such cooperation.⁵ Yet Congress was fully cognizant of its constitutional power to veto executive policy actions through its fiscal control over military organization and periodically used this power when seriously objecting to executive behavior; for example, in 1845 Congress

³ This can be seen in the diminished practice of formal declarations of war by Congress (last used in 1942) prior to engagement of American armed forces abroad by the president, and the growing tendency of the FPE to prefer executive agreements with foreign powers over the negotiation and submission of formal treaties to the Senate for advice and consent.

⁴ This was “cooperation” in the sense there were no constitutional challenges or crises between branches over spending issues.

⁵ There were exceptions to this pre-20th Century norm. One possible constitutional challenge arose in 1796, when Madison tried to undercut Washington’s successful Senate ratification of Jay’s Treaty by moving to deny appropriations needed to implement the treaty in the House, using the power over the purse; wisely, Madison compromised by funding treaty implementation, avoiding a constitutional crisis, and establishing a norm that has generally endured (Treaty Making Powers, n292-294). Another example is the 1845 use of the purse by Congress to restrict funding for the Mexican War.
restricted funding for the Mexican War, and later rebuked President Polk for his conduct in the war’s initiation. Yoo (2009) refers to this legislative power, rooted in the constitutional spending authority, as a “functional veto” over executive actions.

Through the Second World War, Congress followed its historical trend of largely supporting whatever military spending and procurement was required to mobilize national resources for prosecuting relatively short-term military conflicts. In any post-war period, given diminished external threats, Congress then reverted to supporting a small professional military and providing defense appropriations only sparingly; Congress also tightly scrutinized those resources used to implement foreign policy initiatives associated with American global interests.

This historical pattern changed dramatically as the U.S. emerged as a global superpower. The start of the Cold War in the late 1940s reversed the initial post-war de-mobilization and placed the nation on a near-permanent war footing. Following FDR’s war-time trend of executive dominance in overall political-military strategy and policy, the Truman administration secured support – from key legislative leaders such as Senator Arthur Vandenberg (R-CA) of the Foreign Relations Committee – to establish a durable and bipartisan consensus for the Cold War’s Containment and nuclear deterrence strategies and policies. While Congress partnered with the executive in these strategic policy decisions, it was certainly the junior partner. Over the next three decades, Congress would play a decidedly passive role in these foundational decisions and implementing activities, mostly providing reliable, sustained appropriations for an unprecedented “peacetime” military. Congress exerted almost negligible influence over the grand strategy behind these foreign policies, as well on the missions and doctrines of the national military instruments underpinning the strategy. Following Truman’s emasculation of the traditional legislative war-declaration power in Korean War, Congress played a limited role in defense and foreign policy, serving as a reliable source of Cold War military appropriations until the 1970s.
As a result power flowed to the presidency, an institution that appeared increasingly “imperial” (Schlesinger 1973).

This high degree of domestic consensus and congressional material and policy support held firm through most of the Cold War, with American presidents devising policy, grand strategy with Congress largely expected to fulfill the necessary material requests. After 1970, however, Congress became far more assertive, demanding a greater voice in foreign policy and security matters involving grand strategy, and actively sought to curtail, through various means, presidential prerogatives up to that point enjoyed almost exclusively by Cold War presidents.

Thus, through most of the Cold War, Congress effectively forfeited its influence in the formulating and implementing foreign and security policies by ceding its power to extract and mobilize strategic resources – by avoiding aggressive negotiations (“pulling and hauling”) with the FPE in acquiring the physical instruments of the state’s material power underlying national policy and strategy (Wildavsky, 1966; Kolodziej, 1966; Koh, 1996). Congressional assertiveness through the power of the purse after 1970 occurred with mixed results. Even when Congress deliberately attempted to formulate policy directly and influence presidential execution of foreign and military operations, it has either failed spectacularly or at best, its influence ebbed and flowed over time (Johnson 2006). With regard to the research question, there are numerous theories, but little consensus as to why congressional activism succeeds or fails to influence arms negotiation strategy, security policy or grand strategy, or what energizes and motivates this

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6 Wildavsky (1966) notes “The congressional appropriations power is potentially a significant resource, but circumstances since the end of WW II have reduced its effectiveness. The appropriations committees and the Congress itself might make their will felt by refusing to allot funds unless basic policies were altered. But this has not happened. While Congress makes its traditional small cuts in the military budget, Presidents have mostly found themselves warding off congressional attempts to increase specific items still further.” Kolodziej (1966, pp.365-366) writes that lax oversight over post-WWII weapons program authorizations created a “defense policy vacuum” that “provided little or no operational guidelines ... in formulating policies in these areas.” Thirty years after Wildavsky and Kolodziej, Koh (1996) argues that the legislative tools available to Congress are not used, improperly drafted or easily circumvented by an energetic executive.

7 Johnson’s Congress and the Cold War (2006) provides a historical narrative that documents these congressional successes and failures of influencing the foreign policy executive during the Cold War.
activism. Answers to the question of why and how this political transformation occurs today remain a puzzle, largely unexplained in the existing literature with the underlying casual relationships poorly understood.

**Formulation of General Questions.** An essential element of a structured and focused comparative research study is a set of standardized questions essential for each case, carefully developed to reflect the research objective and theoretical focus of the inquiry (George & Bennett 2004:86). Formulation of general questions is also necessary to acquire comparable data for analysis across similar cases within the phenomenon under study – the effect of domestic variables on state foreign policy. General instrumental questions are applied to each specific case of nuclear weapons and related arms forums (see Figure 1.1). These questions are more specifically addressed in the study’s final chapter in the context of implications for theory building and identification of hypothesized casual mechanisms.

*The Perceptions of Global Conditions and Power.* The study addresses perceptions of the global power system that motivated congressional intervention in national strategy and policy in the late 20th century. Research investigates how disagreements are settled among domestic policy elites about the nature of foreign policy threats and changing distribution of global power. The study investigates related general questions such as how domestic actors in a democratic state perceive threats and opportunities in the international system and how these actors seek to influence how the state addresses them.

*The Domestic Opportunities for Action.* The study explores the domestic political, economic and/or social conditions in the late Cold War period that enabled an atypical congressional policy intervention in strategic nuclear arms control and foreign policy, and the degree of success of this

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8 “Unless one asks the same questions of each case, the results cannot be compared, cumulated or systematically analyzed,” and “Specification of data requirements should take the form of general questions to be asked of each case” (p.86).
intervention in achieving its intended goals. This includes investigation into whether legislative elites can successfully bargain over the substance of foreign and security policies with a FPE, also engaged in ongoing state-to-state negotiations, in ways that reflect elite policy and strategy preferences.

Figure 1.1: General Questions Addressing Congress, Weapons Procurement and Arms Control*

<table>
<thead>
<tr>
<th>Research Focus</th>
<th>General Theoretical and Philosophical Questions For Investigation</th>
</tr>
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<tbody>
<tr>
<td><strong>1. Threat Assessment:</strong></td>
<td>• How do decision makers, including the foreign policy executive (FPE) and key institutions, assess international threats and opportunities to the state?</td>
</tr>
<tr>
<td><strong>WHY?</strong></td>
<td>• Who are the relevant actors within the state regarding threat assessment?</td>
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<td></td>
<td>• How are disagreements within the state over the nature of international threats and appropriate remedies ultimately resolved?</td>
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<td></td>
<td>• Why would legislative actors attempt to counter threats or grasp opportunities to influence a state’s grand strategy?</td>
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<tr>
<td><strong>2. Strategic Adjustment, and Grand Strategy Formulation</strong></td>
<td>• Who decides how to respond in international threats?</td>
</tr>
<tr>
<td><strong>HOW?</strong></td>
<td>• To what extent can legislative actors bargain with the FPE and influence foreign and security policies in different state settings?</td>
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<tr>
<td></td>
<td>• Do legislative actors determine the content of foreign and security policy or merely its style?</td>
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<td></td>
<td>• Which legislative actors and factions have the greatest influence on security policy? Under what circumstances?</td>
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<td></td>
<td>• What bargains do FPEs need to strike with legislative actors in order to respond to international threats and opportunities?</td>
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<td></td>
<td>• How do legislative actors attempt to shape a state’s grand strategy via the acquisition of elements of state power?</td>
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<tr>
<td><strong>3. Resource Extraction, Domestic Mobilization and Grand Strategy Implementation</strong></td>
<td>• How do states mobilize the resources necessary to pursue their chosen security policies?</td>
</tr>
<tr>
<td><strong>UNDER WHAT CONDITIONS?</strong></td>
<td>• How much power do legislative actors have to obstruct the state when it seeks to mobilize resources in different settings?</td>
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<td></td>
<td>• What determines who is more successful in bargaining games between the FPE and the elected legislature societal groups?</td>
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<td></td>
<td>• Should domestic actors oppose the state’s leader involved in critical international negotiations, or deny the FPE needed resources and programs for bargaining and concluding an agreement that enhances overall national security?</td>
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<tr>
<td></td>
<td>• Under what conditions will legislative actors attempt to shape a state’s grand strategy via the acquisition of elements of state power?</td>
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* The Research Focus and Questions for Investigation are modeled on those found in Taliaferro, et al. (2009, pp.31).
Legislative Institutional Means Employed. Addressing the research puzzle extends not merely to examining what determination of policy ends, but also of the ways and means by which legislative actors leverage and influence national policy decisions. In modern representative democracies, key institutions, pressure points and procedural tools are ultimately critical to shaping acceptable or unacceptable foreign policy alternatives offered by collective representative bodies. Just how those bodies create and implement these alternatives within a state’s grand strategy are best understood by studying institution’s dynamics, causal mechanisms and whether congressional intervention was successful or not.

Threat and Opportunities Assessment. Executive and legislative branch elites can perceive changes in the relative distribution of power in the IR system in different ways based on institutional factors. This frequently affects the nature of collective decisions that are sometimes characterized by cooperation, but often these differences translate into difficult bargaining over the direction of state responses in foreign policy and strategy.

Strategic Adjustments and Resource Extraction. Assuming conflicting re-assessments of threats and subsequent congressional-executive bargaining, competing state institutions formulate foreign and security policies by using powers granted under the Constitution, where Congress plays the most important role in extracting and mobilizing resources necessary for acquiring instruments of national power, which provided institutional leverage in formulating and implementing foreign and security policies. Thus, how the state’s material power – the physical instruments of national power – is created through institutional pulling and hauling requires a systematic examination over how the political branches struggle to steer foreign policy.

Broader American/Democratic Political Development. Improved understanding of why and how institutional power and legislative influence is used at the domestic level can better inform
democratic states’ foreign policy behavior in the future under similar threat scenarios, especially in differing threat, institutional and budgetary conditions. Institutional dynamics under stressful conditions can often shape how these institutions develop over time to create policy change. Pertaining to the research question, the deliberative procedures and causal processes of the state – especially legislative institutions – that exert a positive or negative influence on “successful” outcomes of bi-lateral or multi-lateral state negotiations are explored and new intervening variables theorized causal mechanisms, and hypotheses on legislative institutions are explored.

Broader Questions of International Relations Theories. The study explores the question of why and under what circumstances do domestic factors impede states from pursuing the types of strategies predicted by systemic balance of power and balance of threat theories of International Relations. Addressing this puzzle also can provide greater insight into how domestic actors shape the key determinants of state power in the international system – be it key military forces, strategic economic (trade) advantages, an ability to mobile mass publics supporting the state, or other national capabilities and strategies – that are also subject to international negotiations.

Theoretical Context: Neoclassical Realism, American Political Development. At the core of this puzzle is the degree to which structural factors of the international system are perceived and translated by key domestic actors whose subsequent activities within governing institutions may shape the development of national power and thus foreign policy behavior. Conventional explanations by scholars of American politics of how Congress attempts to influence foreign policy generally ignore this perceptual/translational aspect. Most systemic IR theory either dismisses domestic-level variables altogether (neorealism) or downplays their causal significance

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The ability of domestic intervening variables to shape foreign and security policy outcomes in the United States, or any other democratic state, are not well understood, in part because the linkage between perceptions of global power distribution by key legislative actors and their subsequent motivations to influence a state’s negotiation stances in Level II bargaining have not been fully explored in either the neorealist or neoliberal literature.

This “why/how” foreign policy puzzle is examined from two theoretical perspectives. The “why” is addressed through Neoclassical Realist (NCR) IR theory, in which Congress will be examined as a key intervening unit-level variable to help explain American foreign policy behavior. The “how” is addressed through the New Institutionalism’s American Political Development (APD) school, which posits that the Congress can influence national policy outcomes by forcing the chief executive to accept its policy preferences by means of innovative legislative procedure. This study also seeks to determine “under what conditions” congressional efforts to influence foreign policy are most likely to occur, and what conditional factors might affect success or failure of those efforts.

Neoclassical Realism. The main thrust of Neoclassical Realism asks: what is the intervening role of the State in explaining foreign policy actions in IR? NCR adherents argue that “the scope and ambition of a country’s foreign policy is driven first and foremost by its place in the international system and specifically by its relative power capabilities” (Rose, 1998, p. 146). The recent NCR agenda posits why, how and under what conditions internal characteristics of the state intervene between leaders’ assessments of threats and opportunities in the international system and “the actual diplomatic, military and foreign economic policies those leaders pursue” (Taliaferro, Lobell & Ripsman, 2009, p. 28). The NCR research agenda further explores how these processes are defined and constitutes a wider investigation of how top state officials make

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10 For a critique of both, see Sterling-Folker (1997).
decisions in three areas. First, how elites view, assess and react to *likely threats* within the international system; second, the *development of national strategies* and responses to address these perceived threats; and finally, how they *mobilize societal resources* necessary to implement and sustain those strategies (Taliaferro, et al., 2009, p. 3-4).

The study focuses on the state’s relative material power, which allows for evaluation of superpower nuclear arsenals (as opposed to more general foreign policy interests) as the underlying basis for perceptions of both threat assessments and strategic opportunities by congressional and policy elites, perceptions perhaps motivating efforts to alter a state’s foreign policy stances. Thus, *why, how, and under what conditions* the relative material resources of great powers are constituted – in terms of strategic capabilities and their impact on the systemic distribution of power as perceived by congressional elites – are central to the research puzzle. Neoclassical Realist theory therefore is employed to help examine how congressional perception of relative material power in the late Cold War period shaped both American strategic force acquisitions, arms control strategies and grand strategy. Applying a NCR approach to analyze congressional policy and strategy influence requires a structured framework to assess both the intervening variable of domestic influences on the formulation of negotiation positions, and to establish policy correlation and exploring causality between congressional influence and the overall arms control negotiation outcomes.11

*American Political Development and New Institutionalism.* Assessing intervening domestic variables within a Neoclassical Realist approach therefore also involves focusing on the domestic processes of American political structures. As part of the effort to show how to “bring the state back in” within IR theory, Rose (1988) points out that: “To incorporate state structure as an

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11 These could be defined as national resource allocations leading to a final treaty (or no agreement) and adjustments to grand strategy. Taliaferro et al. (2009) address how foreign policy debates can be framed by domestic debates over threats, strategy adjustments and resource decisions, which, in this study, constitute elements of Level II bargaining in a two-level negotiation.
intervening variable, one has to know a decent amount about how different countries' political institutions work, both in theory and in practice” (p.166).

How domestic institutions influence overall foreign policy and, relevant in this study, how Congress may exert its policy preferences on U.S. arms negotiations, suggests a theoretical application of New Institutionalism’s *American Political Development* (APD). 12 APD investigates the processes of political change via the historical development of institutions, analyzing recurrent patterns of order and stability while seeking sources of change. APD points to a dynamic, not static, understanding of American politics, and demonstrates that change can be explained by studying institutional flexibility and adaptability over time, under conditions such as path dependencies, junctures, punctuated changes, and multiple concurrent orders, and which employ methods such as process tracing (Orren & Skowronek, 2004).

APD theory, in the context of this study, argues that the ability to mandate structures and procedures upon the FPE give Congress a powerful means to build its preferences into the policy-making process without passing policy-oriented legislation in a traditional manner (Lindsay, 1994). In this way congressional bargaining leverage can structure executive branch decision-making in ways that promote a president’s compliance with explicit legislative intentions, regardless of whether the result occurs through consensus, compromise, or conflict between the branches. In terms of foreign policy formulation, APD theory provides a valuable research means to assess the role of Congress as an intervening variable that influences American foreign policy, specifically focusing on possible causal mechanisms (the “how”). This is especially relevant in studying the congressional role in foreign policymaking in the post-Vietnam, post-Watergate era, the historical period of arms control cases analyzed in this study.

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12 New institutionalism is focuses on developing a sociological view of how political institutions interact and the broad effects of institutions on individuals within society. Two major approaches within New Institutionalism are *American Political Development (APD)* and *Rational Choice (RC)*. This dissertation will employ an APD theoretical paradigm.
**Conceptual Framework: Two-Level Negotiation Model.** The phenomena of congressional influence on U.S. foreign policy and arms control negotiations through weapons acquisition and might best be conceptualized through a model of two-level negotiation games by Putnam (1988) and applied to foreign policy problems by Evans, Jacobson & Putnam (1993), Mo (1994), Trumbore & Boyer (2000) and Boyer (2000). This study uses Putnam’s model as both an organizing theoretical concept and heuristic device for identifying the nature of domestic negotiations that explain American foreign policy behavior during the late Cold War period. Putnam (1988) writes:

> [T]he politics of many international negotiations can usefully be conceived as a two-level game. At the national level, domestic groups pursue their interests by pressuring the government to adopt favorable policies, and politicians seek power by constructing coalitions among those groups. At the international level, national governments seek to maximize their own ability to satisfy domestic pressures, while minimizing the adverse consequences of foreign developments. Neither of the two games can be ignored by central decision-makers, so long as their countries remain interdependent, yet sovereign. (p. 434).

Putnam argues that applying the metaphor of a two-level game captures the negotiation setting far better than theoretical decision models depending on unitary actors and can help define the contributing role played by domestic politics – political parties in Congress, interest groups, or public opinion. See Figure 1.2 below.

The two-level game model serves to link both the international and domestic environments as well as interactions between societal and state actors in a manner that creates an improved understanding of foreign policy and national strategy outcomes. Thus, the model is well suited for conceptualizing the application of the Neoclassical Realism and American Political Development theories used in this study, as applied to legislative-executive bargaining over foreign policy and grand strategy. Putnam’s structure underscores the interrelated and complex nature of bargaining between Level I negotiators and Level II domestic actors, and why causal relationships between the two levels must be better defined. Level II negotiations for specific
strategic weapons acquisitions are linked to bi-lateral arms control outcomes produced in Level I, but is there a casual relationship between the acquisitions and agreements, and if so, can a specific causal mechanism be defined?

This study posits that Level II legislative-executive negotiations over weapons procurement actually represent the most important negotiation level. Central to any possible Level I agreement or outcome is what is ultimately acceptable – a range of possible terms called a “win-set” – in the domestic bargaining that takes place in Level II. Because congressional factions ultimately control the resource means to develop and deploy future strategic weapons, legislative elites perhaps play a highly influential role in determining with what tangible assets (future capabilities, in what numbers, with what characteristics) the FPE can credibly use as bargaining leverage in Level I negotiations.

**Research Proposition: Congressional use of strategic weapons acquisition to influence U.S. arms control negotiation stances.** The dissertation posits a theory of direct legislative influence on arms negotiation stances and foreign policy outcomes by affecting the make-up of
material national power through the weapons acquisition process. The explicit policy goal of congressional action, based on its perceptions of external threats, is to create a desirable strategic future that may differ from that envisioned by the FPE. Through Level II bargaining with the FPE, Congress uses its constitutional spending power to influence the executive’s diplomatic negotiation prerogatives and options in Level I negotiations over strategic nuclear weapons.

Why, how and under what conditions this phenomenon occurs will be explored through a case study approach, examining evidence for possible causal relationships and mechanisms by use of mixed research methods to make inferences both within and across-cases. Selected strategic weapons acquisitions and arms control case studies from the 1970s-1990s, are examined where Congress directed procurement of specific strategic force modernization programs that were simultaneously subject to bilateral arms negotiations.

To investigate the “why/how” aspects of the research puzzle, two central propositions are examined. In the first proposition, congressional influence over U.S. arms control stances is represented as an inter-branch struggle between the FPE and the legislature over formulation of national policy and implementing strategy. Specifically, inter-branch struggles focus on competing institutional views over prevailing external threat environments and strategic opportunities to maintain American power via a combination of weapons modernization and arms control. Executive officials must coordinate three determinations on weapons systems that affect arms negotiations: first, which weapons to permit (or ban) in a treaty; second, which weapons to procure and deploy given treaty opportunities; and third, which future weapons to develop unconstrained by treaty limitations (Stockton, 1991). In each of these steps, an assertive and determined Congress can press its institutional policy preferences upon the FPE to shape (or re-shape) U.S. negotiation stances that can affect U.S. foreign policy and grand strategy.
Congress selectively picks policy fights with the FPE by seeking points of greatest institutional leverage and by developing new procedural tools as needed to maximize that leverage.

In the second proposition, the inter-branch struggle is further complicated by an *intra-* legislative battle between three diverse and conflicting assessments of the bi-polar threat environment and the condition of the material distribution of systemic power. This intra-legislative conflict guides the congressional portion of the inter-branch domestic bargaining over the content of U.S. arms negotiation stances. This is a conflict characterized by competing factions of policy elites each with differing perspectives. These factions serve as prospective new Intervening Variables (InV) and are based on a typology of *hawks, doves and owls* (Allison et al, 1985). The ornithological typology serves as a heuristic device to classify congressional arms control policy preferences by weapons program and strategic objectives. Each congressional faction attempts to exert influence over the FPE on American arms control stances and to shape foreign policy behavior by means of non-traditional and innovative policy and procedural behavior that represent possible inroads into traditional presidential foreign policy prerogatives. These means are examined as possible causal mechanisms influencing U.S. foreign policy.

Within a complex legislative process, this task involves a difficult coordination of several key defense committees, dozens of important legislators on those committees, and a party leadership often sharply at odds with each other and the FPE’s own priorities. Further, the task requires persuading and winning the votes of several hundreds of their legislative colleagues who are also likely divided on the issue. Successful coordination of this type in the Congress is rare overall and even rarer on issues of high politics and foreign policy.

By examining both inter-branch perceptions of the strategic environment and how each intra-legislative faction seeks to use its institutional role in the weapons building process as a means to impose their preferences on the executive branch, the study assesses the degree to which
Congressional factions serve as Intervening Variables that influence the material and strategic components of American grand strategy and foreign policy. This would allow an informed assessment of how Congress may have uniquely shaped American foreign policy behavior and global power in the late Cold War and immediate post-Cold War period.

A Combined NCR–APD Theoretical Approach. For purposes of exploring the research proposition, it is necessary to ask whether the two theoretical approaches, Neoclassical Realist and American Political Development, can be logically combined to address this research puzzle? The unique application of a combined NRC and APD theoretical framework would best allow a thorough examination of both the why and how aspects of the research puzzle, and provides greater insight into under what conditions Congress will seek to intervene.

APD theory cannot by itself directly establish this linkage. An institution’s procedural reform alone, while enabling greater congressional policy activism across the board, cannot explain the substantive reasoning driving such policy activism. Missing is a compelling explanation of congressional motivation and intent: that changing weapons acquisition policy is only a means to a larger strategic end. This study posits that such policy influence was actively and deliberately sought by congressional elites. This influence was the ability to address the relative distribution of power, as they perceived it, between the United States and its major peer competitor in the latter stages of the Cold War, by exerting influence on strategic arms negotiations via weapons procurement funding and oversight activities. NCR theory provides insight into possible motivations of congressional actors: specific groups that approach policy from a different domestic and geopolitical perspective yet, under certain conditions, share a strong desire, as well as access to the legislative tools, to shape American power and policy. NCR can help explore these perspectives as motivations to bargain for policy and strategy outcomes that include legislative group preferences at the expense of executive preference.
Conversely, NCR theory alone cannot provide complete insights into the intricate procedures by which Congress forges “swords” to be turned into “plowshares” through bilateral international negotiations. The state’s legislative governing process, it is argued, is central to channeling substantive policy influence and strategic adjustments in foreign policy behavior, and can be accomplished by innovative institutional means.

To fully explore the research puzzle, a combined NCR-APD theory approach provides a most promising avenue. The ability to measure the extent to which a president must adjust executive preferences to incorporate those of congressional elites can be indicative of domestic-level policy influence. Thus unraveling the research puzzle is best be explored using a combination of both APD and NCR approaches that facilitate investigation, respectively, into questions of both form and substance regarding prospective intervening congressional variables.

Finally, NCR and APD theories suggesting behavior of congressional factions can be operationalized into the two-level game model (see Chapter 3). Both intra- and inter-branch bargaining in Level II negotiations are theorized in the study as possible causal mechanisms that produce the “win-sets” – the parameters of domestic consensus negotiated in Level II on possible negotiation stances that the FPE uses in Level I bargaining.

Chapter Organization. Section I: Problem Definition and Approach (Chapters One through Three). The first section defines the problem, addresses the state of the diverse literature embraced to explore the research question, and outlines the research design and methodologies used to address the question.

The relevant literature involved in addressing this research question is wide-ranging and diverse. In Chapter Two, the state of the literature is reviewed and discussed in the context of examining the effects of domestic Intervening Variables and possible causal relationships producing foreign policy outcomes. The relevant literature includes theoretical materials in the
Procuring Swords for Plowshares

IR and American Politics fields, including materials on arms control theory, executive-legislative institutional relationships – including the Federalist and Anti-Federalist literature – and U.S. Government archival materials from presidential libraries and congressional sources.

Chapter Three defines a research design and methodology for a multiple case study of five cases involving strategic weapons acquisition programs that were simultaneously subject to arms control. This approach employs methods of a “structured, focused comparison” (George & Bennett, 2004) that allows the study of historical experiences (“cases”) yielding generic knowledge of important foreign policy problems, as well as a theory-centric approach to process tracing used for making inductive within-case inferences and constructing hypotheses for theory building (Beach & Pedersen, 2013). The chapter specifies the research problem as a sub-class of the general IR phenomenon, the effect of domestic politics on foreign policymaking. The study focuses on a specific sub-class of that general phenomenon, the effect of Congressional weapons procurement actions on U.S. nuclear strategy and arms control stances. The specification and variance of all variables, including validity of the proposed InVs of nuclear Hawks, Doves and Owls in Congress, is included in this chapter. Specification of the variables in the research design also suggests the investigation of certain causal mechanisms involving various procedural means by which Congress uses weapons acquisition to influence American negotiation positions. Process tracing within cases is employed to help establish the existence of these potential causal mechanisms, and will allow hypothesized casual mechanisms to be built and evaluated across the five similar cases.

Section II: Federative Powers and Inter-branch Competition (Chapter Four). This section provides a constitutional and historical analysis of inter-branch relations that provides background and context for the case study definition and analysis. It is impossible to understand inter-branch relations without understanding the complex nature of the constitutional separation
of powers involving external, or ‘federative’, affairs in American foreign policy, and the political history of inter-branch relations over these constitutional powers.

Chapter Four outlines the constitutional relationship between the executive and legislative branches, particularly philosophical foundations and the broad distribution of power, authority and responsibility of federative power under the Constitution. It explores the rationale for a presumption of executive dominance in the high politics of national security decision-making and international negotiation, addressing why the FPE would resist such congressional intervention in what was, for most of the Cold War, a presidential policy domain over external state issues of diplomacy and security. The chapter defines how inter-branch authority and responsibilities over federative affairs has evolved since 1789. Chapter Four also focuses on the political and legal context of inter-branch relations, reviewing the historical executive-legislative clashes over the three major powers of federative affairs – the War-making, Treaty-making and Spending powers, with a focus on how the Spending Power is defined in the context of the FPE-Congressional bargaining over weapons acquisition and arms control, using the historical case of inter-war naval arms control as a foundation for building a theory of congressional causality in arms control using weapons acquisition.

Section III: Weapons/Arms Control Case Studies – Case Summaries, Analysis, Observations, Process and Practice (Chapters Five, Six and Seven). Section III addresses both the functional activities of Congress in the policy processes of threat assessment, resources extraction and mobilization and arms control, and includes analytical narratives on five cases that involve strategic weapons acquisition simultaneously subject to arms control negotiations. Understanding the historical context and function of Congress in these activities facilitates process tracing within each of the cases that explores possible causal mechanisms created by the Intervening Variables related to arms control negotiation outcomes, the Dependent Variable.
The goal of Chapter Five is to familiarize the reader with the historical context and relationships between overall national security policy and supporting deterrence policy, nuclear strategy, weapons procurement, and arms control negotiations. It focuses on the critical linkage between the formulation of nuclear weapons requirements, arms negotiations and the intervening role of Congress in threat assessment, program guidance and resource allocation of weapons procurement that define the domestic win-sets for each of the five cases examined. The chapter focuses on the pre-1973 evolution of nuclear deterrence and strategic doctrine that drives the requirements and acquisition of strategic weapons in the Cold War by the Congress. Other topics include relevant terminology and a basic understanding of the synergy between nuclear strategy, weapons procurement and arms control. Such familiarization provides a policy context for later process tracing of individual cases and also facilitates a “structured, focused comparison” that allows the study across similar cases of historical experiences that yields generic knowledge of key foreign policy problems.

Chapter Six provides a synopsis of five case studies of weapons acquisition simultaneously subject to bilateral arms control negotiations. Case studies are summarized using the following structure: Threat Assessment, Military Rationale/Need, Associated Negotiation Forum, and Congressional Perspectives and Possible Causal Mechanisms within each case. Each case describes executive-congressional interaction and bargaining within the explanatory framework of a two-level negotiation model employing the NCR and APD theories. Each summary contains specific instances observed within each case where Congress had a clear effect on U.S. arms control negotiation strategy, from which possible casual mechanisms that affected an outcome in the associated negotiation forum are postulated. Chapter Seven builds upon the possible causal mechanisms identified within the cases and assesses patterns across similar cases and discusses
the relative influence of the three heuristic intervening variables, Hawks, Doves and Owls, on foreign policy outcomes. The five case studies examined are:

- Case 1: MX ICBM, B-1 bomber/ALCM and SALT II Negotiations
- Case 2: Pershing II/GLCM theater missiles and the INF Negotiations
- Case 3: Direct Ascent ASAT and the DST Negotiations
- Case 4: MX/Small ICBM and the START Negotiations
- Case 5: SDI and the DST Negotiations

Section IV: Hypotheses and Theory-Building (Chapter Eight). The final section offers tentative Intervening Variables and causal hypotheses for theory building and for purposes of future theory testing. A theory of “Congressional Causality in building arms control regimes through weapons acquisition” is offered. The chapter suggests elite congressional factions of Hawks Doves and Owls as intervening variables for future analysis of the sub-class phenomenon (The influence of Congressional weapons procurement actions on U.S. nuclear strategy and arms control stances). The chapter also posits casual conditions and causal mechanisms to end-of-Cold-War outcomes in U.S.-Soviet relations. These variables, conditions and mechanisms may also be applicable for further study of the major class of phenomenon (The effect of domestic politics on foreign policymaking), through additional, similar sub-classes of this phenomenon. The tentative hypotheses and theory of congressional causality in arms control regimes offered in the concluding chapter advances the understanding of the sub-class phenomenon from general statements to specific instances from which tentative hypotheses can be tested, and causal conditions and mechanisms can be further explored and validated.
Chapter Two

Literature Review: Domestic Intervening Variables Affecting American Foreign Policy Outcomes

"Once raised, the notion that international power analysis must take into account the ability of governments to extract and direct the resources of their societies seems almost obvious, and in fact it simply involves incorporating into international relations theory variables that are routine in other subfields of political science" (Rose, 1998, p. 161).

Introduction. The relevant literature involved in addressing this research question is wide-ranging and diverse. This chapter reviews the state of the literature, discussed in the context of a sub-class of IR phenomenon, the effect of Congressional weapons procurement actions on U.S. nuclear strategy and arms control stances, within the context of the general class of IR phenomenon, domestic Intervening Variables affecting American foreign policy outcomes.

The relevant literature includes theoretical materials in the IR and American Politics subfields, including diverse materials that cross both political science subfields, such as arms control theory, the history and nature of executive-legislative conflicts, and U.S. Government archival materials from presidential libraries and congressional sources that document executive-congressional relations in foreign policy in the late Cold War period, 1973-1993.

At the core of the research puzzle is the degree to which structural factors of the international system are perceived and translated by key domestic actors whose subsequent actions within governing institutions may shape the development of national power and thus foreign policy behavior. As stated above, conventional explanations in most IR literature of how Congress influences foreign policy generally neglect this perceptional/translational aspect; the ability of domestic variables to shape foreign and security policy outcomes in the United States – or any other democratic state – are not well understood in Neorealist nor Neoliberal literature, in part because the linkage between perceptions of international power distribution by key legislative actors and their subsequent motivations to influence a state’s negotiation stances in the international realm have been neither fully acknowledged or explored (Sterling-Folker 1997).
In the American Politics literature, institutional means to exert influence are generally the main focus, rather than motivational factors. Congressional motivations to influence foreign policy are typically represented as being driven by various motives – domestic group interests, domestic budget politics, or an institutional desire to reassert traditional federative powers usurped over time by the executive branch – rather than perceptual/translational aspects.

This review addresses the state of literature on why Congress seeks to influence American foreign policy and grand strategy, and how (i.e. by what institutional means) Congress attempts to exert this influence. As discussed in Chapter One, this study combines the theoretical approaches of Neoclassical Realist (NCR) and American Political Development (APD) to address this puzzle.

**Theoretical Context: Neoclassical Realism.** Can existing systemic IR theory incorporate domestic-level variables in a causally consistent rather than ad hoc, reductionist manner? Systemic theorists such as Waltz (1979) reject the explanatory value of domestic-level variables. Neorealism, for example, by treating the state merely as a “black box,” cannot usefully examine the possibility that either congressional attempts to influence arms negotiations, or even the negotiations themselves, contributed to the Cold War endgame; in fact, systemic realism, as well as its liberal counterparts, have been criticized for its failure to anticipate the end of the Cold War (Walt 1998). Yet foreign policy analysis strives to give such domestic variables greater causal weight while building upon systemic theory.

How does Neoclassical Realism – with its emphasis on domestic-level variables – fit into systemic Liberal and Realist IR theory? Addressing this question, as well as the perception that liberalism would be more accommodating to domestic-level variables than systemic realist theory, Sterling-Folker (1997) finds that when the deductive logic of systemic liberal and realist
theory is examined, domestic-level variables can be consistently causal in systemic realist theory, but are not given the same casual weight in systemic liberal theory. This conclusion provides a basis for incorporating a causal theory employing domestic-level variables that build upon systemic realist theory, which is the basis of Neoclassical Realism.

The main thrust of Neoclassical Realism asks: *what is the intervening role of the State in explaining foreign policy actions in IR?* NCR adherents argue that “the scope and ambition of a country’s foreign policy is driven first and foremost by its place in the international system and specifically by its relative power capabilities” (Rose 1998:146). Rose first labeled this variant “neoclassical realist thinking” in a seminal 1998 review of texts by Wolhforth (1993), Schweller (1998), Zakaria (1998), and Christensen (1996), where he identified this emerging school of thinking as one of four recent efforts to construct a general theory of foreign policy.\(^1\) Rose noted that this approach also defined a distinctive school perspective on theory and methodology:

> Because neoclassical realism stresses the role played by both independent and intervening variables, it carries with it a distinct methodological preference for theoretically informed narratives, ideally supplemented by explicit counterfactual analysis, that trace the ways different factors combine to yield particular foreign policies (p. 153).

Early NCR literature identified *relative power* as an organizing principle for the discovery of patterns and cycles in IR, shaping foreign policy through the broad distribution of material power at the systemic level and a tendency to view systemic anarchy as a permissive condition for assessing security interests rather than an independent cause of foreign policy behavior (Rose, pp. 146-147). Additionally, these NCR theorists trace shifts in relative state power to distinctive shifts in foreign policies, indicating that discrete changes in material capabilities drive elite

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\(^1\) The other three alternative theories of foreign policy noted by Rose are: (1) *Innenpolitik*, a purely domestic, unit-level IV explanation that structural realists often dismiss as reductionist; and two variants of neo-realism: (2) Offensive Realism, as argued for example by Mearsheimer (2001); and (3) Defensive Realism (Van Evera, Walt, Snyder, Posen, Glaser). For how neoclassical realism challenges these alternative theories of foreign policy, see Rose (pp. 151-152).
perceptions of threats, interests and opportunities and serve to modify foreign policy outputs (Rose 1998; Friedberg 1988 and Leffler 1992).

Rose’s 1998 review identifies these works as the third major wave in the last two decades on the evolving theme of relative power’s impact on foreign policy outcomes. The first wave consisted of Gilpin (1981), Kennedy (1987) and Mandelbaum (1988), who initially identified relative power as an organizing principle for the discovery of patterns and cycles in IR. Common threads of these works are that foreign policy is shaped by the broad distribution of material power at the systemic level and a tendency to view systemic anarchy as a permissive condition for assessing security interests (rather than an independent cause of foreign policy behavior (pp. 146-147).

A second wave followed with Friedberg (1988) and Leffler (1992) tracing shifts in relative state power to distinctive shifts in foreign policies. Examining the structural origin of British decline, Friedberg noted that distinct changes in its external behavior resulted from state officials’ recognition of decline and subsequent actions that often created unintended consequences by exacerbating existing weaknesses or problems. Friedberg concludes that assessments of relative power by policy-making elites “are related to but not fully determinative of policy” (p. 8). Rose observes that Leffler, who examines the post-1945 rise of American power, demonstrates how changing capabilities helped shape Truman administration’s perceptions of external threats, interests, and opportunities (p. 156).

Lessons from the second wave, Rose points out, contradict the realist axiom of states decision-making as rational, utility-maximizing black boxes. Specifically, while key domestic institutions and intellectual elites do not necessarily make correct assessments of the relative distribution of material power, they nevertheless contribute to external behavior. How? Because
discrete changes in material capabilities drive elite perceptions of threats, interests and opportunities and serve to modify foreign policy outputs.

Specific neoclassical realist hypotheses emerge in the third wave contributions of Wohlforth (1993), Schweller (1998), Zakaria (1998) and Christensen (1996). Wohlforth posits, “state behavior is an adaption to external constraints conditioned by changes in relative power” (as cited in Rose, p.157). Christensen and Zakaria introduce, respectively, similar concepts of "national political power," and "state power," which serve as a “key intervening variable between the international challenges facing the nation and the strategies adopted by the state to meet those challenges” (Christensen, as cited in Rose, p. 162). Schweller suggests that actual distributions of power and leader perceptions of the balance of power in a tripolar international power structure in the 1930s may hold the key to explaining foreign policy behavior of actors.

Rose and other neoclassical realists use the metaphor of a “transmission belt” to describe linkages between leaders’ imperfect assessment of states’ material capabilities (the independent variable denoting systemic influences) and actual foreign policy behavior (neoclassical realism’s dependent variable) (p.126-147). The “belt” metaphor accurately describes how long-term international political outcomes generally mirror actual distribution of power among states (as neorealist theory posits), yet can nonetheless result in near-term pursuit of foreign policies that “are rarely objectively efficient or predictable based on a purely systemic analysis” (Taliaferro, 2009 p.4). This would include the development of states’ grand strategies, which may or may not actually reflect systemic power realities.

Neoclassical realism’s third wave can help in examining how elite perceptions of relative material power in the late Cold War period shaped both American strategic force acquisitions and arms control strategies. This study applies process tracing methods in specific cases as a way
to trace causal linkages between congressional perceptions of material power distributions (however imperfect) that are translated into legislative actions that influence U.S. foreign policy, specifically American arms control negotiation stances.²

How these processes are defined in the current literature are further explored in Taliaferro, et al. (2009) that heralds a “fourth wave” of a neoclassical realist research agenda building upon the third wave described by Rose. It constitutes a wider investigation of how top state officials make decisions in three areas. First, how elites view, assess and react to likely threats within the international system; second, the development of national strategies to address these perceived threats; and finally, how they mobilize societal resources necessary to implement and sustain those strategies (pp. 3-4). Specifically, this volume “seeks to explain why, how and under what conditions the internal characteristics of the state intervene between the leaders’ assessment of international threats and opportunities and the actual diplomatic, military and foreign economic policies those leaders pursue” (p. 4).

Neoclassical Realism can help examine how congressional elites’ perception of relative material power in the late Cold War period shaped both American strategic acquisitions and arms control strategies, and further explore how these processes are defined. This focus on the state’s relative material power allows for the evaluation of superpower nuclear arsenals (as opposed to more general foreign policy interests) as the underlying basis for both threat assessments and strategic opportunities perceived by congressional and policy elites, perceptions perhaps motivating legislative efforts to alter a state’s foreign policy stances. Thus, why, how, and under

² Employing the “transmission belt” metaphor, Rose (1998) spoke of the need for “tracing the connections between power and policy”, where the unit-level intervening variable translates systemic pressures – also described as a fog through which decision-maker perceptions and state domestic structures must peer – to understand how material power reshape the “envelope” of U.S. grand strategy (p. 159).
what conditions relative material resources of great powers such as the United States and the Soviet Union are constituted – in terms of contemporary and anticipated strategic capabilities and their impact on the systemic distribution of power as perceived by a congressional elite – can be examined using the NCR approach.

Congressional leaders who assess threats and opportunities, like executive branch officials, must justify the extraction and mobilization of resources for national security purposes and are thus trying to project near-term strategic trends and assess long-term implications while anticipating other states’ reactions to their strategies. While Waltz (1979) notes that attention to structural constraints of the system tends to socialize all states into similar behavior over time, the near-term foreign policy actions and choices that states make are based on dissimilar threat assessments – complex tasks at times based on inaccurate net assessments of relative power distribution or incorrect assessments of timing or feedback. Such inaccuracies mean that traditionally causal or predictive theories of foreign policy behavior are problematic, and do not take into account the social construction of the perceptions in which policy-making elites are engaged. Thus, NCR occupies a theoretical middle ground between structural realists and constructivists (Rose, p.152).³

Applying NCR theory requires a structured framework to assess the influence of intervening variables on the formulation of negotiation positions, to observe instances of correlation in policy changes and to explore causality between congressional activities and overall negotiation outcomes.⁴

³ Constructivist scholars also cite relative global power shifts as important to perceptions and activities of domestic actors. For example, see Trubowitz, Goldman & Rhodes (eds.1999), Fanning (1994), and Goldman (1994).

⁴ Taliaferro et al. (2009) address how foreign policy debates can be framed by domestic debates over threats, strategy adjustments and resource decisions, which in this study constitute Level II bargaining. In this dissertation, causality could be defined as national resource allocations leading to a final treaty (or no agreement) and/or adjustments to U.S. arms control stances and/or U.S. grand strategy.
Theoretical Context: New Institutionalism and American Political Development. Assessing the intervening domestic variable within a Neoclassical Realist approach also involves focusing on the domestic processes of American political structures. As part of his effort to show how to “bring the state back in” within IR theory, Rose pointed out that NCR shares a common focus on intervening variables with Historical Institutionalism (HI), a theory of Comparative Politics. This observation of similarities between the NCR and HI research agendas also suggests a similar parallel between NCR and the “New Institutionalism” school of American Politics, which focuses on the critical development of intermediate-level American political institutions. Indeed, “to incorporate state structure as an intervening variable, one has to know a decent amount about how different countries’ political institutions work, both in theory and in practice” (Rose, p. 166).

How domestic institutions influence overall foreign policy and, relevant in this study, how Congress may exert its policy preferences on U.S. arms negotiations, suggests a theoretical application of New Institutionalism’s *American Political Development* (APD), which investigates processes of political change via the historical development of institutions, analyzing recurrent patterns of order and stability while seeking sources of change. APD theory, in the context of this study, argues that the ability to mandate structures and procedures upon the Foreign Policy Executive (FPE) gives Congress a powerful means to build their preferences into policy-making without passing policy-oriented legislation in a traditional manner (Lindsay, 1994, p. 282). In this way congressional bargaining can structure executive branch decision-making in ways that promote a president’s compliance with explicit legislative intentions.

In terms of foreign policy formulation, the literature suggests that APD theory can provide a valuable research tool to assess the role of Congress as an intervening variable (or variables) that influences American foreign policy, specifically focusing on “how” congressional activities may
exert casual influence (Orren & Skowronek, 2004). This is especially relevant in studying the congressional role in foreign policymaking in the post-Vietnam, post-Watergate era, the historical period of the arms control cases analyzed in this study.

New Institutionalism/American Political Development. “New Institutionalism” is a social (or decision) approach that focuses on developing a sociological view of political institutions, the way institutions interact and the broad effects of institutions on individuals within society. Of the two major approaches within New Institutionalism – American Political Development (APD) and Rational Choice (RC) – this research study employs the APD theoretical paradigm. APD builds on earlier work that employs historical institutionalism, which posits ‘history matters’ in studying politics. APD literature investigates the processes of political change via historical development of institutions, analyzing recurrent patterns of order and stability while seeking sources of change.

An important contribution to APD is Orren & Skowronek’s The Search for American Political Development (2004), which articulates a theory of APD where “political development is a durable shift in governing authority” (123). As the authors note, APD points to a dynamic, not static, understanding of American politics, and demonstrates that change can be explained by studying institutional flexibility and adaptability over time, under conditions such as path dependencies, junctures, punctuated changes, and multiple concurrent orders, and which employ research methods such as process tracing. As described by Orren & Skowronek, evidence of political change comes from analyzing the historical patterns of institutions – institutions broadly defined to include formal and informal political, economic, social and cultural entities within the polity, and include the state, elites and informal groups of citizens. The patterns of political development studied are viewed not as linear or chronological, but as “arrangement of time”
(Orren & Skowronek, p. 8). The authors argue that the “constants, cycles, watersheds, boundaries, breakpoints” (p. 11) revealed in studying institutions all point to the existence of dynamism in American political development. Their research approach is not designed to “expose and explain the pervasiveness of order”, but rather “exposes sources of disorder, introduces incongruity and fragmentation into depictions of the political norm, and pushes into the foreground and essentially dynamic view of the polity as a whole” (p.14; emphasis added). The existence of order in APD research thus serves as a baseline for measuring analytically and empirically political change in the system.

APD investigates political institutions as “built-in mandates for controlling behavior at large and through time,” a mandate that Orren & Skowronek say “subsume individual operatives and their personal preferences” (p.18). In this way, APD carves out a distinct niche in the study of American politics that – like neoclassical realism – “brings the state back in” – a reference to the long-time methodological dominance of behavioralist and rational choice paradigms in the field. Finally, as defined by Orren & Skowronek, APD’s central propositions guiding its methodology and research design focus on the discovery of political change within the polity’s institutions. APD stresses a “reappraisal of the nature and role of political institutions” by reassessing traditional roles as ordering mechanisms to better understand institutions. As noted by Orren & Skowronek, several key APD scholars have identified a number of related strategies to re-conceptualize political change (pp. 16-18).

The best known of these APD strategies include: disaggregation along the dimensions of time into patterns, employing an “electoral realignment thesis” (Burnham 1970); “scrutinize ordering mechanisms thought to induce a broad-based uniformity in political organization,” the “liberal consensus” (Hartz, 1955), the concept of “critical elections” (Burnham, 1967 and 1970);
the concept of “Congress as central to Washington establishment” (Fiorina, 1977); the exploration of “path dependencies” (Lieberman, 1998), “institution building in American administrative capacities” (Skowronek, 1992) and “process tracing” methods (Skocpol, 1992).

Skocpol’s pioneering work on process tracing represents a primary method used in this study. Bennett and Checkel (2015) astutely observe that despite all the recent attention devote to it as a research methodology, process tracing – the use of evidence from within a case to make casual inferences about casual explanations of that case – “has in fact been around for thousands of years,” applied as historical analysis dating back to the Greek historian Thucydides and perhaps even earlier (p. 4). However, the term has only recently been coined as a specific social science research methodology, with its analytic procedures more formalized and refined. Refinement of the methodology began as early as George (1979), Van Evera (1997), and more recently received greater attention from George & Bennett (2005), Gerring (2007), Rohlfing (2012), and Beach & Pedersen (2013). Use of the method in case studies has now been applied extensively in the literature, with an edited volume of applied methods by Bennett & Checkel (2015) the most recent contribution. Beach & Pederson’s methodology text (2013) explores process tracing not as a single research method, but a methodology containing three distinct variants: theory-testing, theory-building, and explaining outcomes. This study uses the theory-building variant as a basis for exploring inductive within-case inferences to address the research question. The process tracing method focuses attention on the transmission of causal forces through a causal mechanism that can be directly observed via empirical research (Beach & Pedersen, p. 6).

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5 The theory-testing variant deduces a theory from the existing literature and then empirically tests whether parts of a hypothesized causal mechanism are present. A theory-building variant seeks to build a generalizable explanation by seeking evidence that infers a more generalizable causal mechanism exists based on single cases. The explaining outcomes variant provides a minimally sufficient explanation of a historical puzzle within a specific historical case, and is more case-centric than the other two variants, which are both theory-centric (p. 3)
Casual mechanisms are defined in the methodology literature in ways that illustrate its application to this study. Glennan (1996, 2002) defines a mechanism as a “complex system that produces an outcome by interaction of a number of parts” (1996, p. 52). Bennett (2008) and Waldner (2012) define casual mechanisms in terms of agency: as “processes through which agents with causal capacities operate in specific contexts to transfer energy, information or matter to other entities” (Bennett, p.207), and as “an agent or entity that has the capacity to alter its environment because it possesses an invariant property that, in specific contexts, transmits either a physical force or information that influences the behavior of other agents or entities” (Waldner, p.18). Hernes (1998) conceptualizes causal mechanisms as machinery: “a mechanism is not so much about ‘nuts and bolts’ as about ‘cogs and wheels’ – the wheelwork or agency by which an effect is produced” (p.78), a concept similar to Rose’s “transmission belt” hypothesized in Neoclassical Realism (1998) that defines the contributions of Intervening Variables to a state’s foreign policy behavior. Others characterize causal mechanisms as highly context dependent. Falletti & Lynch (2009) and Beach & Pedersen (2013, p.30) for example, state that a study must properly detail the contextual conditions that enable a causal mechanism to become active, which is relevant to the dissertation’s theory proposition and research question investigating “under what conditions” Congress seeks to impose its policy preferences on the FPE.

Another APD strategy used in this study is the concept of “unorthodox legislating” (Sinclair, 2000; Lindsay, 1990, 1991 1994, 2011), which posits the development of non-traditional legislative procedures and tactics used by Congress to promote its policy preferences; Lindsay in particular highlights unorthodox legislative procedure to explain congressional activism in foreign and defense policy (1992/93, 1994). For purposes of this investigation “unorthodox legislating” reveals the existence of innovative procedures that provide vehicles for discovering
sources of political change in policy-making institutions, as well as revealing possible casual relationships and causal mechanisms to influence American policy and strategy.

As noted by Sinclair (2000), the traditional and cumbersome “bill-to-law” approach involving multiple pieces of legislation has become obsolete for policy-making on major national policy. It may also be the least likely approach for Congress to influence foreign and security policy, since Lindsay writes that “on foreign policy legislation, Congress owns a rather slim record ... Even when Congress succeeds in legislating the substance of U.S. foreign policy the results are often less than meets the eye” (1994a, p.281). Others agree that typical foreign policy legislation passed by Congress “usually delegates tremendous power to the executive branch or contains loopholes that presidents can exploit to override congressional preferences” (Koh, 1996, p.171). This is due in part to the difficulties of congressional oversight in most federative activities of the executive branch. Lindsay (1994a, p.283) admits that “overseeing the executive branch is a daunting task,” and that the pursuit of substantive policy legislation “can entail opportunity costs” on legislators. A proactive, systemic review of executive agencies, called ‘police–patrol oversight,’ typically involves high costs of monitoring and punishing executive agencies that fail to comply and often discourages this traditional oversight approach (McCubbins & Schwartz, 1984).

Congress has shown an ability to adapt, reform and innovate when challenged by executive encroachments, as evidenced in the 20th century by the budget and institutional reforms passed in 1921, 1946, 1959, 1970 and 1974. Since each chamber is authorized in the Constitution’s Article I to make and enforce its own rules, Congress has been able to innovate using

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6 Sinclair (xiv, 7, 76) notes how the ‘textbook model’ of passing legislation to achieve a particular policy goal in is no longer adequate or accurate. She uses several case studies to illustrate unorthodox legislating, although none involve national security topics. For a comprehensive account of modern procedures routinely employed by Congress, see Oleszek (2011).

7 While the relative success of these reforms is questionable, the willingness of Congress to periodically engage in institutional reform to “counter the ambition” of the executive branch displays a healthy institutional dynamism.
“unorthodox legislating” through its internal procedures when these executive challenges arise, whereas the executive must live within the institutional-organizational parameters established in the Constitution or in statute passed by Congress. As the executive branch has been able over time to increase its dominance in federative affairs through an ‘energetic’ exercise of relatively few enumerated powers, the Congress has frequently responded by using its own institutional flexibility in procedural rule-making as a means to counter this executive ambition.

Does Congress have to procedurally innovate to challenge executive policy dominance? Yes, and it frequently has. Since 1974, Congress more creatively employed its spending powers through the use of procedural innovations and legislative tools in routine authorization and appropriations bills that facilitate oversight and promotion of legislative priorities. This represents more of a “fire-alarm” approach to oversight (vice the more costly “police-patrol” approach), where Congress builds into routine legislation certain procedures and requirements that alerts interested members to concerns over executive behavior, thus allowing congressional opportunities for further corrective actions (McCubbins & Schwartz 1984). Sinclair (2000) also illustrates how under contemporary post-1974 reforms Congress employed budget mechanisms “as an instrument of comprehensive policy change.” Congress applied this array of procedural devices in the post-Vietnam era to bring executive initiative in foreign policy under greater scrutiny and control. Together, these legislative means collectively constitute a tool box of

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8 Processes include multiple committee referrals and paths to lawmaking, the use of flexible scheduling rules, omnibus measures, and reconciliation procedures, and party-leaders engineered rules, expansion of number of subcommittees dealing with similar issues, and the diverse means by which amendments and rules can be employed to promote various legislative ends. While such innovation has regularly occurred after 1970 it was not immediately or routinely applied in defense acquisition and arms control policy until the 1980s under a Democratic Congress facing energetic Republican presidents in foreign policy.
flexible measures that members can selectively apply to advance their institutional policy preferences, and illustrate the complexity of modern legislating.\textsuperscript{9}

**Putnam’s Two-Level Game Theory.** The study applies Putnam’s two-level game framework to the research question in order to link bargaining in Level II between domestic variables in Congress and the executive branch to on-going U.S.-Soviet arms control Level I negotiations during the Cold War. Putnam (1988) originally put forth his two-level game contribution as a metaphor that highlighted the complexity of international negotiations where state’s negotiators (the FPEs in this study) find themselves engaging simultaneously in domestic and international bargaining. However, beyond its metaphorical value, as a conceptual model the two-level game construct greatly improves understanding of interaction between the two negotiation levels, which can have profound effects on international negotiations and agreements benefiting state interests. The model can there assist in exploring hypothesized causal relationships between the intervening variables and foreign policy outcomes.

*Theoretical Linkage Between Level I–Level II Actions.* Putnam (1988) observes that “the requirement that any Level I agreement must, in the end, be ratified at Level II imposes a crucial theoretical link between the two levels” (p.436). As posited by Putnam, Level I (“the negotiation”) provides the bargaining forum between chief negotiators of two states hoping for a tentative agreement, whereas Level II (“the ratification”) projects separate negotiations within the group of domestic constituents (on each side) on whether to ratify the agreement (p.436). During negotiations, each national leader must bargain successfully at both the international and domestic levels simultaneously in order to ensure that agreements reached at the international level will be ratified on the domestic level. The goal within the two-level game concept would be

\textsuperscript{9}Individual members and senators can advance their preferences through the legislative process, but must build a consensus throughout the rest of the legislative process, ultimately including a consensus with the other chamber. Thus, innovative procedures still requires legislative consensus building.
to produce agreements or negotiating positions that are essentially acceptable to all players at all levels involving a narrow “win-set”.

*Definition of Win-Sets.* Putnam’s two-level construct involves defining “win-sets” – all possible Level I agreements that could gain the necessary support among Level II constituents (p.437). In a two-level decision model, the size of the win-set is the main determinant of the likelihood of a successful agreement in any international negotiation (Putnam 1988:437).

Combinations of interests among Level II actors could provide for a diversity of win-sets and implications of the size of Level II win-sets have been explored throughout the literature. Under Putnam’s model, the FPE negotiates an agreement in Level I, to be “ratified” at Level II. Rejection (or even modification) of an agreement at Level II is a rejection of the tentative Level I agreement. If this occurs, state-to-state negotiations would have to be reopened at Level I, and the ratification process would have to be repeated for a final agreement to be reached. Any Level I negotiator will not rationally consent to an agreement that is *a priori* unacceptable to its Level II constituents. This means that the negotiator must be always cognizant of the domestic parameters of an “acceptable” Level I deal, a phenomenon known as “anticipatory reaction” (Lindsay 1992/93, pp. 613-614). The larger the size of the win-set, the greater degree of domestic consensus required for Level II ratification; this is because domestic interests of an expanded group of factions must be satisfied. As the number of intervening domestic variables in Level II bargaining increases, a broader number factional demands must be satisfied; the supporting domestic base is considerably more diverse, but arguably less unified in terms of the Level I negotiation objectives to be obtained. As a result, an expanded Level II win-set suggests the lack of domestic consensus on what could or should be gained in Level I bargaining. This can
diminish a negotiator’s leverage because a large win-set opens a negotiator up to being “pushed around” by his counterparts on Level I.

A smaller win-set can provide a negotiator more leverage against his counterparts. For example, a state leader with a Level II constituency limited exclusively to a relatively narrowly based but cohesive bureaucratic team faces a relatively small Level II win-set; within this small constituency supporting a cohesive negotiating objective, a leader has greater Level I leverage with another state. Yet a smaller Level II win-set can also be the result of stricter negotiation restraints or conditions imposed on the FPE/negotiator by a domestic constituency unified in opposition to the FPE’s preferred negotiation strategy or policy ends. In such a situation, tight domestic constraints associated with small Level II win-sets can increase international bargaining leverage by increasing the credibility of an FPE’s threat to walk away from international negotiations (Eichenberg, 1993, pp. 60-67; Bosold & Oppermann, 2006, p.4). A negotiator may thus decide to accept or impose his own domestic constraint in order to strengthen his hand at the Level I negotiating table (Mo, 1995).

Two-level games analysis can assist in the mapping out of causal processes for the ways in which actors either Level I or Level II can manipulate win-sets. Putnam and other scholars of two-level games allow for varying motives of the “chief negotiator” (i.e. the FPE) whose outcome preferences can vary from advisors and other Level II constituents (Putnam pp. 442-443, 446-447; Moravcsik, 1993).\(^{10}\) The FPE can devise an “acceptability set” that reflects either the FPE’s interest in enhancing his domestic position or an effort to respond to international situations at Level I in a manner consistent with the national interest (as perceived by the FPE) regardless of domestic politics. It could also represent the FPE’s personal preferences. The

\(^{10}\) Also, a FPE who is perceived by his/her opposite to favor a Level I agreement at all costs, even neglecting the anticipatory reaction of a Level II constituency that may oppose the Level I agreement, will have minimum bargaining leverage.
configuration of an FPE acceptability set can be further divided into three categories that reflect its position in relation to the win-set (Moravcsik 1993); these categories are similar to the prospective heuristic intervening variables used in this study.\footnote{The three categories of possible acceptability sets loosely reflect the heuristic intervening variable Hawks, Doves and Owls. A statesman-as-hawk has an acceptability set that lies at least partially outside the domestic win-set, but further from the opposing win-set than the set of agreements that would be ratified through the domestic win-set. The statesman-as-dove has an acceptability set that lies at least partially outside the domestic win-set and closer to the opposing negotiator’s win-set. A statesman-as-agent possesses an acceptability set that reflects the interests of the median domestic group and lies within the domestic win-set. See Moravcsik (1993, pp.30-31) and Lisowski (2002, pp. 104-105).}

Domestic players are also afforded strategies to enhance or undermine the possibility of international agreement (Moravcsik 1993, pp. 31-32). Putnam also introduces the concept of “no agreement”, a \textit{status quo} outcome where the size of the win-set may depend on the relative size of the opposing domestic factions (in this study, within Congress) and the federal bureaucracy (which may or may not support bargaining success). The composition of the active Level II constituency – and hence the character of the win-set – “also varies with the politicization of the issue”, creating a situation where active political interest groups and congressional elites who are either more or less concerned about the cost of “no agreement” can greatly impact the size of the win-set. Constructing such scenarios through use of two-level decision framework can help define possible causal relationships and causal mechanisms.

Evans, Jacobson & Putnam (1993) investigate whether Putnam’s insights and generalizations regarding two-level games could be applied to negotiations about topics other than economic issues.\footnote{The eleven empirical case studies, including one about the INF negotiations, are pursued to carry out “plausibility probes” to examine existing hypotheses, seek new hypotheses, and map out the universe of two-level game utility (33).} Putnam’s basic concept has also been adapted to more complex arms control situations. For example, Knopf (1993) goes beyond Putnam’s two-level game to a more complex “three-and-three” analytical framework that addresses the domestic-international interaction in the Intermediate-Range Nuclear Forces (INF) negotiations. Knopf argues that “the two-level game idea does not give due regard to institutional links among groups of states such as exist in a
military alliance” (p. 599). The three-and-three variant of the model could also be applicable to one case in this study since, although involvement is varying and win-sets different, the negotiators and constituencies are similar to Knopf’s case study.

Theoretical implications from Putnam’s original formulation provide greater insight into roles of individual players and groups, along with contributions to the level of analysis problem. Because the interests of some players are affronted by other players in the game, considerable complex bargaining ensues to define the nature of the win-sets. In particular, this literature offers insights that assist the integration of domestic and individual-level influences on foreign policy for systemic IR theory. The findings using a two-level decision-making approach demonstrate that the potential distribution of benefits of international bargains extend beyond the nation and includes individual players and groups. The two-level game framework therefore can capture the strengths and influence of the intervening variable of domestic politics. The two-level game model provides a useful analytic framework to assess how domestic actors in Congress press its policy preferences upon the FPE through use of its constitutional authority and innovative institution building.

Framing the research question using NCR and APD theories within a two-level decision model, makes this model a useful analytic tool to theorize how the FPE may be required to adjust negotiation stances and grand strategy in Level I to accommodate developments occurring in Level II negotiations.

13 Knopf’s formula distinguishes three forms of domestic-international interactions that form coalitions across state borders: (1) “Transgovernmental processes, when officials on one or both sides are internally divided and one or both seek to bolster the influence of the like-minded faction in the other government. (2) Transnational pathways and (3) Cross-level processes that involve communications between leaders on one side and domestic constituents on the other, regardless of which side initiates the connection” (606).

14 Wohlfforth (ed.1996) provides interesting examples of the potential for transnational and transgovernmental approaches. In Witnesses to the End of the Cold War, former top US and Soviet leaders involved in arms control processes in the 1980s discuss superpower roles and strategies adopted during the course of several of the cases examined in this study.
Inter-Branch Relations and the Formulation of Foreign Policy. Since 1787, much scholarship has been devoted to explaining, rationalizing, criticizing and interpreting the formal enumerated constitutional powers involving external, or ‘federative’, affairs in American foreign policy. The complete history of how the Founders designed a system of separated, checked, balanced and shared powers are beyond the scope of the research question. Yet it is difficult to fully comprehend inter-branch relations without understanding the complex nature of the constitutional separation of powers involving federative affairs, and reviewing the political history of inter-branch struggle over three major powers of federative affairs – the Treaty-making, War-making and Spending powers.

Separation of Powers in Federative Authority: Theory and Practice. The issue of how Congress interacts with the FPE in foreign policy is covered extensively in the literature. Within the broader theory of APD, literature on Congress as an institutional agent for change through executive-legislative relations, both in cooperation and conflict, was examined in the context of formulating U.S. security policy and grand strategy. This literature includes a series of competing mid-range theories and explanations that address the intervention of congressional variables in U.S. foreign policy behavior. Reflecting the ambiguity of the Constitution’s language, such intervention has been interpreted by some as legitimate legislative functions under the separation of powers, and by others as “encroachments” on the president’s authority as the “sole organ” in foreign affairs (U.S. v. Curtiss-Wright Corporation, 1936).15

15 The “sole organ” doctrine originates from Justice Sutherland’s 8-1 majority opinion in Curtiss-Wright where he argued “the President alone has the power to speak or listen as a representative of the nation,” supporting his conclusion by citing John Marshall’s statement in 1800 that ‘The President is the sole organ of the nation in its external relations, and its sole representative with foreign nations.’ The doctrine implies an existence of an absolute executive authority in foreign affairs and is often cited by advocates for an executive dominance in foreign policy, although opponents vigorously question both Sutherland’s constitutional logic and context of Marshall’s original statement. See Fisher (2006, 2011b, pp.251–55; 2012, p19).
The writings from the founding era such as the Jefferson’s *Notes on the State of Virginia* (1784) *The Federalist Papers* (1788-89) and counterarguments by Antifederalist skeptics of the newly drafted Constitution, lend great insight into how separate and “intermixed” powers were intended to work. What appear at first to be “encroachments” by Congress into the executive’s formulation of foreign policy were anticipated, predicted and accommodated by the Constitution’s designers. Such encroachments are not only constitutionally permissible, but are encouraged by the document’s flexible structure. These tendencies make inter-branch authority over foreign policy and grand strategy appear far more complex than at first glance.

Nearly two hundred years before the inter-branch conflicts over nuclear weapons and arms control, early American presidents and Congresses struggled together to implement the theory behind the separation of powers system, establishing precedents and norms still relevant to the modern era (Wood, 1998, pp. 86-88). George Washington used his office to create an independent role and establish precedent in his two terms that made the presidency the dominant institution in federative affairs; these precedents were further expanded and solidified under his next four successors. Historical analysis of inter-branch struggles in the early Republic focuses on the main federative powers in treaty-making, war-making, and spending powers, culminating in the establishment of the Monroe (doctrine) system. These struggles are well covered by

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16 These include Jefferson’s writings on “Separation of Powers” from his *Notes on the State of Virginia*, as do the complete collection of *The Federalist Papers* are found at [www.foundingfathers.info/](http://www.foundingfathers.info/). Storing (1981) also provides valuable assessment and analysis of the Antifederalist perspective. These primary resources document debate over the war-making, treaty-making and spending powers, providing critical context to the modern debate over executive-legislative relations in federative affairs.

17 While *The Federalist Papers* authors recognized the need for, and advocated, an “energetic” executive to administer the state, especially in areas such as foreign policy, the tenor of many other articles indicates the capacity for an aggressive legislature that would check an energetic executive. For the best examples, see Madison’s arguments in *Federalist 47-49*, and *Federalist 51* where Madison discusses each branch’s ability to pursue “a will of its own” to guard against encroachment of the other, creating a condition in which “ambition must counteract ambition.”

18 Wood (1998) has observed, “No one was more keenly aware of the importance of precedents being set than Washington.” As Washington wrote to Madison early in his first term, “Many things which appear of little importance in themselves and, at the beginning, may have great and durable consequences for their having been established at the commencement of a new general Government.” GW to JM, 5 May 1789, *Papers of Washington*, 2: 216-17 (as cited in Wood 1998, pp. 86, 88).
modern scholars and historians, including Ferrell (1975), Wood (1998, 2009), Jones (2002), Mead (2003), Gaddis (2005), Yoo (2009) and Graebner, Burns & Siracusa (2011). Each of these authors analyze the foreign policy challenges of the day, lending useful insights into how precedents and dynamic developments in the two institutions for sharing federative power were established from the founding to the present day.19

Yoo (2009) analyzes these historical events from the perspective of how early presidents, beginning with Washington and his military response to Indian threats in the Northwest Territories, shaped relations with Congress in ways that established strong executive initiative in federative affairs in times of national crises. Yet in this period Congress remained fully cognizant of its power to veto executive policy through fiscal control over military organization. From this early instance of inter-branch cooperation, Yoo posits his concept of a “functional veto”, where Congress’ major leverage over military strategy, policy and foreign policy is derived from its monopoly over funding and force structure rather than passage of formal policy legislation, ratification of treaties or war declarations (79-80). Yoo cites this as an early example of how “presidential initiative and leadership, balanced by congressional control over the size and shape of the military,” leads to foreign policy success (80).

Like historians Mead (2003), Gaddis (2005) and Wood (2009), Yoo concludes that 80 years of stable security established under the Monroe system – a time of legislative dominance in federative affairs – diminished the need for a dominant executive; yet the executive institution still retains its latent authority even in peace-time, serving the argument that the president as the

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19 This early period documents the challenges as the first U.S. administration faced pressures from global rivals Great Britain and France, while Washington’s team of rivals within his own cabinet (Jefferson and Hamilton) fought to sway the direction of foreign policy and grand strategy over issues such as presidential recognition of “Citizen Genet’, the XYZ Affair, Jay’s Treaty, and presidential prerogative over the legislature in foreign affairs. In these early crises, Madison and Hamilton probed gray areas of inter-branch constitutional authority, notably in the famous Pacficius-Helvidicus exchanges.
commander-in-chief is predominant in all aspects of federative affairs – military strategy, war initiation and foreign policy – with the exception of funding. Yoo characterizes the functional veto over executive policy initiatives through the spending power as Congress’ most potent tool in inter-branch relations over federative affairs.20

Lindsay (2011) also documents the foreign policy crises of the early presidencies as establishing dominance of the executive branch in directing federative affairs; he points to the succeeding period of relative legislative ascendancy under the Monroe system as the start of a “swinging pendulum” of dominance in foreign affairs by the executive and legislative branches. What initiates a shift is less clear than when they occur. A popular explanation is that the latent powers of the presidency in federative affairs are exercised as needed to address emerging external threats. For example, Lindsay’s thesis posits a pattern where the executive power surges in wartime or crisis; once a crisis recedes, Congress reasserts itself in federative affairs (2011); Koh (1996) also theorizes that a shifting international power structure and regime change enable greater presidential initiative in foreign affairs. This pattern highlights a need to better determine under what conditions Congress might reassert its federative powers and challenge attempts by the executive to establish lasting primacy in all aspects of foreign policy.

**Executive Dominance of the Treaty-Making, War-Making and Spending Powers.** A consensus exists among modern scholars and commentators that the executive branch currently dominates foreign policy-making and has for at least the past six decades, with a frequently advanced reason is that Congress, Courts, the media and the American public have become and remain largely deferential to executive branch initiative in foreign affairs (Corwin, 1957;

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20 Yoo (2011) most recently made this argument chiding Republican leaders in Congress for challenging the Obama Administration’s air strikes in Libya: “By accusing President Obama of violating the War Powers Resolution, House Republicans are abandoning their party's longstanding position that the Constitution allows the executive to use force abroad, subject to Congress's control over funding” (emphasis added). Yoo’s body of work on executive power largely supports a Unitary Executive theory. See Yoo (2003), (2005) and (2009).
Wildavsky, 1968; Koh, 1996; Schlesinger, 2004; Will, 2011; and Fisher, 2012). The FPE tends to dominate federative affairs in periods of external threats because in a crisis, the treaty and war-making powers in the Constitution enable presidents to employ appropriate degrees of “speed, secrecy, flexibility and efficiency” that Congress as an institution cannot match (*Federalist 64, 70, 75*).

The current predominance of the executive in federative affairs is largely a mid-20th century phenomenon, coming after a long period of the Monroe system and a shorter period between the world wars. But Antifederalists warned about this possibility in the Constitution’s ratification debates (Storing 1981) and it was foreseen by Tocqueville (1839) that the nation’s dependence on executive power would grow over time as the United States expanded in power and prestige, since the Constitution contained within it latent seeds for a unitary executive (p.139).

Expanded presidential power, especially in the 20th century, has resulted from the accumulation of historical precedents (unchallenged by the Congress), statutory laws (initiated by Congress), and the exigencies of national security decision-making in a nuclear age. This expansion gives credence to the observation by Wilson (1908), the only modern president-constitutional scholar, that the “loose and general expressions” by which the presidency is empowered creates unlimited opportunities, where the occupant “has the right, in law and conscience, to be as big a man as he can” and where “only his capacity will set the limit” (pp. 202, 205).

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21 Hamilton makes an unapologetic case in *Federalist 70* for energetic executive power, arguing, “Energy in the Executive is a leading character in the definition of good government. *It is essential to the protection of the community against foreign attacks;* it is not less essential to the steady administration of the laws” (emphasis added). *Federalist 64* and *Federalist 75* also acknowledged as positive attributes structural advantages of the presidency, in addition to “energy”, that gives it primacy in managing foreign policy: speed, dispatch and efficiency. Hamilton expands upon this theme in his later writings, notably in several famous post-ratification clashes with his *Federalist Papers* co-author Madison. Hamilton’s expansive concept of vested executive power provides for a model of a vigorous 20th century presidency around which advocates of ‘energetic’ presidents (such as Yoo) coalesce, for example in the theory of a Unitary Executive.

22 Tocqueville argues in his classic work *Democracy in America*, this was because in foreign affairs and national security, the executive power of a nation must “exert its skill and its vigor” which the proper circumstances would eventually allow (p.139).

23 The phrase “loose and general expressions” in found in Upshur (1840, p.116 as cited in Findlaw.com, 2012a).
This dominance has occurred most frequently through the treaty-making and war-making powers, both constitutionally shared authority, with Congress playing a secondary role, unless external threats to the nation are sufficiently benign, and opportunities for presidential initiative and leadership are diminished, as argued in Lindsay’s pendulum thesis (2011). The spending power, however, remains the one area of federative power where legislative authority is exclusive (the FPE’s only recourse being the veto) and where Congress cannot acquiesce in sharing power through deference to executive energy and initiative; it must actively fail to “counter the ambition” of the FPE by failing to act upon any policy disputes.


Wildavsky, in “The Two Presidencies” (1968) argues that presidents tend to be more ambitious and successful in foreign policy, where their power is less likely to be challenged by Congress than in domestic policy, where legislative counterbalancing is easier. More recently, Koh (1996) also argues that “presidents almost always win in foreign policy” not only due to

24 For example, Schlesinger (2004) claims that the assertion of inherent powers of the presidency defines the imperial presidency and creates precedents for the future attempts to expand presidential power.

25 These works all note that historically judicial intervention more frequently supports a robust interpretation of executive power. Further, the judicial branch has a tendency to intervene only reluctantly in policy disputes between the “political branches” on any issue, and even less frequently over federative issues.
institutional differences, but because Congress more often neglects to fully utilize its constitutional powers. The situation forecast by Antifederalists, Tocqueville, Wilson, Fisher and Koh had largely come to pass by the time of the Cold War, and is discussed by Schlesinger (1973, 2004) in the context of the modern “imperial presidency.”

How would Congress reassert its power in federative affairs? Recently Will (2011) argued “the eclipse of Congress by the executive branch and other agencies is Congress’s fault. It is the result of lazy legislating and lax oversight … in creating faux laws, the national legislature often creates legislators in the executive branch, making a mockery of the separation of powers.”26 On this issue, Fisher (1991, 2003), Koh (1996) and Lindsay (1990, 1992/93, 1993, 1994, 1994a, 2011) specifically address the problem of how Congress reclaims its federative prerogatives.

Given the explicit delegation of powers in the Constitution, and a thorough understanding of the Founders’ constitutional design and intent, the assumption of the executive’s constitutional dominance is false; whether the executive’s political dominance over foreign policy is true may depend on the behavior of intervening domestic variables, in this study, constitute elite factions within the legislative branch.

Congressional Use of Spending to Influence Foreign Policy and Strategy. The literature covering Congress’s efforts to reassert its constitutional prerogatives in federative affairs has focused on the possible leverage offered by the spending power and the functional veto. Theoretically, Level II negotiations provides Congress an ever-present opportunity to play a supporting, and perhaps at times a defining, role in threat assessment, strategy adjustment and resource extraction, through its constitutional “power of the purse” in appropriations and

26 In general Will’s critique is similar to arguments over the health of the separation of powers in government expressed by Lowi (1979), Koh (1996), Fisher (1991, 1996, 2012) and Lindsay (1992/93, 1994, 2003); all agree that Congress cannot anticipate the judicial branch to correct this state of affairs. Will opines that “Unfortunately, courts long ago made clear that they will not seriously inhibit Congress’s scandalous delegation of its lawmaking function to others.”
oversight responsibilities in program authorization. When fully engaging this power, Congress can approve and direct procurement of material instruments of national power, such as strategic weapons capabilities or funding military operations that project American power, in a manner reflecting their institutional preferences. Yet through most of the Cold War, American presidents devised policy and grand strategy with a high degree of domestic consensus, little input from Congress and reliable congressional material and policy support. Kolodziej amply documents this history in his classic study of Congress and national defense in the early phases of the Cold War, *Uncommon Defense and Congress, 1945-63* (1966).

There is consensus in the literature that Congress rarely employed their most effective means to influence Cold War policy or strategy (Kolodziej, 1966; Wildavsky, 1968; Koh, 1996). For example, Wildavsky (1966) notes:

“The congressional appropriations power is potentially a significant resource, but circumstances since the end of WW II have reduced its effectiveness The appropriations committees and the Congress itself might make their will felt by refusing to allot funds unless basic policies were altered. But this has not happened. While Congress makes its traditional small cuts in the military budget, Presidents have mostly found themselves warding off congressional attempts to increase specific items still further” (240).

In his excellent history *Congress and the Cold War* (2006), historian Robert David Johnson picks up Kolodziej’s narrative and documents congressional successes and failures in influencing the foreign policy executive during the Cold War. Johnson posits that Congress was not completely passive during the early-mid Cold War period, but that challenging factions had minimal impact on the re-direction of Cold War policies through the 1960s. Johnson’s central thesis is that from the 1960s, most effectively in early 1970s, the liberal ‘new internationalists’ sought to use institutional powers of Senate to forge more influential congressional role in foreign policy; this influence only patially succeeded – the high point in arms control being the ability to influence the ABM Treaty debate and the eventual rejection of a nation-wide ABM
system. But the New Internationalists, centered in the Senate Foreign Relations Committee, failed in the longer term and saw their influence eclipsed by the more conservative Senate Armed Services Committee in the 1970s.\(^{27}\) Johnson’s account shows that congressional success in using the purse was rare and mostly limited to disputes with the FPE over foreign aid policy where the appropriations leverage was effectively employed, rather than in more central issues of superpower relations over Cold War grand strategy—nuclear weapons procurement and arms control negotiations. Left unclear in Johnson’s account was the reason for this institutional failure: should scholars conclude that this was the result of a general consensus in Congress on the overall direction of Cold War policy, or the institution’s inability to engage in successful inter-branch bargaining and use its most effective constitutional power?

**Congressional Reassertion of Policy Prerogatives through Spending and Oversight.** After 1970 Congress became far more assertive, demanding a greater voice in foreign policy and security matters involving grand strategy, and actively sought to curtail, through various means, presidential prerogatives up to that point exclusively enjoyed by Cold War presidents. Eventually, congressional assertiveness extended into the executive’s dominance in strategic arms control negotiations with the Soviet Union.

Johnson identifies the 1968-69 procurement battle over the anti-ballistic missile (ABM) system as the “first, full-fledged congressional challenge to a Pentagon weapons system” which explicitly linked weapons acquisition to a foreign policy/arms control issue, which Johnson concludes that the 1969 Sentinel/Safeguard case served as an important prelude to legislative activism on weapons procurement and arms control in the 1970s (p.147). Whether Congress can best use its spending power during and after treaty negotiations is highly contentious and

\(^{27}\) In documenting the New Internationlists’ liberal world-view, Johnson writes “Voters rejected this approach in 1978,” producing “a less active and ideologically consistent Senate”; this led (accord to Johnson) to an “accelerated” decline in the Senate’s influence vis-à-vis the House (242).
uncertain. In a rare instance of concurrence with Yoo, Fisher agrees that “the House of Representatives may deny appropriations to implement treaties,” while at the same time admitting “the congressional power of the purse is not unlimited” (Fisher 1991; Fisher 1996; Stith 1988).

Congress passed internal reforms in 1947, 1970 and 1974 in an effort to “keep up” with, and effectively check and balance, the expansion of executive power; the 1970 and 1974 reforms were intended in part to address perceived executive over-reach in foreign policy and resulted in a more assertive Congress. Post-Vietnam War and post-Watergate reforms – especially the 1974 budget reforms – sought to re-balance the playing field under the separation of powers by enhancing Congress’s ability to better wield the power of the purse. Yet these reforms were not the panacea many envisioned at the time and created unintended consequences that sometimes complicated legislative efforts. For example, Koh (1996) notes that the 1970s-era budget reforms left the institution “too decentralized and democratized to generate its own coherent programs for foreign policy initiatives” (p.161, 168), a factor in assessing congressional elite behavior to be explored in this study. Oleszek (2011), Lindsay (1991, 1994, 2003), and McCubbins & Schwartz (1984) provide other examples, on efforts to increase congressional policy influence through reforms of the congressional seniority, committee/subcommittee, and oversight systems.

The Congress literature offers several additional explanations relevant to the research question of why, how and under what conditions Congress asserts its constitutional prerogatives in foreign and arms control policy through appropriations and executive branch oversight:

- **Resurgent Congress in foreign and defense policy.** The ending of the “era of congressional deference” to the executive branch was a turning point in modern executive-
congressional relations over foreign policy influence, relations which are seen in terms of an ongoing constitutional “struggle” (Blechman, 1990: pp.3, 8-9, 11, 13, 17-18; Lindsay & Ripley eds. 1993, pp.4-5; Lindsay 1994, pp. 6, 24, 31). The resurgence is usually attributed to congressional unrest over the Vietnam War and Watergate scandals, and take the form of internal process reforms designed to more directly challenge the “imperial presidency.” However, institutional resurgence is a symptom, not a casual factor, in addressing the research questions of why, how and under what conditions legislative activism occurred in the late Cold War period.

- **Intra-Governmental Logrolling.** In this explanation, bargaining occurs between an “iron triangle” of powerful congressional members, executive branch officials and the military establishment that results in arms negotiation preferences being “bought” by the executive, thereby creating either ‘lulling’ or ‘stimulating’ effects on weapons procurement (Caldwell, 1991; Carter, 1989; Einhorn, 1985; Lynn-Jones, 1987; Stockton, 1991). This is a now-standard conventional explanation of congressional decision-making on costly national defense programs such as weapons procurement; this argument also fails to provide an explanation of, or thorough linkage between, the issues raised in the research question, especially why Congress would pursue alternative policy preferences in arms control negotiations.

- **Procedural Innovation.** New Institutionalism/APD theories can help understand the “how” part of the research puzzle as to possible congressional influence. Such innovation has regularly occurred since Congress’ institutional resurgence after 1970, although it was not routinely applied in the defense acquisition and arms control policy area until the 1980s. Since the 1974 Budget Reform Act, Congress has constructed a collection of procedural innovations and diverse legislative tools that Sinclair (2000) accurately characterizes as “unorthodox

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29 An exception to the executive-legislative “struggle” theory of scholarship is Hinckley (1994); in Less Than Meets the Eye: Foreign Policy-Making and the Myth of the Assertive Congress, Hinckley argues that because symbolism takes precedence over substance in elected representatives’ efforts at foreign policymaking, “there is less of an influence than meets the eye” (ix).
lawmaking,” a gap she identifies between the observed legislative process on Capitol Hill after 1970 and the traditional “textbook” legislative process.

By means theorized under New Institutionalism, Congress is able to mandate structural and procedural activities in the executive, thereby building its policy preferences into the arms negotiation policy-making process without passing formal legislation (Lindsay, 1994a, p.282). This mechanism differs from the purely “assertive’ or “resurgent Congress” and more cynical “logrolling” explanations, and is exercised through congressional budgetary and oversight responsibilities, largely by means of non-traditional legislative procedures and practices that bear little resemblance to its formal foreign policy authority. This provides Congress a powerful means to promote executive compliance with legislative policy preference (p.284).

New Institutionalism’s APD theory argues that traditional studies of Congress have mistakenly ignored the role of legislative process in policy formulation (McCubbins & Schwartz, 1984; Fiorina, 1986; McCubbins, Noll & Weingast 1987; Calvert, McCubbins & Weingast, 1989). Rohde (1991) also offered a major work on New Institutionalism, focusing exclusively on how parties and leaders use institutions to advance their agendas. However, what is missing from most of this literature—that focuses mainly on domestic actors’ procedural innovation in the legislative process—is a substantive policy motivation (the “why” part of the puzzle) that would spur Congress to seize the procedural opportunity revealed by New Institutionalism theory.

One scholar merging New Institutionalism scholarship with the theory of Neoclassical Realism is Lindsay, who focuses on the resurgent Congress’s efforts to leverage the politics of policy formulation through the power of the purse. In a series of studies in the 1990s, Lindsay analyzed the resurgent Congress’ impact on both foreign and defense policy (Lindsay, 1992/93;
Lindsay & Ripley, eds. 1993; Lindsay, 1994; Lindsay 1994a). He suggests that the traditional literature on the subject understates the extent of congressional influence on foreign policy-making; he posited that New Institutionalism provided better insight into how Congress can influence foreign policy (1994a, p.299). Congress, he concluded, structures decision-making in the executive branch in ways that promote executive compliance with legislative intent (p.284). It is this promising approach, best represented by Lindsay’s work, which informs this dissertation’s approach.

While this theoretical framework has been applied frequently to domestic policy, Lindsay applies the New Institutionalism approach to five case studies of legislative innovations that sought to influence foreign policy (285-287; see also Figure 2.1 below). He states that the ideal would be to employ a method to study the universe of legislative innovations or at least some representative sample, but believes in practice it is impossible to determine what would constitute a representative sample. Alternatively, one could study a specific procedural change to glean general lessons, but this would present problems of generalizability. Lindsay’s compromise strategy was to explore five major procedural innovations created in Congress during the 1970s and 1980s (pp. 285-287). Several of these generic legislative process innovations identified by Lindsay have been also used widely to influence other areas of federative policy, and were also applied to the cases examined in this study.

Lindsay’s approach assesses specific congressional influence by first, determining the goals that the innovation is designed to achieve; second, asking when procedural innovations succeed in providing the intended leverage/influence over policy (p.288). Finally, Lindsay assesses how effective the procedural innovations are in shaping foreign policy (p.282). By his criteria, in the five cases studied, none totally fulfilled its stated aims; but his cases does show that procedural
innovation could bring executive branch behavior more closely in line with congressional policy preferences (p.299).

**Figure 2.1:**
Examples of Post-Vietnam Federative Procedural Innovation

<table>
<thead>
<tr>
<th>Legislative Procedure</th>
<th>Legislative Purpose</th>
<th>Federative Examples</th>
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| Statutory Sunset Provisions                            | Provides an automatic repeal of some provisions or allows opportunity to reevaluate/adjust certain provisions | • US PATRIOT ACT of 2001  
• Foreign Intelligence Surveillance Act (FISA) Amendment Act of 2008 (Intelligence surveillance practices) |
| Reporting and Consultation Requirements/Committee Oversight Procedures | Keep Congress abreast of FPE behavior, provide Congress opportunity to mobilize, create opportunities for additional legislative actions | Three report types (Notification, Periodic, One-time)  
• Arms control impact statements on weapon systems  
• War Powers Act/Resolution of 1973  
• Annual Reports to Congress on MX missile procurement (1984-87) |
| Legislative Vetoes [Revised as a result of 1983 Supreme Court’s Chadha case] | Delegates to FPE the authority to act, but reserves right of Congress to later veto executive implementing actions via simple/concurrent resolutions | • Arms Export and Control Act of 1976 (provision allows Congress to block arms export sale 30-days of passing concurrent resolution if they oppose sale) |
| Appropriations Limitations/ Cut-Offs                  | Use of ‘Power of the Purse’ to curtail/limit FPE military or foreign policy initiatives | • Cut-off of Southeast Asia combat operations (1973)  
• Boland Amendment banning assistance to Nicaraguan Contras (1986) |
| Create New Institutions Inside Executive Branch        | Create new organizations more sympathetic to congressional policy preferences | Examples (all opposed by DOD/Pentagon):  
• Special Operations Command (SOCOM)  
• UnderSecDef (Acquisition)  
• Office of Director of Operational Test and Evaluation (DOT&E)  
• Jackson-Vanik Amendment (1974) denying MFN status to any state denying its citizens right to emigrate (targeted against the USSR) |
| Mandate New Procedures for Executive Branch            | Conditions Executive Branch actions within certain parameters | • The Trade Act of 1974 (legislates a formal advisory role for Members of Congress in trade talks with other nations  
• Commerce Dept. assistance to Defense Dept. on foreign defense production decisions  
• Helsinki Accords (1974), monitoring by Joint Legislative-Executive panel |
| Enfranchise New Groups in Decision-Making Process      | New group additions to push executive policy in direction of congressional preferences; legislate Congress into decision-making process |                                                                                                                                 |

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30 The Pentagon’s Director of Operational Testing & Evaluation (DOT&E), the office in charge of evaluating new weapon systems, is frequently consulted by Congress regarding independent assessments on the acquisition of new systems.
Lindsay concluded that it is far more difficult for Congress to compel the executive branch than it is to deter it (p.301). He also identified the need for further research on procedural innovations in order to incorporate more sophisticated assumptions about behavior of both Congress and executive branch (pp.282-283). Unfortunately, the literature on Congress has not fulfilled Lindsay’s suggestion for more in-depth research using a New Institutionalism approach to Congress’s use of legislative procedure to more directly influence FPE policy preferences.

Thirty years after Wildavsky’s “two presidencies” thesis (1968), Koh (1996) argues that congressional procedure to wield an effective functional veto has rarely worked, as many of the legislative tools available to Congress are either not used or improperly drafted or circumvented by an energetic executive in foreign policy. Koh concurs with Yoo that an appropriations cutoff demonstrates the considerable, raw authority of the spending power by Congress. Both analysts admit that this tool is used too infrequently, attributable to a lack of institutional will and/or the difficulties of achieving consensus within the constitutional separations of power framework; this would arguably be a legislative failure to “counter ambition with ambition” if there was insufficient political will; however a more likely reality is that the intention exists, but the institutional motivation and procedural means do not.

In his own analyses of innovative congressional procedures, Lindsay somewhat agrees with Koh and Yoo on the infrequency of appropriations cutoffs (clearly the most effective means to compel the FPE), but notes “the findings from the five case studies show that procedural innovations at times do shape the substance of foreign policy [even if] the success of procedural innovation usually is partial rather than total” (1994a, p.282) [emphasis added]. While Yoo accepts an appropriation cutoff as a constitutionally legitimate tool, all other procedural innovations (like those studied by Lindsay) he contends are acts that “undermine the very
character of executive power” (2009, 374-375). Lindsay differs with Koh as to the possible reasons for lack of total success, placing the burden of failure on Congress as an institution rather than the overall dominance of the executive. Lindsay notes “Because Congress often faces substantially higher monitoring costs when it comes to foreign policy, procedural innovations in foreign policy are, other things being equal, less likely to succeed than in domestic policy” (p.283). Also, the threat of punishment for executive non-compliance tend to be much harder in foreign/security policy, as federal courts have been more willing to defer to executive discretion in foreign affairs, an observation also supported by both Koh (1996) and Adler (1996). Koh argues this is due to the executive’s success in thwarting legislative restraints (p.168). While Koh only briefly mentions these issues, Johnson (2006) provides detailed accounts on the origin, debate and passage of legislation involving these procedural devices.

This study expands upon Lindsay’s original work on congressional influence of security policy via innovative procedure, as the most promising means to explain causal relationships between Congress’s actions on weapons acquisition and arms control outcomes. This study also contends that Yoo’s arguments against innovative legislative budget procedures to limit the FPE contradict his assertions that Congress may use a functional veto to challenge FPE foreign policy preferences, and challenges some of Koh’s conclusions about the effectiveness of these tools as they relate to use of weapons acquisition and oversight to influence ongoing arms control negotiations.

**Arms Control Literature and Congress: Theory and Practice.** Among the vast arms control and strategic deterrence literature of the past thirty years, it is noted that there has been little

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31 While Yoo defends inherent executive prerogatives in foreign policy, his statement is true if one also accepts his thesis that the founders intended the use of a functional veto over executive actions.

32 An example of such judicial intervention favoring the FPE is the Supreme Court’s *INS v. Chadha* decision (1983), which struck down the practice a single chamber issuing a ‘veto’ by resolution disapproving of executive implementation using funds previously appropriated.
systematic study of the role and impact of Congress as an institutional agent of change (Miller, 1984; Lindsay 1992/93). Miller notes that “the arms control process has never wanted for ideas and proposals, only for success and impact” citing a “fundamentally important reality: the promise of arms control as an instrument of national security policy has been stunted as much by domestic political factors as by any other” (p.68). Lindsay (1992/93, p.607-608) notes the “dizzying array” of literature exploring the legal and normative aspects of congressional role in foreign policy and military strategy; but he observes: “with few exceptions, we have seen relatively little systematic, empirical research.” In light of this dearth of systematic analysis he asks: “does Congress matter?” His answer is yes, but he underscores the main problem of how the congressional role is measured and studied. Lindsay identifies the problem as a legislative “scorecard” approach that measures relevancy based on the legislative track record; using this method, most scholars conclude that Congress’ influence on executive branch foreign policy decision-making is generally poor (Lindsay 1992/93, p.608).

Review of the literature of APD, arms control theory and theories of domestic/congressional influences on foreign policy reveals several competing theoretical explanations to address this research question. These are summarized below.

- **Arms Control Theory and Defense Acquisition Policy.** The formal political role of Congress in arms control policy received little attention in the early theoretical literature on arms control. Miller (1984) singles out four 1961 publications (among other works of the same period) that constitute the basic theory on arms control: Schelling & Halprin (1969), Bull (1961), Brennan (1961), and Hadley (1961). Except for Brennan, none address Congress or assign any major importance to its institutional role in the arms control process (Miller, p.71). According to

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33 Along with a surge in arms control agreements of the 1980s and 1990s, there was a surge in arms control literature specifically studying the role of domestic politics and political institutions; since the 1990s this focus has largely subsided.
these theories, negotiated arms agreements would bring benefits including reduced risk of nuclear war, strategic stability and nuclear proliferation (p.71). Miller notes that 1961 creation of the Arms Control and Disarmament Agency (ACDA) and the 1963 Limited Test Ban Treaty gave promise to this body of theory, but theory itself ignored the political task of how to build winning domestic coalitions to sustain arms control progress in a democratic polity (p.69).

Hyland (1982) writes that the optimistic and “elaborately conceived theories and ideas of the early 1960s about arms control and strategic stability ... [became] distorted by the confrontation with realities” (p.97). In particular, theorists argued that meaningful arms control was only possible under a “unity of strategy and arms control” that recognized the need for force modernization even under the most optimistic disarmament scenarios. With creation of such “unity,” arms control would become a component of national strategic military planning (p.99).

A perceived causal factor from domestic variables is incorporated and consistently noted in several recent analyses of historical case studies on inter-war naval arms control negotiations, from the 1921 Washington Naval Conference through the subsequently less successful conferences in Geneva (1927, 1932), London (1930, 1932) and failed efforts in the mid-1930s. These include several analyses by Mauer (1994), Goldstein & Maurer (eds. 1994), Fanning (1994), Goldman (1994); and Trubowitz, Goldman, & Rhodes (eds. 1999). In each of these accounts, the authors are primarily concerned with the domestic determinants of policy choices impacting national arms control policies. Each account follows a Constructivist approach where the domestic political and socioeconomic setting and ideas, culture and myths play in shaping how elites within states deal with their external security environment. Fanning (1994) employs a ‘domestic structure approach’ toward foreign policy and public opinion that permits a

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34 Earlier literature on inter-war arms control – while more historical and not adopting a Constructivist approach – includes O’Connor (1962), Braisted (1971) and Buckley (1970).
controlled comparison between cultures of particular foreign policy issues, particularly the activities of nongovernmental groups and actors.

A key component of interest in this literature involves – which focuses mostly on interaction and bargaining between non congressional domestic actors – but, relevant to this study, the role that congressional funding decisions played in bargaining leverage that determines success or failure of Level I arms control negotiations. In particular, Fanning notes the effect of a “peace psychology” (p.26) on the willingness of Congress – under domestic interest group pressure to contribute to disarmament and budget austerity – to continue naval modernization programs concurrent with arms control negotiations. However, the inter-war arms control literature does not establish clear causal relationships nor reveal explicit casual congressional mechanisms.

- **State-Centric/Unitary Actor.** A rational actor-based “unity of strategy and arms control” approach provides a unitary-actor explanation of policy formation and explains bargaining phenomena from strictly a Level I perspective (Hyland 1982). Because a tangible legislative role in force modernization is absent, this approach is inadequate to address the research puzzle.

- **Bureaucratic Politics and Arms Control.** Hyland’s 1982 work also suggests bureaucratic politics as a central explanatory role for this model. The more sophisticated bureaucratic politics model of foreign policy also ignores any substantial policy role of Congress in force modernization and arms control, and is thus inadequate to address the research puzzle. Yet Hyland offers useful insights into arms control theory applicable to understanding behavior of Intervening Variables in this study. He also states that the two presumed ‘partners’—defense and arms control bureaucracies—remained antagonistic during the early Cold War (p.98).35

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35 Writing in the early 1980s, Hyland notes a bizarre twist in the partners’ relationship: the central institutional voice of arms control within the bureaucracy (ACDA) spent its time pouring over new weapons systems and designs, while the uniformed military argued over arms control negotiating tactics—both well out of their area of expertise (p.98).
In sum, Hyland writes that arms control thus became “a diversion from strategy” (emphasis added) (p.99). Also, “increasingly, U.S. military planning has degenerated into budget management, and combined with federal and congressional budget paring that reflects no strategic design, conspire to turn strategic planning into a bookkeeping operation” (p.99). A coherent explanation for congressional motivations (why), means (how), and context (under what conditions) to influence arms control policy is relevant to these military planning issues, but not addressed by a bureaucratic politics model. However Hyland’s penetrating insights on the politics of arms control – when joined with a meaningful theory of Congress causality as a domestic intervening variable in strategy decisions – could offer significant relevance to the research question.

- **Institutional Impediments:** Initial optimism of early theory based on a rational actor model creating a “unity of strategy and arms control” wore off as other concerns – such as ensuring Soviet compliance and willingness to bargain in good faith – soon preoccupied the strategic policy community. From early 1950s through the 1960s, the executive branch was nexus of the foreign policy/arms control universe; outside of the executive bureaucracy no other actors really mattered. As an institutional player in the era’s major defense and arms control issues, Congress was thus largely absent from references in the institutional arms control literature, other than as a reliable source of funding new weapons (Huntington, 1961; Allison, 1971, Halperin, 1974; and Steinbrunner, 1974).\(^{36}\) Even in the 1980s as the strategic community slowly addressed the external technical problems of arms control such as national verification, compliance and Soviet interest in talks, congressional involvement was viewed more as a domestic and institutional impediment that slowed arms control prospects rather than a dynamic

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\(^{36}\) This observation is also made in Lindsay & Ripley (1993, pp. 4-6).

Congress’s institutional role in the resolution of the ABM Treaty/strategic defense debate – a central component in nuclear deterrence doctrine with great relevance to the global balance of power – remains largely under appreciated and under analyzed. As serious U.S.-Soviet negotiations began in the late 1960s, congressional interest in arms control increased; yet factions in Congress were typically perceived as only reflecting (perhaps parroting) the bureaucracy’s positions between arms controllers (“doves”) and force modernization supporters (“hawks”). Serious consideration of direct involvement by Congress further complicated the internal politics shaping arms control progress by injecting another high-level player (Miller, 1984, p.79).

The most productive period of modern arms control agreements came about in the mid-to-late 1980s as the Cold War began to wind down and U.S.-Soviet relationship dramatically improved. Writing in 1984, during a time that could best be described as ‘darkness before dawn’ for strategic arms control progress, Miller (1984) observed that the policy community had not controlled the nuclear arms race as much as managed it, and that “arms control has not lived up to its promise ... what has gone wrong?” Miller concludes, “a major part of the answer lies in the ability of domestic politics to shape and limit the results of arms control negotiations” (pp.78-79). Most scholars who have addressed congressional roles in arms control also identify domestic politics during the Cold War as an obstacle to arms control progress (Blechman, 1990; Carnesale & Haass, eds. 1987; Hyland, 1982; Kruzel, 1986; Lindsay, 1992/93; Lindsay & Ripley, eds. 1993; Lindsay, 1994; Stockton, 1991; Warburg, 1989).
In stark contrast to the bleak prospect for strategic arms control described by Miller in 1984, seven years later Stockton (1991) analyzed an arms control landscape far more fruitful. Stockton found that before the 1980s “arms control accommodated the drive to modernize strategic forces, and Congress—on behalf of the American taxpayers—picked up the tab” (p.146). This trend was expected to continue in the 1980s. Instead, writes Stockton, “Congress balked. By the end of 1990, Congress was on the brink of slashing production of the B-2 “Stealth” bomber, and mobile MX ICBM, or scrapping the implicit process that helped tie arms control to the funding of new weapons” (p.147). Congress also balked at proceeding with development of non-nuclear strategic defense technologies that were pursued at great expense as an alternative to a morally ambiguous “mutual assured destruction” nuclear relationship. Did changing global conditions under the improved arms control environment influence congressional willingness to follow through on long-planned and anticipated force modernization? How did congressional reluctance then shape the outcome of continuing negotiations? These intriguing questions are not addressed in this literature.

Stockton also asks, so what happened? One explanation he provides for what happened was that during this period a far more activist Congress asserted its influence on the arms control negotiation progress, severing the previous tendency to hold arms control agreements hostage to unfettered strategic weapons acquisition. Congressional activism in arms control in the 1980s appeared to reverse the previous relationship: new weapons programs were held hostage to progress on new agreements, significantly modified or scrapped altogether. Another explanation, Stockton argues, is that while a pattern of coalition-building in Congress helped tie arms control progress to continued force modernization, the decline of the Soviet threat and the rise of pressures to reduce defense budgets severely eroded the previous domestic constraints on arms
control policy. The resulting unprecedented limits on strategic force modernization became acceptable within Congress to the point where, Stockton argues, greater arms control opportunities could risk future problems for maintaining credible nuclear deterrence forces (Stockton, 1991, p.150). While Stockton writes prior to the end of the Cold War era arms negotiations, his observations suggest unexplored causal relationships between weapons acquisition activities in Congress and construction of successful and enduring strategic arms regimes.

Later arms control literature (evolving in similar ways as literature on inter-branch relations and foreign policy) acknowledges that the arms control negotiation process is not merely a direct interaction between two negotiating parties but also involves sub-level negotiations between the major parties and their respective allies, within the executive branch and between the White House and Congress – essentially the two-level game as described by Putnam (Caldwell, 1991; Evans, Jacobson & Putnam, eds., 1993; Lindsay & Ripley, eds., 1993; Lindsay, 1994; Putnam, 1998; Warburg, 1989). Yet beyond general academic consensus that the politics of arms control is subject to sub-level domestic negotiations, there is little consensus as to why at times congressional activism surges at all, or succeeds or fails to influence negotiation strategy, security policy or grand strategy, or what motivates, conditions and energizes this activism. Although various alternative explanations (discussed above) exist, the literature of APD, arms control theory and existing theories of domestic influences on foreign policy reveal a failure to establish explicit causal linkages between the intervention of Congress (and other domestic variables) and state foreign policy behavior, in particular the link between nuclear weapons procurement and U.S. arms control policy and negotiation stances and actual arms control agreement outcomes.
Lindsay suggests two lessons for future research. First, scholars should pay greater attention to how members use procedural innovation to build preferences into policy-making; too many scholars fix upon substantive legislation at the expense of procedural innovation, and underestimate the extent of congressional influence on foreign policy. Second, there is need for research “to incorporate more sophisticated assumptions about the behavior of Congress and the executive branch. Of particular importance to the study of foreign policy are the monitoring costs and punishment costs that attend any procedural innovation” (1994a, p. 283). This agenda would build more intricate theories of congressional activities in foreign policy-making, requiring definition of new causal relationships and mechanisms.

**Summary.** As conceded by Miller (1984, p.69) and Lindsay (1992/93, p.608), scholarship in three decades of Cold War arms control and strategic deterrence literature offer little in terms systematic study of the role and impact of Congress as an institutional agent of change in foreign policy. Research into more recent literature reveals little has changed in scholarship into this subject. Most recently, Johnson (2006) offers an excellent historical treatment of the Cold War period, but he does not systematically analyze Congress as an institutional agent of change; instead Johnson profiles individual members and factions who sought to be agents of change, most often unsuccessfully.

Lindsay’s conclusion – that procedural innovation works less well in foreign than in domestic policy – is a valid observation on the uniqueness of policy-making in federative affairs. Yet further research and explanation is needed for why legislative activism and innovation is less effective, and frequently more conditional, regarding the phenomenon of congressional efforts to

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\(^{37}\) For a general literature review through the end of the Cold War, see also Lindsay & Ripley (1992, pp. 417-447).

\(^{38}\) These additional costs in weapons acquisition cases could explain or predict future weapons development and procurement restrictions or expansions at Level II, with possible consequences for U.S. arms control or grand strategies exercised at Level I.
influence arms control through weapons procurement, why, how and under what conditions congressional agency succeeds in policy formulation.
Chapter Three
Case Study Research Design and Methodology:
Employing A Method of Structured, Focused Comparisons

“Case studies examine operations of causal mechanisms in individual cases in detail, looking at a large
number of intervening variables and inductively observe any unexpected aspects of the operation of a
particular causal mechanism or help identify what conditions present in a case activate the causal
mechanism ...

... Researchers are more interested in finding the conditions under which specified outcomes occur, and
the mechanisms through which they occur …”, rather than uncovering the frequency with which those
conditions and their outcomes arise” (George & Bennett, 2004, pp. 23, 31).

Case Study Research Design and Methodology. The research objective of this study is to
contribute to theory-building within the IR and American Politics subfields by identifying new
intervening variables, hypotheses, causal mechanisms and causal paths that explain why and how
Congress influences arms control policy and international arms control negotiation outcomes.
The research strategy employs a multi-method case study approach to examine selected strategic
weapons procurement cases related to arms control negotiations from the 1970s through the
1990s.

Overall, the research employs a case study methodology of “structured, focused
comparisons” of historical cases that uses process tracing within cases and comparisons of
similar cases within the sub-type of phenomenon (George & Bennett, Eds. 2004). The goal is to
build a theory of how the congressional elites employed innovative legislative mechanisms –
essentially performing a ‘transmission belt’ function posited by Rose (1998) – to translate their
perceptions of the external IR environment into win-sets negotiated with the FPE that shaped
eventual arms negotiation outcomes. The primary transmission means used by congressional
elites are weapons acquisition activities manifested through the annual defense budget process.
Data from annual defense authorization and appropriation cycles provide historical materials
from which possible evidence is sifted, coded and evaluated for possible evidence of causal
relationships and pathways between legislative actions and foreign policy outcomes. Specifically, the following research data and methods are employed:

- **Coded Data Sources.** Data sets are drawn from annual congressional activities on defense authorization and appropriations of selected weapons acquisition cases in the period roughly between 1973-1993, as well as from floor debates within Senate and House chambers on proposed amendments to the annual defense bills. Data are coded for ease of correlating specific activities in a step-wise manner in the budgeting and oversight processes to specific congressional entities (Hawks, Doves and Owls) or alliances that are theoretically motivated to influence foreign policy outcomes.

- **Content Analysis.** This method is used to refine and discover relevant materials within the data sets that help uncover possible evidence and observable manifestations, as well as to assign specific factional policy influence among possible intervening variables.

- **Subject Interviews.** Interviews are used to supplement documentary materials and provide additional confidence in congressional elite intentions to influence the FPE on arms control regimes via weapons acquisition. Interviews with active participants help establish that this evidence confirms the observed manifestations of elite intentions and behavior.

- **Process Tracing.** This method is crucial for making within-case inferences regarding entities and activities that suggest hypothesized casual relationships and posit a theory of causality via specific, identifiable procedural steps in a causal chain or mechanism. The presence or absence of such steps is critical in observing whether a mechanism exists within a single case and whether causal mechanisms can plausibly explain the phenomenon under investigation.

- **Comparative Inferences** to evaluate and compare evidence across similar cases in the subclass of phenomenon or across related sub-classes. This can contribute to a ‘building block’ approach where research results can be further hypothesized and generalized to broader sub-classes within the phenomenon of domestic influences on foreign policy outcomes.

This research design combines relevant legislative data and small-n case methods to make inferences within specific cases in a sub-class and across related sub-classes of events -- not only on policy outcomes (the DV), but also procedural mechanisms and manifestations of Intervening Variables. The study employs a small-n case study approach, with the unit of analysis being congressional activities on strategic and nuclear weapons acquisition, where Congress directs procurement of specific strategic force programs simultaneously subject to bilateral arms negotiations (ongoing or prospective) with the USSR.

The research objective is not to examine the frequency of congressional activities on strategic arms procurement (X) that influence arms control outcomes (Y), but rather to determine...
evidence as to the existence of congressional mechanisms and any causal relationship of mechanisms to the arms control outcome. In other words: “Is X a present and necessary condition of Y?”

**Structured, Focused Comparisons.** The study employs a case study methodology of “structured, focused comparisons” pioneered by Alexander George (George & Bennett, 2004). George devised his case study methodology to analyze past instances of generic IR problems, the purpose of which is to,

identify conditions and procedures associated with successful or failed outcomes, to draw analytical explanations of each case into a broader, more complex theory, and to identify more specific, differentiated causal patterns of successful and ineffectual ways of employing” strategies to achieve national foreign policy objectives (p. 67).

The method allows both within-case analyses of single cases and comparisons across a small number of cases, which George posits is the strongest means of drawing inferences from case studies (p. 18). This approach is well suited to address the study’s research puzzle. Of particular interest is the manner in which George adopted methods of historical explanation to convert descriptive explanations of cases into analytic explanations comprised of variables that make use of an inductive approach for theory building. These open the “black boxes of decision-making and strategic interaction” to study actual decision-making processes and strategic interaction” (p. xi).

The method of structured, focused comparison is “structured” in that the investigator devises general questions that reflect the research objective and are applied to each case under study in order to guide and standardize data collection. The method is “focused” by addressing only certain aspects of the historical cases examined (p.67). This method reveals four strong advantages:

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¹ These general questions were identified in Chapter One, Figure 1.1 (p.12).
• Provides a high level of conceptual validity over a small number of cases;
• derives new hypotheses through heuristic identification of new variables, by studying deviant or outlier cases and in the course of field work;
• explores operations of causal mechanisms in detail by looking at more intervening variables and inductively observing unexpected aspects of a particular causal mechanism; and
• models and assesses complex causal relations by accommodating complex causal relations such as equifinality, complex interaction effects and path dependency.

Using a structured, focused comparisons approach allows a more complete examination of the question of why, how and under what conditions Congress seeks to influence U.S. arms control policy and nuclear strategy through the weapons procurement process.

Process Tracing for Theory-Building. Process tracing is a method for exploring causal relationships between variables in small-n studies and for establishing the conditions and mechanisms by which the intervening variable X contributes to producing an outcome Y. According to George & Bennett (2004), “Process tracing is fundamentally different from statistical analysis because it focuses on the sequential processes within a particular historical case, not on correlations of data across cases” (p. 13). This study employs a theory-building variant of process tracing that “seeks to uncover middle-range theories formulated as a causal mechanism that works within a bounded context” (Beach & Pedersen, 2013 p.61). The theory-building variant is used when there is no well-developed theory or plausible theoretical mechanisms (or existing theory disconfirmed in prior empirical analysis) explaining a phenomenon. The goal of process tracing is not just to define a cause and effect between X and Y, but to also theorize the mechanism between these variables and all the component parts of the mechanism (p.49). Process tracing identifies the presence (or absence) of causal conditions and mechanisms within a case, but also build theories that are generalizable beyond single cases.

2 The mechanism can be contextualized either spatially or temporally, and theory building can be part of a large mixed method research design (p.61).
Cross-Case Analysis Inferences. Process testing is not intended to stand-alone and is typically used with other methods using cross-case inferences. Structured focused comparison allow for cross-case analysis of case data sets within the sub-class of the phenomenon for the effects of domestic politics on foreign policy outcomes.

Specification of the Problem and Research Objective. Specification requires that the researcher define a case as an instance of a class of events, asking the question, “What is this event a case of”? The research puzzle is part of the general class of IR phenomenon, the effects of domestic politics on foreign policymaking, within the second level-of-analysis. This study focuses on a specific sub-class of that phenomenon, the effect of Congressional weapons procurement actions on U.S. arms control policy and strategy, where a routine legislative responsibility (i.e. making authorization and appropriations for weapons systems) is linked causally to specific foreign policy outcomes. As stated above, outside of Lindsay’s work in the 1990s, the state of research on the general phenomenon within this sub-class is under-developed in the general literature; within the Neoclassical Realist and American Political Development literature, there is also sparse treatment of this sub-class of event (Lindsay, 1994).

The research objective is to contribute to theory-building within the IR/foreign policy analysis subfield by identifying new variables, hypotheses, causal mechanisms and causal paths that explain Congress’ influence on arms control policy and international arms control negotiation outcomes. This requires select a Dependent Variable (DV) that identifies potential

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3 A case study is a well-defined aspect of a historical episode or problem that the investigator selects for analysis, rather than a historical event itself. George defined a “class of events” as a phenomenon of scientific interest, such as revolutions, types of government regimes, kinds of economic systems, etc. (17).

4 Lindsay (1994) focuses on congressional influence on defense policy formulation, not its influence on arms control policy or its related negotiations. Lindsay explicitly declined to extend his analysis beyond that immediate sub-class, differentiating arms control policy as a separate and different sub-class. Friedberg (2000) addresses procurement of arms in general, including missiles, but does not focus upon the sub-class of congressional procurements that affect arms control negotiations. APD scholars frequently link specific congressional innovations and processes to influence and achieve domestic policy preferences and outcomes, but have generally not applied this approach per se to national security matters.
causal paths and Intervening Variables (InVs) leading to that DV. The question of whether ongoing weapons procurement decisions by legislative actors lead to ‘successful’ outcomes in negotiation forums that are tasked to control that same class of weapon is a complex and daunting puzzle.

Research Strategy: Specification of Variables. Devising an inductive research strategy requires specification of variables into a structural model to assist collection of evidence from which to make inferences on observable manifestations of congressional activities and detection of patterns in the research. The inductive reasoning approach in this study analyzes a series of historical cases, beginning with specific observations and measures, detection of patterns and regularities (or anomalies) that lead to formation of tentative hypotheses and generalizations that may contribute to or expand theory. The initial specification of variables involves early formulation of propositions and consideration of elements (conditions, parameters and variables) to be employed. This includes an explanation of variation in the variables and whether some variables will be held constant.

The general research strategy, following a theoretical framework of Neoclassical Realism, is designed to explore the effects of changes in relative distribution of material power in the bipolar IR system (the Independent Variable) through the medium of state leaders’ perceptions and calculations of relative power and prestige (the Intervening Variables) as those perceptions and calculations shape American foreign policy behavior and outcomes (the Dependent Variable) (Taliaferro 2009). The basic theoretical framework (identified in Figure 3.1) identifies the relationship between these variables.
Independent Variable. The Independent Variable (IV), the relative distribution of material power in the bipolar IR system, is specified in the study by the fluctuations in the U.S.-Soviet strategic balance in the late Cold War period, investigated as the loss of absolute U.S. nuclear superiority and the emergence of Soviet nuclear parity with the United States about 1970. This IV specifies state material power measured in terms of strategic nuclear capabilities and postures. As relative material power evolves, this informs the calculus of superpower political-military relations in the bipolar IR system in terms of perceptions of state threats and opportunities by intervening variables.

- Variance in the Independent Variable. The balance of relative material power during the four-decades of the Cold War was in constant flux as the American and Soviet antagonists each regularly expanded, improved and modernized their strategic forces, deploying greater and improved increments of nuclear capabilities. These activities were closely monitored by the intelligence services on each side, and, in the American’s practice, changes were routinely

5 See Chapters Five and Six for discussion of how the relative distribution of power in the late Cold War period covered in the cases was perceived by congressional elites on key defense committees.
documented and reported to the FPE and legislative branch leaders. Until the 1970s, the U.S. was perceived to hold strategic nuclear superiority.\(^6\)

The issue of Soviet nuclear parity weighed heavily upon the Foreign Policy Executive, due to implications for the American grand strategy of Containment. Continued validity of the Containment strategy was seen as a means to maintain and extend a favorable American post-World War II geopolitical position and ideology in the international system. A wide range of views existed within successive presidential administrations and in Congress as to how Soviet parity might affect the Containment strategy. Could the United States effectively contain the Soviet Union without strategic superiority? Under conditions of nuclear parity, what might the Soviet leadership be willing to risk in terms of foreign initiatives or political-military expansion? These were unknown.

These questions also informed and influenced formulation of American nuclear strategy as well. If the Soviets attempted to engage in military initiatives outside of its post-WW II core geographic sphere of influence, what would be the impact on nuclear deterrence, or specifically, what would this imply about the credibility of the U.S. nuclear deterrent? Would nuclear parity change what types of nuclear contingencies American leaders should plan for? Such questions occupied the U.S. national security community, which engaged in writing constant threat scenarios and contingency plans. As the Soviets attained nuclear parity in the 1970s, the calculus of American decision-making often hinged on perceptions of changing relative power as a result of strategic arms deployments. The implications of perceived variation of the independent

\(^6\) There were some exceptions inside the U.S. Government, due to intelligence failures or misperceptions. These include failure to anticipate explosion of the first Soviet atomic device in 1949, the alleged “bomber gap” of the early 1950s, the surprise Soviet leap into space with Sputnik in 1957, and the “missile gap” which became a prominent issue during the 1960 presidential campaign. In each instance, intelligence failures and misperception of the relative distribution of strategic nuclear power resulted in subsequent massive expansions of weapons deployments by the United States, followed by similar Soviet expansions. For a general discussion of perceptions and intelligence failures and American decision-making, see Gaddis (1982).
variable are documented in the five cases (analyzed in Chapter Six and are explored through the data collection and summary analysis in Chapters Seven and Eight).

**Dependent Variable.** What exactly is the *dependent variable* to be explained and how might these outcomes vary? The dependent variable (DV) is the outcome of Level I bi-lateral arms talks between U.S. and Soviet negotiators, in the form of an international bilateral treaty or agreement (or absence of an agreement), produced at a variety of negotiation forums defined in the case studies. The negotiation forums generally were to produce treaties or agreements, although what constitutes a ‘successful’ negotiation must be carefully specified and defined. The international outcome is potentially influenced by the result of Level II bargaining, and these outcomes may vary by negotiation forums.

- **Variance in the Dependent Variable:** Not every Level I negotiation produces a successful or satisfactory treaty or agreement. The FPE is unlikely to submit a treaty or agreement certain to be rejected at Level II, and would likely forgo completing an unacceptable accord. Yet the negotiation may in fact produce a treaty/agreement that (for whatever reason at the domestic level) (a) fails to be ratified; (b) is submitted for ratification yet no vote is taken, or (c) is later withdrawn from consideration because the political or international security circumstances have so changed since negotiations concluded that it would never be ratified. The negotiation could also produce a treaty or agreement that either fails to result in the deployment of the weapons system that is the subject of Level II bargaining, or restricts the weapon type, capability or

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7 In the American lexicon, “treaties” are distinct from “agreements,” although both are negotiated in the same way. Formal treaties must be given the “advice and consent” of the U.S. Senate by a two-thirds vote to enter into force, whereas an agreement has a lower threshold but broader standard of legislative approval (majority vote in both chambers of Congress). Presidents may also negotiate a third type, an *executive agreement*, usually agreements of a smaller scope not requiring congressional approval. As a rule, the more important the negotiation to the national interest, the more likely it will be submitted to the Senate as a treaty.
numbers deployed. See Figure 3.2 (below) for specification and variance of the Dependent Variable, *Arms Control Agreements*.

**Figure 3.2**

*Specification in the Dependent Variable, Arms Control Agreements*

<table>
<thead>
<tr>
<th>Specification</th>
<th>Variance</th>
<th>Operationalization</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘Forum’</td>
<td>Varies by weapons-oriented negotiation forum</td>
<td>SALT II, START, INF, ASAT/SDI DST</td>
</tr>
<tr>
<td>‘Level I Agreement’</td>
<td>Results in a signed Agreement or No Agreement</td>
<td>Agreement No Agreement</td>
</tr>
<tr>
<td>‘Deployed Weapons’</td>
<td>Was system fully or partially deployed, cancelled, or delayed by Congress?</td>
<td>Full Deployment, Limited Deployment, Cancelled, Delayed</td>
</tr>
<tr>
<td>‘Weapon Capability’</td>
<td>Was the weapon capability unlimited or limited by range or technology by Congress?</td>
<td>Unlimited Limited</td>
</tr>
<tr>
<td>‘Met Security Objectives’</td>
<td>Agreement either mitigates original threat justifying weapon system and/or negotiation; Threat is not mitigated</td>
<td>Success Failure</td>
</tr>
<tr>
<td>‘Met FPE’s Preferred Policy/Strategy Objectives’</td>
<td>Did the Level I Agreement reflect the FPE’s original policy &amp; strategy preferences?</td>
<td>Yes No Partially</td>
</tr>
<tr>
<td>‘Level II Ratification’</td>
<td>Final Disposition of Level II agreement</td>
<td>Ratified, Not-Ratified, Defeated, Withdrawn, or No Agreement</td>
</tr>
</tbody>
</table>

* For specification, variance and operationalization, the generic ‘agreement’ is used for both treaties and agreements.

It is assumed that variations in outcome beyond agreement/no agreement are the result of various trade-offs by the FPE between the security benefits of the unrestricted weapon versus an agreement that cancels or limits that weapon. However, the resulting treaty/agreement also needs to be specified in terms of whether it: (a) achieved an overall positive national security benefit; (b) removed or reduced the security threats that stimulated both the original weapons requirement and the negotiation effort; (c) constrained (or not) a weapons system by either deployment numbers or capabilities; (d) resulted in a final ratification by Level II actors in
Congress; and (e) met the FPE’s original national policy and strategy objectives for force modernization and a strategic arms agreement.

It is important to define variance in the DV because this allows an inductive investigation that helps identify new intervening variables, hypotheses, causal mechanisms and causal paths that can explain domestic influence on U.S. arms control policy and negotiation outcomes. Variation is characterized by final outcome of both the agreement itself as well as a modernized weapons system outcome within the agreement. This allows linkage of congressional action on weapons acquisition decisions and the specification and variance of a final arms agreement.

*Domestic Intervening Variables.* The explicit purpose of this research is not to predict treaty outcomes, but rather to identify Intervening Variables (InV) that help characterize and better understand the possibly causal role of Congress using weapons procurement to influence arms control negotiation strategy and outcomes. Because the Level II negotiation is complex, there are many possible paths to a specific negotiation outcome, which may indicate causal influence of several intervening variables. Specification must determine what (and how) intervening variables of interest create causal mechanisms or paths by which variance in the dependent variable could occur.

Within the general phenomenon, domestic intervening variables are broadly defined as *congressional factions, executive bureaucratic factions, U.S. allies, domestic interest groups,* and *public opinion.* These variables promote diversified foreign policy perspectives and preferences that constitute Level II bargaining with the FPE. However, since the research objective is to explore the sub-class phenomenon of *congressional actions* on weapons procurement impacting

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8 Because the importance of a modernized strategic force structure was integral to evolving requirements for nuclear deterrence given variation in the Independent Variable (the global distribution of national power, as measured in strategic weapons), the FPE’s preferences for both final arms agreement and a modernized nuclear force structure within an arms regime must be considered.
on arms control, InV specification here focused exclusively on Congress. Non-congressional influences may exist within the cases as separate InVs; yet, theory-centric variants of process tracing used in this study do not claim that a detected causal mechanism is sufficient in itself to explain the outcome (Beach & Pedersen, pp. 3, 16). Non-congressional influences on Congress’s actions on weapons procurement could typically be found in the content of defense committee reports and in Congressional Record debate over floor amendments.

Figure 3.3

Congress as an Intervening Variable: Bargaining Influence on U.S. Arms Control

LEVEL II BARGAINING
Bureaucratic Politics Influence
Alliance Politics Influence
Congressional Influence on Weapons and Arms Control
Domestic Pressure Group Influence
Public Opinion Influence

LEVEL I NEGOTIATION
US Nuclear Weapons and Arms Control Bargaining
Bi-Lateral Negotiations/Agreements
Unitary State-Centric Actor (No Level II Actors)

However, as the research objective is to identify potential causal mechanisms within selected cases through process tracing, and observe whether similar causal mechanisms exist across these cases, the existence of other intervening variables is not directly addressed, nor are these InVs

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9 Beach & Pedersen identify two theory-centric variants of process tracing: Theory-building and Theory-testing. A third variant, Explaining Outcome is case-specific and represents a minimally sufficient explanation of an outcome (pp. 3, 161).

10 Because Congress is a representative body in a polity characterized by democratic pluralism, Congress can synthesize, and thus to some degree represent, the interests and policy preferences of other domestic-level intervening variables.
specified or operationalized. Correlation of the various InVs with arms control negotiation outcomes are identified in Figure 3.3.

**Congressional Intervening Variables.** With whom does the FPE negotiate at Level II? The answer to this question is the Congress, a co-equal institution that negotiates with the executive branch through the legislative process. But within Congress itself exists another level of bargaining—*intra*-group negotiation—which further characterizes and complicates inter-branch bargaining.

The “negotiating partners” with the FPE comes from collective body drawn from a pluralistic electoral process, with highly diverse and fragmented policy prescriptions. A ‘simple’ negotiation akin to international Level I negotiations is highly unlikely. Putnam’s two-level game concept anticipates the complexity of this Level II bargaining. The actual degree of institutional consensus in Congress determines a ‘win-set’ for domestic-level variables (1988, p.437).11 While American representative democracy provides a predicable legislative process for annual authorization and appropriations of program resources, the “sausage-making” required to deliver an acceptable defense bill for presidential signature typically demands FPE cognizance of all policy factions in Congress, and drives a multi-variable calculus in terms of bargaining, alliances and compromise.

In this study, the combined interests and demands of these various congressional variables define the win-sets. These variables are specified by a typology of Nuclear Hawks, Doves and Owls.12 Defining a heuristic of possible congressional InVs simplifies and aggregates the sheer

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11 According to Putnam, the larger the win-set, the more difficult bargaining and trade-offs are needed to gain Level II ratification; FPE concessions made to achieve this domestic consensus can reduce FPE bargaining leverage with a Level I negotiating partner.

12 Hawks, Doves and Owls are defined here as “Nuclear Hawks” or “Nuclear Doves,” etc. for purposes of this study, although the “nuclear” designation will not be used in the text. This is because the term “Dove” often implies to many non-support for a strong national defense. Yet Doves may support military spending for legitimate national defense purposes, but are opposed to additional increments of nuclear weapons in general, or against specific nuclear weapons systems for moral, budgetary or other
number of possible congressional factions and win-set combinations. Behaviors of the competing factions constitute the *why* and *how* Congress sought to change the material and strategic components of American grand strategy and shape foreign policy behavior in the late Cold War.

- **Variance in the Intervening Variables.** During most of the Cold War, issues in Congress over new nuclear weapons and strategies generally ensued not over policy or strategy, but rather over controversies such as weapon costs and performance, location of weapon production and deployment (what states and congressional districts) and/or inter-service bureaucratic rivalry within the Department of Defense. Overall, Congress provided strong support to acquire new and modernized weapons as a necessary part of containing the Soviet Union, satisfying domestic constituencies and securing re-election.\(^\text{13}\) Early congressional interest in arms control policy formulation typically reflected resource allocation struggles within the executive bureaucracy between nuclear arms controllers (“doves”) and nuclear force modernization supporters (“hawks”), advocates either of ‘guns or butter’ with the ideological divide defined in terms of a desire for either ‘more’ or ‘less’ weapons. Arms control was thus generally seen by most (but not all) advocates as another means to restrict nuclear weapons procurement rather than to promote policy and strategy preferences shaping an external distribution of power. In this analysis however, the Hawk, Dove, and Owl typology reflects opposing factions on both development and procurement of nuclear weapons and on arms control strategy preferences.

*Hawks* tended to promote aggressive strategic force modernization in order to retain nuclear superiority over the Soviet Union by acquiring either more or better nuclear “swords” than the

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\(^\text{13}\) The rationale for weapons procurement is not necessarily in this order. As noted by Mayhew (1974) and others, the reelection imperative can serve as the primary motivation for congressional behavior. Alternatively, many members in “safe” (non-competitive) seats in either chamber can take positions on substantive policy matters without this concern motivating their actions.
Soviets. Acquiring technologically advanced weapons also served a purpose to “get tough” on the Soviets at the bargaining table, through the tactic of “bargaining from strength.”\textsuperscript{14} Hawks’ arms control preferences generally were based on the degree to which better ‘nuclear swords’ (a modernized nuclear force structure) were allowed within an arms limitation or reduction agreement.

In contrast, \textit{Doves} favored aggressive arms control measures and consistently opposed development of new generation nuclear weapons on moral, budgetary, arms race theory or other grounds. Funding nuclear weapons was seen as, at worst, a waste of scarce resources better used elsewhere; at best, nuclear R&D programs were little more than ‘bargaining chips’ to be traded away in Level I negotiations for favorable terms, preferably prior to investing heavily in R&D or actually building or deploying the weapons. As a group, congressional Doves adopted (sometimes enthusiastically, at other times more tenuously) the populist “nuclear freeze” movement of the early 1980s as a means to arrest development of new generation nuclear weapons.\textsuperscript{15} Doves thus consistently sought to turn nuclear ‘swords’ into ‘plowshares.’

Some policy elites in Congress eventually adopted a third way distinct from Hawks and Doves. Congressional \textit{Owls} were supported by outside policy elites, academics and think tank scholars who sought to stakeout a distinct approach to maintaining nuclear deterrence stability (Allison, Carnesale & Nye, 1985).\textsuperscript{16} What motivated this group is a mix of developments and intentions: first, belief that erosion of U.S. nuclear superiority and Soviet attainment of rough

\textsuperscript{14} For example Reagan’s nuclear policy and arms control strategy was based on the notion of “peace through strength.”

\textsuperscript{15} The “nuclear freeze” was a mutually verifiable suspension of all US-Soviet nuclear deployments at existing levels of the early 1980s for an unspecified time. Advocates argued that this would prevent further growth of new and more dangerous weapons, facilitating more substantive arms control; even if follow-on talks were unsuccessful, it was argued, a freeze would halt additional nuclear proliferation and lead to the gradual erosion of older weapons’ military and political utility. Critics countered that a “freeze” prevented planned modernization of 1960s-era US weapons, and would lock in Soviet strategic advantages.

\textsuperscript{16} While the “Owl” moniker was established by Allison, et al. (1985), the political origins—if not the moniker—of the Owls can be traced back to the 1979 abortive SALT II treaty ratification debate and, even further, to the writings of Schelling & Halperin (1961) and other arms control theorists in the 1960s. An Owl heuristic type is assumed to ‘exist’ in the cases examined here.
nuclear parity brought uncertainties regarding the deterrent effectiveness of the U.S. nuclear triad\(^{17}\); second, bilateral arms control negotiations that began with great promise in the 1960s became stalemated after 1975, and, arguably, unfavorable to U.S. strategic interests; third, a new generation of U.S. strategic weapons and revolutionary technologies appeared in the development pipeline with high performance characteristics some felt threatened the stability of the mutual deterrence relationship; and, fourth, there existed (in the eyes of their critics) a desire for Owls to “triangulate” among Hawks and Doves, to posture as ‘moderates’ supporting some nuclear programs as a means of protecting their political flanks from attacks by Hawks. Carving out a more nuanced middle position between Hawks and Doves, Owls at times supported the arguments of either group on a case-by-case basis, while at other times, by standing on completely different grounds, supported or opposed the FPE’s nuclear weapons plans and even formulated their own distinct policy position. Firmly grounded in knowledge of post-WW II nuclear doctrine, arms control theory and contemporary advances in weapons technology, the Owl school believed in the value of arms control and argued for the return to basic arms control objectives, with crisis stability being prioritized above others.

These traditional arms control objectives are defined as (1) “crisis stability,” or reduction in the possibility that either side might find it tempting to initiate nuclear war (or other military activities leading to war) in a military or political crisis, (2) “damage limitation” if war breaks out, by maintaining sufficient counter-military capability to destroy the enemy’s capacity to inflict damage on the homeland, and (3) “cost reduction and arms race avoidance,” often called arms race stability (Schelling & Halperin 1961; Nye 1982). Of these three goals, Hawks and

\(^{17}\) The nuclear “triad” consists of three types of nuclear forces, land-based ballistic missiles (ICBMs), “air-breathing” (aircraft) bombers loaded with nuclear ordnance, and sea-based ballistic missiles (SLBMs) launched from nuclear submarines. The diverse basing and operational characteristics in the triad concept complicates a coordinated enemy attack designed to strike against all three legs simultaneously with a high probability of success.
Doves generally claimed to prioritize support for the latter objectives of, respectively, damage limitation and cost reduction/arms race stability. While Owls supported both of these goals, they prioritized crisis stability first because they perceived that nuclear parity and the technological arms race combined to create a far narrower margin of error for superpower relations in a crisis that could lead to the outbreak of war. For these reasons, Owls carved out a distinct space between Hawks and Doves in the policy formulation debate, one that relies on arms control, highly selective weapons acquisition choices, or a combination of both. Characterizing the Owls’ perspective, Nye (1982) writes that,

> Crisis stability remains central to arms control. Although negotiated reductions are one way to seek crisis stability, they are not the only way. What is crucial for crisis stability is to avoid force structures that would make first strike advantageous, and to improve transparency, communication and predictability, allowing defense planners to adjust doctrine and weapons procurement decisions to maximize security—which includes deterrence, crisis stability and damage limitation—within resource constraints” (p.107).

[emphasis added]

The introduction of a distinct Owl perspective, defined by the pursuit of strategic stability and supporting procurement of carefully “tailored” nuclear swords, also presents challenges to traditional simple explanations (i.e. more or less weapons) for congressional action on arms control and/or strategic weapons procurement. Since both Soviet and American nuclear force structures, doctrines, acquisition cultures and military establishments were so different, these crisis stability objectives were unlikely to be achieved in a strategic vacuum. Arms control agreements would be one way to mutually incorporate carefully tailored, stabilizing ‘swords’ in U.S. and Soviet arsenals.

- **Operationalization of Intervening Variables.** Congressional intervening variables are operationalized by the degree to which any of these three perspectives emerge in legislative products directing nuclear weapons acquisition programs. In the study, these are defined as programmatic actions funded and directed in statutes designed to promote (1) crisis stability,
generally via deployment posture and greater weapon survivability, (2) *damage limitation* through enhanced counterforce capabilities, (3) *reduction in weapons cost or quantity*, (4) *outright program cancellation*, (5) *full program authorization*, or (6) conditional programmatic activities (referred to as program “hooks” because of funding was typically conditioned on specific conditions being satisfied). These are further explained below:

- **Crisis stability** (1) when operationalized, reflect programmatic manifestations of Owls and promote or enhance specific weapons’ characteristics leading to force structures and/or arms control regimes reflecting these groups’ preferences. For example, paraphrasing Nye (1982), Owls would promote programs that avoided force structures making a first strike appear advantageous, would improve the transparency, communication and predictability of strategic nuclear operations on both sides, and would adjust nuclear doctrine and weapons procurement decisions to maximize stability in superpower relations, especially in crisis situations.

- **Damage limitation** (2) favored deploying military capabilities that were so feared and capable as to give the enemy pause in considering actions leading to war. While supporting the same stability goals as Owls, Hawks would not achieve them at the expense of acquiring and deploying strong counter-force capabilities. Whereas Hawks might favor deploying ICBMs in vulnerable silos if those ICBMs possessed highly capable counter-military capabilities, Owls would be more concerned that vulnerability of silo-based ICBMs would exacerbate anxieties of each side in a crisis, since the weapons would be both vulnerable to an enemy first strike and might be perceived by the enemy to be useful for the same purpose (presuming a “use or lose” mentality).

- **Reduction in weapons cost and/or quantity** (3) would generally reflect Dove policy preferences devoting fewer resources to an ever-smaller nuclear inventory. This could also reflect a strategy of Hawks and Owls to accelerate, decelerate or condition weapons acquisition activities as necessary to achieve their weapons and arms control regime preferences.

- **Outright program cancellation** (4), and *full program authorization* (5) would reflect a consensus among all congressional defense elites for either complete rejection (4) or approval (5) for proceeding with the FPE’s preferred weapons program. Outright cancellation would require a drastic reassessment of the FPE’s Level I negotiation strategy.

- Conditional programmatic activities (6) would condition a weapon’s progress to various programmatic or informational activities designed to promote policy preferences of congressional defense elites. These could be supported by any of the three factions to promote their preferences.

Hawks, Doves and Owls rarely all supported the same programmatic actions simultaneously; there existed temporary alliances (e.g. Hawk-Owls, or Owl-Dove), while other proposed
legislative actions generated support from only a single group (e.g. Hawks for full program authorization, or Doves for outright cancellation). The various means by which Congress may attempt to influence arms control outcomes are operationalized and depicted in Figure 3.4.

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**Figure 3.4**

**Specification in the Intervening Variables (Hawks, Owls, Doves)**

<table>
<thead>
<tr>
<th>Specification</th>
<th>Variance/Means</th>
<th>Operationalization</th>
</tr>
</thead>
<tbody>
<tr>
<td>HAWKS</td>
<td></td>
<td>Programmatic actions designed to promote:</td>
</tr>
<tr>
<td>More/better Swords</td>
<td></td>
<td>(1) <em>Crisis stability</em> (support weapon survivability characteristics, i.e. perception as a ‘first strike’ weapon)</td>
</tr>
<tr>
<td>‘Peace through Strength’</td>
<td></td>
<td>(2) <em>Damage limitation</em> (support to procure enhanced counterforce capabilities)</td>
</tr>
<tr>
<td>OWLS</td>
<td></td>
<td>(3) <em>Reduction in weapons funding request or unit quantity</em></td>
</tr>
<tr>
<td>‘Tailored’ Swords, carefully displayed</td>
<td></td>
<td>(4) <em>Full program authorization</em></td>
</tr>
<tr>
<td>DOVES</td>
<td></td>
<td>(5) <em>Outright program cancellation</em></td>
</tr>
<tr>
<td>Fewer Swords; ‘Plowshares’ and ‘peace dividends’</td>
<td></td>
<td>(6) <em>Program ‘hooks’</em> (requires conditional or additional executive branch activities)*</td>
</tr>
</tbody>
</table>

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The heuristic Hawks, Doves and Owls can vary their behavior by employing innovative legislative tools that represent a ‘menu’ of possible procedural means; these tools can be used by any faction and will be explored within selected cases as possible causal mechanisms for congressional influence on arms control outcomes. What evidence exists of policy perspectives

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18 Programmatic ‘hooks’ are imposed restriction that conditions a weapon’s acquisition progress. These could be: delivery of a mandated report, successful programmatic milestones (i.e. flight testing, independent technical reviews, rates of expenditure of appropriated funds, arms control progress, recommendations of independent expert commissions), or whatever other restrictions imposed by a relevant committee or passed as a floor amendment to the bill, which became law. Critics, frequently those in the executive branch suffering under these restrictions, chafed at ‘hooks’, which they perceived to be legislative efforts designed to ‘micromanage’ the program, or deliberately delay the weapons program, or slowly strangle a program using a ‘death of a thousand cuts’ approach, which raised program costs sufficient to peel away legislative supporters concerned about rising program costs.
of the InVs and how do specific programmatic activities emerge out of the legislative branch and what effect does congressional actions have on Level II negotiations? Evidence can be found through content analysis of annual legislative language in the defense authorization and appropriations bills and floor amendments to those bills, and by tracing legislative processes documenting the tangible use of innovative legislative procedures. The legislative procedures on a single weapons program can involve multiple causal paths to potentially affect U.S. negotiation positions; these paths are many and complex and include three general categories of legislative activities related to a congressional intent to influence foreign policy:

- Formal foreign policy legislation approved by Congress and signed into law by the FPE.
- Ratification of formal treaties and approval of executive agreements.
- Procedural innovation evoked by Congress on the weapons acquisition process.

This first category involves traditional legislative activities of law making such as introducing stand alone bills promoting foreign policy objectives that would advanced through a traditional ‘bill-to-law’ path, including committee hearings, bill markup, floor debate and passage through the long, formal legislative process. The second category represents the constitutional process of treaty approval through Senate ‘advice and consent’ (ratification), and for executive agreements, both Senate and House passage. Both are not the main focus of this investigation; the first legislative process (‘stand-alone’ legislation) rarely results in tangible foreign policy influence upon the FPE. The second process (‘treaty ratification’) occurs only after FPE negotiations are concluded and sharply limits congressional influence upon the shape and content of that agreement or the bargaining strategy to achieve agreement. The third category, the focus of causal investigation, involves procedural innovation through the normal defense authorization and appropriations cycles that authorize and fund weapons acquisition programs. These

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19 These are innovations identified by Lindsay (1992, 1994). Others are explored in detail later in the study.
activities are identified through process tracing and evaluated as to their factional origins (Hawk, Dove, Owl) and relative contributions to influencing U.S. arms control policy and treaty outcomes. Variance among the intervening variables, defined as the various legislative means employed to promote and achieve preferred factional goals that may reveal causal mechanisms, is shown in Figure 3.4. The variance of legislative output determines the availability of weapons to either deploy or trade in Level I negotiations. The research challenge is to trace the ability of a mixed group of key Hawks, Doves and Owls (numbering in the tens) to convince fellow legislators (numbering in the hundreds) to support or oppose funding these ongoing programs as modified by legislation. Research design should identify not only the mechanisms potentially influencing U.S. foreign policy, but also the dominant influence by any congressional faction (with their separate policy agendas) in inter-branch bargaining that results in a win-set for FPE negotiations in Level I.

As a result of congressional perceptions, expressed preferences and legislative-executive bargaining over weapons acquisition at Level II (as manifested in statutory guidance in defense authorization and appropriation laws), the FPE might be required to adjust U.S. negotiation strategy, possibly affecting U.S. arms control leverage at Level I. To maximize this leverage, congressional support for acquiring specific weapons subject to negotiation would have to be viewed by the Soviets as consistent and credible for eventual deployment in the quantities and capabilities planned and requested by the FPE. Yet, if congressional factions are to maintain their own Level II bargaining leverage, acquisition support for these weapons must not perceived by the FPE as presumed or inevitable during the research, development and procurement process.

The Hawks-Doves-Owls typology offers a means to trace congressional influence within specific cases on outcomes on arms control and strategic nuclear stability talks, and indirectly,
American grand strategy developments, to specific congressional policy agendas and weapons acquisition actions by Congress. Operationalization of these candidate intervening variables suggests a possible causal link – never before established by scholars in this sub-class of IR phenomenon – between congressional weapons decisions, subsequent FPE adjustment of U.S. arms negotiation stances, and actual treaty outcomes.20

**Case Selection.** The study examines strategic weapons procurement cases and related arms control negotiations from the 1970s-1990s. Five case studies will be examined (see Figure 3.5):21

| Case One: | Acquisition of MX ICBM (in various basing modes), B-1 bomber and the alternative Air Launched Cruise Missiles (ALCM) during the Strategic Arms Limitation Talks (SALT II) negotiations (1975-80). |
| Case Two: | Acquisition and deployment of the Pershing II missile and the Ground-Launched Cruise Missile (GLCM) in the Intermediate-range Nuclear Forces (INF) negotiations (1977-87). |
| Case Three: | Initial development, but subsequent abandonment, of a direct ascent anti-satellite (ASAT) weapons program with ASAT and the Defense and Space Talks (DST) negotiation forums (1978-1988). |
| Case Four: | MX/Peacekeeper ICBM (in various basing modes) and the mobile Small ICBM during the Reagan/Bush administrations and the Strategic Arms Reduction Talks (START) negotiations (1981-1992). |
| Case Five: | Strategic missile defense technology research and development (R&D) beginning under the 1983 Strategic Defense Initiative (SDI) and subsequent development and deployment schemes discussed under the DST forum (1985-1994). |

The sample size for these cases is limited, most-similar and non-statistical, drawn from a total population of approximately twenty (20) major strategic nuclear and non-nuclear weapons programs during the period of the late Cold War (1972-1992). All selected weapons procurement cases were subject to strategic arms control negotiations during the period of the 1970s through

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20 Lindsey (1991, 1994) has come closest to exploring the potential for such a causal relationship, but as stated above, his model did not claim to establish causal links between weapons acquisition actions and congressional influence on arms negotiations.

21 The relationship between nuclear force acquisition, Congress and arms control are analyzed in Chapter Five; the cases are summarized and analyzed in Chapters Six and Seven.
the 1990s, and are representative of the same similar sub-class of phenomenon, varying only the outcome of interest. Generally, case selection was based on (1) the most ‘controversial’ weapons cases in terms of their possible transformational military capabilities and/or domestic political debates the weapons engendered; (2) weapons programs that provided complex technical challenges in devising US-Soviet arms control agreements, because of major differences in respective nuclear force postures and because programs represented a FPE strategy to use future U.S. forces to push Soviet force structures in a particular direction (limitation, elimination or more balanced and stable force posture); (3) chosen as “most-likely” to reflect tangible policy differences between Congress and the FPE, and (4) “most-likely” to contain evidence of casual relationships and possible casual mechanisms between weapons acquisition activities and eventual arms control agreement/non-agreement.

Selected cases support the research objective of analyzing the specific sub-class, the influence of Congressional weapons procurement actions on U.S. arms control policy and strategy, and providing the control and variation required by the research problem (George & Bennett, 2004, p.83). Selected cases allow for examination of a similar Independent Variable (distribution of global power in the IR system) and Dependent Variable (arms control negotiation outcomes); in all cases the DV also varies in outcomes and could serve the purpose of identifying several different Intervening Variables and potential causal paths and mechanisms leading to those outcomes.

Each of the cases investigate a variety of possible motives by congressional factions and various innovative legislative procedures to promote differing strategies to influence U.S. arms control policy stances and nuclear strategy formulation. These strategies help define the parameters of the win-set that must be considered by the FPE in Level I negotiations with the
Soviet Union. Differentiation of Intervening Variables’ activities and perspectives within and across the cases makes it possible to develop a more discriminating and policy-relevant analysis of the congressional actions and allows causal inferences and hypothesis development on congressional influence on negotiation outcomes.

**Research Methodology.** According to NCR theory, congressional factions translate their assessment of threats and opportunities concerning power shifts in the international system into legislative actions, in this case pertaining to actual weapons procurements, that may influence U.S arms control negotiating stances and policies pursued by the American FPE.

The study employs a longitudinal research design and uses a case study methodology of “structured, focused comparisons” to theorize how the congressional elites translate perceptions of external threats over the final twenty years of the Cold War – using causal mechanisms consisting of weapons acquisition actions – into negotiated win-sets that shape eventual arms negotiation outcomes. Existence of these mechanisms suggest answers to *why, how and under what conditions* the intervening variables may affect foreign policy outcomes. The methodological steps in the study are as follows:

- **Content analysis** helps refine and discover evidence within the data sets that help identify;
- **Subject interviews** add another level of data help establish evidence of congressional elite intention of trying to influence FPE on arms control regimes via weapons acquisition (otherwise of marginal value);
- **Process tracing** used to hypothesize casual relationships and posit a theory of causality via specific mechanisms within the five cases;
- **Data coding** to evaluate evidence in the data sets.

**Step One: Content Analysis.** Data sources are identified from legislative bills, histories, reports, relevant presidential documents and the contemporary public remarks and speeches of legislative elites and administrative officials. Historical cases are then subjected to a content analysis of coded congressional data using relevant categorizations of key search words and phrases. The
objective of employing this method is to research and differentiate by heuristic type congressional actions and to provide common legislative procedural terms and policy instruments within and across the cases that allow identification of new, distinctive intervening variables. Figure 3.6 identifies categorization of typology, character and key words for competing weapons and arms control preferences that guide this content analysis.

**Figure 3.6**

Heuristic Typology, Characterization and Key Words for Content Analysis of Weapons and Arms Control Preferences

<table>
<thead>
<tr>
<th>Heuristic Category</th>
<th>Hawks</th>
<th>Doves</th>
<th>Owls</th>
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<tbody>
<tr>
<td>Characterized by:</td>
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<tr>
<td>• Tough bargaining with Soviets</td>
<td>• Oppose U.S. new generation nuclear arms</td>
<td>• Seek “middle ground”</td>
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<tr>
<td>• Force modernization/ improvement</td>
<td>• “Bargaining chips” only</td>
<td>• Promote Crisis stability</td>
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<td>• Limit damage to U.S. if deterrence fails</td>
<td>• Nuclear Freeze</td>
<td>• Avoid nuclear war &amp; limit damage if deterrence fails</td>
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<tr>
<td>• Bargain from strength</td>
<td>• “Plowshares”</td>
<td>• “Tailored Swords”</td>
<td></td>
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<tr>
<td>• More/Better “Swords”</td>
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<thead>
<tr>
<th>Strategic Weapons/Arms Control Imperative</th>
<th>Limit Damage</th>
<th>Cost Reduction, Arms Race Stability</th>
<th>Crisis Stability</th>
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<tr>
<td>Key Watch Words:</td>
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<tr>
<td>• hard target kill</td>
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<td>Cost Reduction:</td>
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<td>• counter-force (good)</td>
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<td>• arms control savings</td>
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<td>• prompt response</td>
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<td>• too expensive</td>
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<td>• deeply buried targets</td>
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<td>• unaffordable</td>
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<td>• inferiority</td>
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<td>• not needed</td>
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<td>• launch under attack</td>
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<td>• unnecessary</td>
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<td>• Soviet treaty non-compliance</td>
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<td>• overkill</td>
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<td>• Soviet superiority</td>
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<td>• cost of mobility</td>
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<td>• strategic parity (bad)</td>
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<td>• strategic imbalance</td>
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<td><strong>Arms Race Stability:</strong></td>
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<td>• single-shot kill probability (SSPK)</td>
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<td>• counterforce (bad)</td>
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<td>• destabilizing</td>
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<td>• mutual and verifiable nuclear freeze</td>
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<td>• command and control</td>
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<td>• first strike stability</td>
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<td>• force survivability</td>
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<td>• surprise attack</td>
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<td>• strategic parity</td>
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<td>• recallable</td>
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<td>• bolt-out-of-blue</td>
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<td>• confidence building measures (CBM)</td>
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<td></td>
<td></td>
<td>• build-down</td>
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<td></td>
<td>• launch on warning</td>
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<td></td>
<td></td>
<td>• Nuclear risk reduction</td>
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Step Two: Subject Interviews. Subject interviews add another level of data that helps establish evidence of congressional elite intent to influence FPE on arms control regimes via weapons acquisition. Major legislative and policy elites, including key legislative members and staff involved in the original case decisions were identified and interviewed. Interviews examine the subjects’ perceptions of the distribution of international power and strategic threats at the time of major case decisions and insight into key legislative player intentions in terms of selection and design of legislative procedures to operationalize their policy preferences, such as specific program requirements and substantive policy proposals bearing on the weapons cases. These interviews provide valuable background information, context and insight into the degree of elite thinking within the three heuristic factions.

Step Three: Process Tracing. A major portion of the study’s effort focused on a detailed process tracing of data sources that can allow inferences on manifestations of congressional intentions, specific entities and activities that indicate potential causal relationships and mechanisms. Using research data obtained from the content analysis phase and insights from subject interviews, the study traces the processes of legislative intent and outcomes to identify executive-congressional negotiations and outcomes to determine if the resulting “transmission” process influenced subsequent American arms control negotiation positions and grand strategy (Rose, 1998). Further, Congress selectively picks their fights with the FPE over policy substance by seeking the points of greatest institutional leverage and by developing procedural tools to maximize that leverage; examination of these processes provides insight useful to identify casual mechanisms, paths and to develop new hypotheses (George & Bennett, 2004).22 Therefore, a process tracing method is employed to trace possible causal linkages between congressional

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22 “Process tracing can perform a heuristic function as well”, George writes, “generating new variables or hypotheses on the basis of sequences of events observed inductively in case studies.” Use of process tracing can be employed “either to uncover evidence of causal mechanisms at work or to explain outcomes” (pp.7-8).
perceptions of global power distribution, those activities that influence U.S. foreign policy positions and negotiation outcomes.

The process tracing method is intended to identify the presence (or absence) of causal relationships, conditions and mechanisms within a single case. A causal relationship posits a possible causality between the intervening and the dependent variables, X and Y. For example, democratic peace theory suggests a relationship where Democracy (X) is causally related to International Peace (Y). In this study, Strategic Weapons Acquisition Activities by Congress (X) is causally related to Arms Control Negotiation Outcomes (Y), a relationship where X → Y. A causal relationship describes a casual condition (or set of conditions) where X is necessary and/or sufficient for occurrence of the outcome. Causal mechanisms are composed of a set of ‘parts’ that describe the theorized process where a variable (or factor) produces an outcome:

\[ X \rightarrow [\text{causal mechanism}] \rightarrow Y \]

Process tracing is therefore an effort to fully analyze what occurs inside the ‘black box’ between the Intervening Variables and the Dependent Variable. Casual mechanisms are a series of parts than can be characterized as “entities” engaged in specific “activities.” Entities constitute possible intervening variables (suggesting the heuristic hawks, doves and owls), described as the ‘toothed cogs and wheels’ and can be persons, groups, institutions or a structural phenomenon (Hernes, 1998, p. 78). Theorized by APD, these are purposeful agents of change within the institution of Congress, where agents’ activities constitute the legislative means to revise the FPE’s annual acquisition requests; these procedures transmit causal forces through the mechanisms activated within the institution (Beach & Pedersen, p.51).

Causal mechanisms are also characterized in the literature and in the study as being institutional, ideational, and psychological. Such institutional mechanisms are man-made and can
be manipulated by “formal and informal rules, conventions and practices, together with organizational manifestations these patterns of group behavior sometimes take on (Parsons, 2007, p.90). Streek & Thelen (2005) also discuss how within institutional mechanisms “layering mechanisms” exist where “progressive amendment and revision slowly change existing political institutions” (p.22-23). Also, *ideational mechanisms* are products of the actors’ interpretation of the world through ideational elements (Khong, 1992). Essentially incorporating the concept of ‘how ideas matter,’ an ideational component of a causal mechanism can be the entities’ perceptions of external threats and opportunities that influence and are translated into legislative activities. Finally, *psychological mechanisms*, such as Janis’s ‘groupthink’ mechanism, suggest the enforcement of mental rules among elites leading to behavior regularity (Janis, 1972, 1982), possibly applicable to congressional elites’ subjective perceptions of external threats and opportunities. Process tracing’s allows translation of causal theories (X \rightarrow Y) into explanatory causal mechanisms, potentially using these types as parts of a casual chain. For example, a notional causal relationship can be represented as:

\[
X \rightarrow [(z_1), (z_2), (z_3)] \rightarrow Y
\]

Where Z represents discrete parts of the causal mechanism, and \(z_1\) represents an ideational component, \(z_2\) represents an institutional component, and \(z_3\) represents a psychological component.

Causal mechanisms in theory-centric studies are understood to be *systemic* mechanisms from which all observable implications of the theory (not just the DV) can be extracted as a means to gain insights into new InVs and causal relationships/mechanisms. Beach & Pedersen posit that in process tracing methodology “mechanisms are more than just set of intervening variables”
Analysis must explicitly conceptualize the *activities* as well as the *entities* (InVs) that produce change and transmit causal force from X to Y (p.39). This study adopts Beach & Pedersen’s approach to gain greater understanding of the linkages between those intervening variables and outcomes, where the actual transmission of causal forces from X that produce Y must be explicitly studied, to address the important “how” portion of the research question.

The process tracing method used in this study exhibits a deterministic ontology of causality. Causal relations are considered “mechanistic” (i.e. explained by properties that are deterministic rather than probabilistic) and are mechanisms that can be directly identified and observed, as well as highly context dependent (p.31). The method is also *deterministic* in that it identifies the “necessary and sufficient” causes in individual cases or combinations of the same types of conditions (Mahoney 2008), asking: “Is X a necessary and/or sufficient cause of Y?” A condition is *necessary* if its absence prevents an outcome, regardless of the value of other variables (p.27). A necessary condition must be present to produce an outcome. A *sufficient* cause is a condition (or set of conditions) that is able to produce an outcome; if the condition is present, the outcome will always take place (p.30).

Theory-building starts with empirical material and uses a structured analysis to detect a plausible causal mechanism where X links to Y. The authors contend there is a widely held definition among scholars, including George & Bennett (2005, p.6) and King, Keohane & Verba (1994) of causal mechanisms as a merely a series of InVs, whereas the authors posit a discrete series of casual activities lie between the X and production of Y.

Beach & Pedersen posit that this inductive process “is surprisingly neglected in the literature” in showing in detail how it is done (16).

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24 Uses an auto analogy where X is a motor and Y is a car’s motion: X (motor) \( \rightarrow \) [(drive shaft) + (wheels)] \( \rightarrow \) Y (movement). The driveshaft and wheels represent different parts of the causal mechanism; each part is itself insufficient to produce the car’s movement, but functioning together, produce motion (p.30). Beach & Pedersen posit that a mechanism need only model the parts that are vital and necessary to produce Y. Keeping with this analogy, modeling features such as cup holders or power windows are not necessary or vital to produce the outcome.

25 Beach & Pedersen posit that this inductive process “is surprisingly neglected in the literature” in showing in detail how it is done (16).
1. X-Y centric theory-building. When a known correlation exists between X and Y, but it is not known what potential casual mechanisms link the two. An example from this study is when it is known that weapons subject to arms control were procured and a subsequent Level I agreement was reached.

2. Y-centric theory-building. When the outcome (Y) is known but there is uncertainty about the cause. In this situation, analysis can trace backwards from the known variable Y to uncover a plausible variable X, and followed by a X-Y centric analysis to investigate a causal mechanism.

A different example using the cases might be where there was “no agreement” but are not certain what congressional activities on specific weapons subject to be controlled were a causal factor. For example, why was no Defense and Space Treaty (DST) ultimately concluded? Did the FPE lack sufficient negotiation leverage – because of significant SDI funding cuts and program re-direction by Congress such that the FPE decided not to accept an agreement defined by an unacceptable win-set? If congressional activities were a plausible X, then an X-Y centric theory-building exercise can be performed.

Theory-building in this study uses an inductive “fact before theory” approach, although theory-building can seek inspiration from previous observations and existing theoretical work. Inspirations can include existing theories where there is mere correlation, plausible links or some indications of possible intervening variables (Beach & Pedersen, p.57). This study draws inspiration from the body of theoretical work by Lindsay (various, cited earlier), Koh (1996) and Yoo (2009), as well as more descriptive accounts of the historical role of Congress on major national security issues in the Cold War by Johnson (2006). Also inspiring this study is the literature on inter-war naval arms control by Mauer (2012), Goldstein & Maurer (eds. 2012), and
Fanning (1994), which primarily focus on domestic determinants of policy choices impacting national arms control policies and follows a Constructivist approach. However inspirational, in this inter-war literature causal mechanisms are not explicitly conceptualized (i.e. InVs are not explicitly theorized to transmit causal forces into outcomes).

**Defining Theoretical Concepts and Building a Theoretical Causal Mechanism.** Inductive use of the facts of the case and these deductive inspirations provides a basis for defining the key theoretical concepts (X and Y):

- X = possible InVs defined as legislative elites/institutions exhibiting characteristics of the heuristic entities (hawks, doves and owls) as agents engaging in specific activities on weapons acquisition. These activities are the funding for and program guidance in RDT&E and procurement of strategic weapons as the central instruments of state power.

- Y = the known DV, defined as agreements created as a result of Level I arms negotiations.

Thus the conceptualization of the causal conditions states that:

*Weapons Acquisition activity is a necessary and/or sufficient condition for Congress to influence U.S. arms control strategy that results in/alters the outcomes of US-Soviet arms control negotiations in a manner contrary to the FPE’s preferences and goals.*

Applying process tracing, a three-step process leads to a theorized causal mechanism.\(^{26}\)

1. **Step One: Collection of Evidence.** The “facts of the case” needed to build a hypothesized theory are collected. Collecting empirical material is a necessary step to detect potential observable manifestations of an underlying casual mechanism (p.62). This involves the data sets that are collected and coded to relate specific legislative actions (“activities”) promoted/advanced by elite congressional factions (“entities”). Process tracing methodology assumes that relevant evidence applies to a single case and typically cannot be compared with [26] This three-step process is outlines in Beach & Pederson (pp. 16-18). The text also contains an appendix that provides a detailed ‘checklist’ for all three variants of process tracing (pp. 163-170).
evidence in another case. This makes cross-case comparisons impossible using the process tracing method alone (p. 8).

2. Step Two: Infer Existence of Manifestations. This step analyzes the collected empirical materials, inspirational theoretical and descriptive observations (noted above) that leave unresolved puzzles but may suggest avenues of exploration of causal mechanisms. The goal in this step is to detect specific patterns in the empirical materials, which allow inferences about observable manifestations (p. 18). Empirical evidence can infer that observable manifestations exist (p. 62). These manifestations provide evidence that Congress attempted to use its powers over weapons acquisition to influence on-going arms control negotiations in Level I.

3. Step Three: Infer the Existence of a Causal Mechanism (CM). In this step, analysis makes an inferential “leap” from observable manifestations based on empirical evidence to inferences on possible causal mechanisms (p. 18). These mechanisms consist of distinct parts and are traced to the distinct entities (hawks, doves or owls) engaged in specific identifiable legislative activities that constitute the elements of Level II inter-branch bargaining process that creates win-sets. Inferences are made not necessarily in the form of an analytic narrative, but to identify those entities and activities of the various steps forming a causal mechanism (62).

Using a ‘court case’ analogy, developing the ‘theory of the crime’ involves collection of evidence of a motive (why an entity seeks to do something) as well as a suspect’s actions; in order to prove the existence of motivation, not all possible pieces of evidence need to be found; one piece of evidence can provide confidence in the validity of that part of the theory and infer that a part of a mechanism exists, based on a Bayesian logic of inference that is both mechanistic and deterministic (Bennett 2008; Beech & Pedersen 2013).27

27 Beach & Pedersen use the ‘court case’ analogy for draw distinctions between making within-case inferences (process tracing) and cross-case inferences (used in quantitative and qualitative comparative analysis). In process tracing, where a researcher
Theory-building process tracing provides for tracing a single, but generalizable, causal mechanism through first detection of observable manifestations and then inferring the existence of a causal mechanism. This variant of process tracing does not claim that the detected mechanism is in itself sufficient to explain the outcome, but nevertheless advances a causal theory of explanation (Beach & Pedersen, p.16). The causal mechanism is considered “mechanistic” (23) creating a deeper connection between cause and effect than patterns of regular association (correlations). The steps for employing the process tracing method to this research are summarized in Figure 3.7.

*Figure 3.7 is reproduced from Beach & Pedersen (2013, p. 17)*

collects many different forms of evidence as parts in a casual chain to build confidence in the existence of a causal mechanism; in a ‘medical experiment’ analogy, researchers make cross-case inferences by studying a treatment across a group experiment compared to a control group (p.77). The authors elsewhere refer to process tracing methods as “detective work” (84).
Structured Focused Comparisons and Across-Case inferences. Process tracing theory-building and testing variants can be combined with other method for creating a mixed method research design (Beach & Pedersen, pp.7-8). The structured focused comparison approach differs from a processing tracing method in that comparisons will compare and make inferences across cases, unlike a process tracing method that is only used within single cases. Structured focused comparisons allow cross-case analyses and inferences via patterns of regular associations and correlations. (George & Bennett, pp.74-75). Structured focused comparisons (like process tracing) are also deterministic in that they identify the “necessary and sufficient” causes in individual cases or combinations of the same types of conditions (Mahoney 2008). This asks, “Is X a necessary and/or sufficient cause of Y”? A condition is necessary if its absence prevents an outcome, regardless of the value of other variables. If a sufficient condition is present, the outcome will always take place (p.27).

However, unlike process tracing, structured focused comparisons – comparative cross case, small-n studies and QCA – are used to identify patterns of regularity and the frequency and regularity of evidence. Evidence collected is compared and analyzed within and across cases to measure the relative influence of congressional Hawks, Doves and Owls upon American arms negotiation stances and arms control agreements.

Data Sets Employed for Analysis. Three main data sets were collected and coded during the research phase and later analyzed as part of process tracing steps two and three within case and for purposes of structured focused comparative analysis to establish patterns of behavior by the Intervening Variables.28 These data sets are described below.

28 The three data sets are all coded and incorporated into Dedoose, an Internet-based QDA support tool for data collection, coding, content analysis and for analysis of qualitative case study data for process tracing, previously described in Chapter Two.
**Defense Committee Bills and Reports Set.** The first data set is the **Congressional Defense Committee Bills/Reports** data, drawn from the period of FY74 through FY94 (calendar years 1973 through 1993, with 1993 being the final defense budget proposed during the Cold War). These data include legislative provisions and explanatory language from all four House and Senate defense committees (Armed Services and Defense Appropriations), including “dissenting and additional views” by individual committee members that are included at the end of the committee reports. These “views” represent the minority views of committee members dissenting from the majority positions; typically these members’ perspectives represent proposed actions that the committee majority rejected; these are categorized and coded by committees, using the heuristic *Hawks, Doves and Owls*. Also included in the defense committee data set are the reports on joint conferences used to reconcile differing House and Senate versions of the same fiscal year reports.

The **Bills/Reports** data set includes approximately six reports per fiscal year: (1) the House and (2) the Senate authorization report from both the HASC and SASC, followed by (3) an Authorization Conference report, where differences between House and Senate authorizing bills passed in the respective chambers are reconciled into a common report that – once re-approved in each chamber – is sent to the president for signature (or veto). A signed bill becomes public law. The remaining three reports represent the Appropriations process, including (4) the House and (5) the Senate Defense Appropriations Subcommittee reports, followed by (6) Defense Appropriations Conference report, which is reconciled and passed in the same manner as the Authorization bill. The two conference reports (on authorization and appropriation) incorporate any changes to the respective defense committees’ work made on the House or Senate floor, and
the final adoption of House, Senate or compromise provisions in conference committees.\textsuperscript{29} The \textit{Bills/Reports} data includes over 140 bills and reports offered during the FY1974–1994 timeframe. Records of these committee bills and reports are obtained electronically from THOMAS, the Library of Congress on-line electronic legislative information service, which provides access to thousands of committee bills and reports per year. In the timeframe under examination, the data set contains excerpts on the five cases taken from these reports; for example, over 300 pages of standard text exist for excerpts on ICBM programs alone, and over 500 pages of standard text for SDI programs. The \textit{Defense Committee Bill/Reports} data set extends over a tumultuous 20-year period covering a range of national/international events and executive administrations, including:

- Post-Vietnam/Watergate events and the 1974 budget process reforms
- The start and demise of 1970s Détente through the superpower summity of the 1980s/90s
- The era of weapons-centered arms control, including signing of the ABM Treaty, SALT I, and SALT II in the 1970s through the INF and START I arms agreements in the 1980s/90s
- Five presidencies (Ford, Carter, Reagan, Bush, Clinton)

These years constitute roughly the second half of the Cold War, a period when the most intensive efforts to negotiate arms limitations and reductions occurred. Defense committee reports often contain long preambles that frame and document the committees’ perspectives on the defense budget, Soviet threat environments, the strategic balance and geopolitical landscape, the strategic rationale and requirements for specific weapons programs, and arms control opportunities. In this way the reports are fertile ground to conduct content analysis through a coded data set, and to link views on threats, weapons acquisition and arms control preferences.

\textsuperscript{29} In years when one or both of the chambers do not complete their defense appropriations bills, there may be a temporary “Continuing Resolution” (CR) in place of the Appropriations Conference, which rolls all unfinished appropriations bills into a shortened version, bundled with other unfinished government appropriations bills. The CR funds the government in the new fiscal year until a regular appropriation bill is passed and signed. A CR is not as detailed as a typical Appropriations Conference report. Temporary CRs may also cover an entire fiscal year and have become more common in recent years.
Floor Amendments Set. A second data set, Floor Amendments, is extracted from the results of floor amendments to defense committee bills when they are presented on the full House and Senate chambers. Amendments are offered, debated and voted on by the chamber floors, with results incorporated into the respective House and Senate bills considered by a conference committee (conference reports are excerpted within the Committee Bills/Reports data set). Amendment language and votes are drawn from the Congressional Record (obtainable electronically from THOMAS), which documents all legislative activities on chamber floors.30

The Floor Amendments data set includes 440 amendments offered during the FY1974–1994 timeframe, defined in the data set by Fiscal Year, Sponsor, Sponsor Type (Hawk, Dove, Owl), relevant Bill being amended (authorization or appropriations), Outcome/Vote Count, Procedural Means (by which the amendment seeks to impose control over policy or spending), and Amendment Summary. These data does not include actual texts of floor debates in the Congressional Record, but are summarized for purposes of coding and for evaluating efforts to amend the substance of defense committee positions (documented in the Committee Bills/Reports data set). Floor amendment debates frequently involve a continuation of battles already fought in the defense committees, with ‘losers’ attempting to re-fight the battle in the broader forum of the chamber. The insights gained from Floor Amendments data are obtained by coded identification of which heuristic faction (Hawks, Doves, or Owls) offered the amendment and the judgment of the overall chamber in either accepting or declining to embrace the sponsoring group’s amendment; a rejection of an amendment by a floor majority is an implicit endorsement of the defense committee position, while acceptance of an amendment indicates consensus within the chamber of a position contrary to the defense committee policy preferences.

30 During the course of this dissertation, the THOMAS.loc.gov system began migrating to a new web format, Congress.gov. Research materials for the two data sets are drawn from both systems.
The analytic objective is to ascertain defense elite perceptions and policy preferences and their endorsement (or not) by the full Congress.  

*Interview Subjects Set.* A third data set, *Interview Subjects*, contain notes and audio files from person-to-person interviews with key former congressional and executive branch staff who were involved in congressional actions within the five case studies. These data were also coded and entered into a QDA support tool. The main purpose of the interviews is to confirm defense elite perceptions and intentions on defense committee efforts to use weapons acquisition decisions to influence broader defense and foreign policies of the Foreign Policy Executive (FPE).

**Data Coding and Analysis.** The study uses the Internet-based QDA support tool *Dedoose,*\(^\text{32}\) a commercially available web application for qualitative and mixed methods analysis, which allows for integration and analysis of qualitative and quantitative data using interactive visualization. *Dedoose* is used for data collection, coding, content analysis, and for analysis of qualitative case data through process tracing.

*Data Coding.* Figure 3.8 summarizes the main data sets, numbers of reports, excerpts and codes applied in the Dedoose QDA database.

<table>
<thead>
<tr>
<th>Data Sets</th>
<th>No. Reports</th>
<th>No. Descriptors</th>
<th>No. Excerpts</th>
<th>No. Code Applications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bills/Reports</td>
<td>143</td>
<td>143</td>
<td>2,206</td>
<td>11,190</td>
</tr>
<tr>
<td>Floor Amendments</td>
<td>444</td>
<td>444</td>
<td>444</td>
<td>915</td>
</tr>
<tr>
<td>Interview Notes/Files</td>
<td>12</td>
<td>42</td>
<td>83</td>
<td>230</td>
</tr>
</tbody>
</table>

Dedoose allows a three-level (primary/secondary/tertiary) code scheme with weighted valuation at each level. Figure 3.9 below identifies the coding tree and summarizes the scheme used to code the three data sets.

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31 Full text coding of actual Congressional Record debates may be added as a data set for future research and analysis.

32 *Dedoose* is a commercially available web application for qualitative and mixed methods, for data collection, coding, and content analysis, and for analysis of qualitative case study data for process tracing.
### Figure 3.9: Data Set Coding Tree

<table>
<thead>
<tr>
<th>Primary</th>
<th>Secondary</th>
<th>Tertiary</th>
<th>Description</th>
<th>Weight/Valuation (1,3,5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soviet Threat</td>
<td>Soviet Military Threat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rising</td>
<td>Perceived Increasing Threat</td>
<td></td>
<td>1=Minimal/Falling 3=Growing Concern 5=Very Concerned/Soviet Superiority</td>
<td></td>
</tr>
<tr>
<td>Falling</td>
<td>Perceived Decreasing Threat</td>
<td></td>
<td>1=No Decline 3=Some/No Change 5=Absolute Decline</td>
<td></td>
</tr>
<tr>
<td>Nuclear Parity</td>
<td>Perceived US-USSR Parity</td>
<td></td>
<td>1=No Parity 3=Achieved 5=USSR Advantage</td>
<td></td>
</tr>
<tr>
<td>Weapons AQ Support</td>
<td>Support for weapons PB requests</td>
<td></td>
<td>1=No or Low Support 3=Moderate Support 5=High Support</td>
<td></td>
</tr>
<tr>
<td>Program Concerns</td>
<td>Program indicator concerns</td>
<td></td>
<td>1=No 2=Low 3=Some 4=High 5=Alarmed</td>
<td></td>
</tr>
<tr>
<td>Cost</td>
<td>Cost stability/containment</td>
<td></td>
<td>Same as above</td>
<td></td>
</tr>
<tr>
<td>Schedule</td>
<td>Schedule slippage/delays</td>
<td></td>
<td>Same as above</td>
<td></td>
</tr>
<tr>
<td>Performance</td>
<td>Will not meet performance goal</td>
<td></td>
<td>Same as above</td>
<td></td>
</tr>
<tr>
<td>Overall Support</td>
<td>Supports NuWep requests</td>
<td></td>
<td>1= No Support 3=Conditional 5=Unconditional</td>
<td></td>
</tr>
<tr>
<td>Support/ Non-Support</td>
<td>Main reason/criteria for AQ support/non-support</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CF/Damage Limitation</td>
<td>Need military capability to deter threats</td>
<td></td>
<td>1=No Requirement 3=Conditional Requirement 5=Required to Deter Soviets</td>
<td></td>
</tr>
<tr>
<td>Cost/Arms Race Stability</td>
<td>Program leads to unchecked arms race, costs</td>
<td></td>
<td>1=No Concern 3=Unchecked Growth 5=Creates Action/Reaction Cycle</td>
<td></td>
</tr>
<tr>
<td>Vulnerability/ Crisis Stability</td>
<td>Program enhances force survivability in crisis</td>
<td></td>
<td>1=Instability 3=Some Gain 5=Enhances Force Survivability &amp; Deterrence</td>
<td></td>
</tr>
<tr>
<td>R&amp;D Support</td>
<td>Supports RDT&amp;E PB request</td>
<td></td>
<td>1=No support 3=Conditional 5=Full Support</td>
<td></td>
</tr>
<tr>
<td>Procurement Support</td>
<td>Supports PB Procurement and Deployment request</td>
<td></td>
<td>1=No PBR support 3=Conditional PBR Support 5=Full PBR support</td>
<td></td>
</tr>
<tr>
<td>Procurement Value</td>
<td>Procurement contributes to overall nuclear deterrence</td>
<td></td>
<td>1=No Contribution 3=Low Agreement 5=High Agreement</td>
<td></td>
</tr>
<tr>
<td>Military Capability</td>
<td>Military capability necessary and adds to credible deterrence</td>
<td></td>
<td>1=No Contribution 3=Marginal Contribution 5=Must Have Capability</td>
<td></td>
</tr>
<tr>
<td>Bargain Chip</td>
<td>Weapons useful only for arms control trade-off purposes</td>
<td></td>
<td>1=Must Not Trade 3=Marginal AC Value 5=Trade for Soviet Concession</td>
<td></td>
</tr>
<tr>
<td>Enhance Stability</td>
<td>Weapons needed to enhance deterrence stability</td>
<td></td>
<td>1=Weapon Destabilizing 3=Some Enhancement 5=Must Have</td>
<td></td>
</tr>
<tr>
<td>Arms Control Support</td>
<td>Perception that AQ supports U.S. Arms Control Objectives</td>
<td></td>
<td>1=Does Not Support 3=Marginal or Conditional Support 5=High Support</td>
<td></td>
</tr>
<tr>
<td>AQ-AC Linkage</td>
<td>Links Strategic Program to Arms Control Progress</td>
<td></td>
<td>1=No Linkage 3=Conditional Linkage 5=Absolute</td>
<td></td>
</tr>
<tr>
<td>Congress Preferences</td>
<td>AQ adjustments promotes Congress AC policy preferences</td>
<td></td>
<td>1=No influence 3=Some Influence 5=Promotes Faction Policy Preferences</td>
<td></td>
</tr>
<tr>
<td>AC progress required for AQ</td>
<td>AQ progress/decisions tied to requires AC progress</td>
<td></td>
<td>1= Disagree 3=Not Sure 5= Demonstrate AC progress before AQ</td>
<td></td>
</tr>
<tr>
<td>AQ Supports AC Leverage</td>
<td>NuWep AQ provides A/C leverage</td>
<td></td>
<td>1=No influence/leverage 3=Some 5=Promotes AC Policy, Deterrence</td>
<td></td>
</tr>
<tr>
<td>Innovative Procedure</td>
<td>Elites see procedure as means to advance Congress A/C preferences</td>
<td></td>
<td>1= Micromanagement 3=Acceptable 5=Necessary &amp; Proper Oversight</td>
<td></td>
</tr>
<tr>
<td>Weapons Funding</td>
<td>Uses power of purse to change FPE AC policy and/or strategy</td>
<td></td>
<td>1=Disagree 3=Constitutional Prerogative 5=Necessary &amp; Proper Oversight</td>
<td></td>
</tr>
<tr>
<td>Expert Commission</td>
<td>Create commissions/study groups to aid decision-making</td>
<td></td>
<td>1=Disagree 3=Acceptable 5=Valuable Oversight Tool</td>
<td></td>
</tr>
<tr>
<td>Legislative Veto</td>
<td>Ties AQ progress to later Congress approval of AQ program</td>
<td></td>
<td>1=Disagree 3=Acceptable 5= Necessary &amp; Proper Oversight</td>
<td></td>
</tr>
<tr>
<td>New Group Franchise</td>
<td>Create Exec institutions to help Congress make decisions</td>
<td></td>
<td>1=Disagree 3=Acceptable 5=Valuable Oversight Tool</td>
<td></td>
</tr>
<tr>
<td>Mandate &amp; Conditions</td>
<td>Creates 'strings' or 'hooks' to spend program funds</td>
<td></td>
<td>1=Disagree 3=Acceptable 5=Valuable Oversight Tool</td>
<td></td>
</tr>
<tr>
<td>Study/Report Requirements</td>
<td>Imposes reporting requirements to Congress</td>
<td></td>
<td>1=Disagree 3=Acceptable 5=Valuable Information and Oversight Tool</td>
<td></td>
</tr>
</tbody>
</table>

33 This chart is also found in Appendices A-8.
The coding scheme allows data on congressional behavior to be linked in several ways, evaluating the degree to which,

- Congressional perceptions of Soviet threat justifies congressional variance in support for specific weapons acquisition;
- Congressional support for a specific weapon acquisition also supports U.S. arms negotiation objectives; and
- A specific weapon acquisition provides bargaining leverage in arms control negotiations; or,
- Continued congressional support for the weapons’ acquisition is conditioned on arms control progress in Level I negotiations.
- Innovative legislative procedure serves as a vehicle to translate congressional will into specific actions that re-adjust FPE weapons programs and to indicate possible causal mechanisms that influence U.S. policy and strategy.

These linkages between congressional actions and behavior are important for purposes of content analysis, process tracing, investigation of possible causal paths or mechanisms, and observation of interaction effects between variables. The data tree coding at the primary level allows characterization of the main areas of congressional behavior to be observed and measured: elite perceptions of External Threat, degrees of Nuclear Weapons Acquisition Support, degrees to which Congress perceives these weapons systems Support Arms Control Goals, and the symbiotic relationship between Weapons Acquisition and Arms Control outcomes.

Secondary and tertiary codes allow further refinement of elite perceptions, such as the level of acquisition support and value (that detects the philosophical influence of Hawk/Dove/Owl perspectives), whether weapons acquisition advanced arms control progress or vice versa, and the types of innovative procedures employed to advance congressional preferences.

Coding of the data sets allows greater insight into the general instrumental questions asked across each case to be addressed (see Chapter One) and facilitates the making of direct and indirect inferences on observable manifestations of congressional behavior and activities. Thus, data coding is important tool to gain insight into addressing specific questions of why, how and
under what conditions and establishing a strong inferential basis for positing theorized casual mechanisms within the main congressional processes relevant to the research question: threat assessment (why), strategic adjustment and grand strategy formulation (how), and resource extraction and domestic mobilization (under what conditions). These subjects are more thoroughly addressed in Chapters Five and Six.

Figure 3.10 summarizes the analytical framework and research design used in this study.

This framework, incorporating interactions of congressional actors bargaining over foreign policy influence with the FPE occurring within a two-level decision-making scenario, embodies theoretical components of both Neoclassical Realism and American Political Development. Figure 3.10 identifies the Independent Variable as the relative distribution of power in the
international system, the net assessment of which influences the perspectives of prospective Intervening Variables, the heuristic Hawks, Doves and Owls. Level II bargaining with the FPE is conducted through the legislative process. The activities of the prospective Intervening Variables towards weapons procurement are investigated as possible causal mechanisms, consisting of innovative legislative procedures, inter-branch bargaining and formulation of a win-set of U.S. negotiation positions that exerts policy influence on the Dependent Variable, a negotiation outcome in Level I.

The research study focuses on elite perceptions and procedure used by congressional factions as possible causal mechanisms for weapons procurement activities. Applying APD theory, the study posits that Congress can influence arms control outcomes by forcing the FPE to accept its policy preferences by means of innovative legislative procedure. These procedural activities are pursued by competitive players Hawks, Doves and Owls and are investigated within each of the cases as parts of overall causal mechanism.

Congressional actions across the cases are expected to vary and constitute differing win-sets of acceptable arms control positions necessary for Level II ‘ratification.’ The Dependent Variable, a U.S. negotiating position resulting in either a successful arms control treaties/agreements, or no agreement, also varies by forum and outcome across the cases.

This research design is used to analyze several candidate Intervening Variables to help identify causal conditions and mechanisms by which Congress uses its powers of the purse and oversight, via weapons acquisition, to influence American negotiation positions. Identification and validation of these causal mechanisms are potentially generalizable outside of the individual cases to a bounded (temporal or spatial) context that can provide a deeper explanatory knowledge as to the influence of the domestic congressional variables in foreign policy making.
Federative Power in the U.S. Constitution. Traditionally, the executive authority of a sovereign state represents the nation in its external affairs and conducts those Affairs with chief executives of other sovereign states. This is true of republics as well as kingdoms, dictatorships or empires. In the Westphalian international system, sovereign states conduct external affairs to defend and protect its national interests. The purpose of foreign policy—the “ends”—is to define, prioritize and defend those national interests. How this is accomplished—the “ways” in which policy ends are pursued—is the realm of grand strategy, which is the national effort to achieve foreign policy ends, if necessary, by the application of state military power. Finally, resources—the “means” which enable strategy—must be committed and allocated to execute grand strategy. National decisions over external affairs—prioritizing interests, creating the policy ends to be pursued, coordinating and applying the ways and means of grand strategy—differ among states according to their domestic institutions and are unique in their organization and procedures.

In the American political system, the president is the first and most visible agent of foreign affairs. Yet, the founders—by rejecting the designs of Blackstone and Locke that would grant exclusive control of external affairs to the executive—sought to separate federative power among the branches. In their mistrust of executive authority, they vested constitutional authority to conduct foreign affairs among the war-making and treaty-making powers, shared between the executive and legislative branches; most importantly, they also vested spending authority related to these two powers to the legislative branch. While inefficient for conducting foreign policy,
this system incorporates the founder’s determination to safeguard liberty, while requiring inter-
branch consensus or compromise on overall federative policy. In his classic study of the role of
Congress in Cold War strategic policy, Kolodziej (1966) writes:

“A high degree of consensus is needed between the President and the Congress if the federal
government is to discharge its primary responsibility for defense against foreign aggression and
for advancing national purposes abroad. The security and foreign policy functions of the central
government can be executed smoothly and efficiently only when these two branches have agreed
upon common policies and approaches. Neither can act autonomously for long without the
assistance of the other or without conflict. Each depends on the power of the other to fulfill its
separate and joint responsibilities. The President cannot organize an armed force without
congressional approval, nor can the Congress authorize military positions, which rival the
President’s power as commander-in-chief” (9).

This division of federative power is sometimes less visible to the American public and other
states, which usually perceives the president as the embodiment of U.S. foreign policy. As head
of state as well as the executive branch of government, presidents directly interact with foreign
powers to represent policy and to defend national interests; they appoint ambassadors, negotiate
treaties and agreements, make foreign policy pronouncements, and attend public ceremonies to
place their signature on completed treaties. Presidents also submit and defend negotiated treaties
before the Senate and, following senatorial advice and consent, oversee executive branch
implementation of ratified treaties, which under the Constitution become the “law of the land”
(U.S. Constitution, Art.VI, Cl.2) In times of crisis and war, presidents are also empowered as the
commander-in-chief of the armed forces. Less apparent to most Americans is that presidents are
intended to share and perform these functions with the legislative branch.

How this authority is shared in making and conducting foreign policy is subject to many
crosscurrents. While not sovereign, the president may – and often does – serve as the chief
architect and coordinator of American foreign policy. Yet as Lindsay (2011) documents with his
‘swinging pendulum’ thesis, in a recurring pattern in American history, dominance in foreign
policy shifts between the executive and legislative branches, with distinct periods of
Congressional domination or significant influence over the ends, ways and means in foreign affairs. This pendulum effect indicates that the federative power in the American system is not exclusively executive-determined; dominance may depend on various circumstances: historical opportunity, perceptions of external threats, institutional practice, individual leadership or inter-branch conflict.

The nature of the inter-branch struggle over federative power focuses on three categories of constitutional power over foreign policy and national security: the power to make and execute war, the power to make treaties, and the power of the purse. Collectively these powers encompass the conduct of foreign diplomacy in “war, peace, negotiation and foreign commerce.”

Inter-branch Bargaining Over the War Powers

"Even when there is a necessity of military power, within the land ... a wise and prudent people will always have a watchful and jealous eye over it.” – Samuel Adams

War Powers in the Cold War. The Cold War represented a unique experience in American history: an extended period when the nation was not engaged in a declared war, yet maintained a large standing military establishment at a high state of readiness, and frequently engaged in proxy military conflicts and crises that could at any time escalate into a “hot” war. The “Cold” War was a historically atypical conflict between global peer competitors, where actual conflict between the principals was avoided due to fear of unleashing the nuclear arsenals that presented an existential threat to the great powers. This required that the central mission of the most lethal forces, strategic nuclear weapons, was to deter, not fight, the peer competitor deemed most dangerous to American global interests.

Never more so than during the Cold War, standing U.S. armed forces served as an important instrument in serving American foreign policy and grand strategy. In a moment, the president could order military forces to deploy in support of American and allied interests, and, in times of
crisis place U.S. strategic nuclear forces on high alert, signaling American resolve. The president as commander-in-chief could also order a nuclear retaliatory response within minutes of a major Soviet attack on the American homeland or its close allies.

Because of this awesome military power, the exercise of the Constitution’s War Powers during the Cold War was integral to questions of formulating diplomacy, foreign policy and grand strategy. Constitutional war powers are broken down into two subgroups: first, the formal *power to declare war* and second, *control over and use of the armed forces* as an instrument of national power, employed not only to prosecute ("make war") conflicts and to attain military objectives, but also to pursue larger foreign policy goals. The distinction is important because it clarifies precisely the founders’ intent on key federative issues and relates to the research question regarding the importance of a president’s use of standing military forces (and acquiring weapons for those forces) to achieving key foreign policy objectives.

Article I, Section 8 of the U.S. Constitution unambiguously provides to Congress the exclusive formal authority “to declare war.” In contrast to other federative powers, war declaration is not divided or shared between the executive and Congress. Yet legislative war powers are relatively meager compared to the executive branch’s commander-in-chief clause. While the legislative power to declare war has been used infrequently, military activities initiated by the FPE to pursue foreign policy goals and defend American interests abroad have been historically and frequently exercised (Stevenson 2007, p.22; Elsea & Grimmett, 2007, p.7). In practice, offensive military operations unauthorized by Congress have existed throughout

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1 More frequently, Congress has approved implicit or explicit “authorizations” for presidential use of armed force without reference to the existence of a state of war. This fulfills the founders’ intent that Congress determines when the nation goes to war. According to the Congressional Research Service, Congress has issued only eleven formal declarations of war against foreign nations covering only five distinct international conflicts: the War of 1812, the War with Mexico (1846), the Spanish-American War (1898), World War I (1917), and World War II (1941). The last formal U.S. declaration of war was issued during World War II against Romania, in 1942. The “Cold War” elicited no such congressional declaration of war.
American history, creating a “gray area” where the branches may disagree as to the limitations of presidential authority as the commander-in-chief and his routine control over American armed forces. In most of these instances, presidents have depended solely on their constitutional prerogative as commander-in-chief to initiate these operations (Oxford U.S. Military History 4). Circumstances under which the FPE undertakes military operations without “specific and controlling” legislative authority can vary, but the historical record makes clear that formal declarations of war by Congress preceding U.S. military action are the exception, not the rule.

While significant attention is historically focused over how the executive’s implied and enumerated powers have eclipsed Congress in its exclusive power to declare war, the greater inter-branch struggle remains over how and to what ends presidents operate and use military force under their command to achieve American foreign and security policy goals (Yoo, 2009). Presidents from Washington onward have interpreted the executive vesting clause and the commander-in-chief authority to give them wide discretion to employ armed forces as necessary to protect the national security, and employ American military resources for foreign policy purposes (U.S. Constitution, Art. II, Sec. 1 and Sec. 2). Presidential initiative and authority over armed forces extends, especially in the modern nuclear era, to decisions over the tactical, operational and strategic use of the armed forces; arguably, this authority has been exercised over decisions on what types and how strategic weapons may be developed and acquired, not only for purposes of war-planning and deterrence, but also (combined with the treaty powers) for negotiation of strategic arms control agreements that in the Cold War era became an integral part

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2 According to Stevenson (2007), “Several major military operations – and about 200 minor ones – have been conducted without specific and controlling legislative action” (p.22).

3 “Outside the United States, presidents have used the armed forces without congressional declarations of war in more than 230 instances, relying on that constitutional prerogative. Fewer than half of these instances involved prior legislative authorization.”

4 “Much of today’s controversy over presidential power has settled on the conduct, rather than the initiation, of war” (p.412).
of both of these activities. Such decisions typically involve meager input by the legislative branch, especially in the earliest stages of definition of weapons requirements and formulation of negotiation stances. Presidents jealously guard this authority, claiming that the executive branch is better informed and holds greater technical expertise in these important security decisions.

The courts would further reinforce the trend of executive-centric foreign policy making, notably in the Supreme Court’s 1936 *Curtis-Wright* decision, positing the “sole organ” doctrine that provided judicial recognition of the now-firmly established practice of executive discretionary use of military arms in the national interest (Fisher 2012, p.19; Yoo 2009, p.293). This decision was perceived as firmly placing both treaty- and war-making powers into the FPE’s hands. The doctrine further encouraged congressional acquiescence by applying pressures on legislators to restrain from challenging or directing presidents on their use of war powers to pursue foreign policy objectives. For example, Franklin Roosevelt used this commander-in-chief and overall federative authority in subtle ways leading up to World War II, employing his command prerogative. During World War II, FDR felt little pressure to inform or consult with Congress over using his commander-in-chief authority for foreign policy ends or in creating a post-war internationalist grand strategy.

The post-World War II power structure completely altered pre-war American norms and traditions in federative affairs. The Cold War witnessed the repeated exercise of the commander-in-chief authority justified under executive war powers. Operational and strategic decision-making and broad national policy was conducted largely by executive initiative, sustained by

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5 Fisher deplores the “sole organ” doctrine and the implied executive prerogative while Yoo embraces both.

6 Recall that the original statute under review in the *Curtis-Wright* case was one in which the Congress appeared to give the president full authority to direct control over military exports to support foreign policy objectives.

7 These presidential initiatives included limited, and undeclared wars, military alliances, covert actions, coercive diplomacy, aggressive intelligence collection, and the projection of American power and influence abroad.
regular appropriations but with little legislative consultation (Kolodziej 1966; Yoo 2009).\textsuperscript{8} Truman established the Cold War patterns followed by his successors, going to war in Korea without congressional declaration or consultation, and dispatching large numbers of troops to defend Europe in 1951 over congressional objections. Truman justified his actions as authorized “under the president’s constitutional powers as Commander-in-chief of the armed forces” not requiring congressional authorization (Schlesinger, 1973). His Secretary of State Dean Acheson testified before Congress that:

> Not only has the President the authority to use the Armed Forces in carrying out the broad foreign policy of the United States and implementing treaties, but it is equally clear that this authority may not be interfered with by the Congress in the exercise of it under the Constitution (p.136).

As a result of Truman’s aggressive use of war powers – and those of his successors – federative power flowed naturally to the presidency. Even the Supreme Court’s 1952 *Youngstown* decision, which confirmed Congress’ greater authority to manage the domestic economy while raising and supporting the armed forces, would only constrain the executive’s war-time control over the domestic economy; the Court did not challenge the broader presidential use of the military under the commander-in-chief clause (*Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. at 645).\textsuperscript{9}

After Truman’s Korean “police action,” presidents routinely claimed that war powers provided an inherent and independent authority to order U.S. troops deployed and/or into combat without prior consultation or authority from Congress. This expansive claim of inherent executive power is interwoven into the theory of a “unitary executive” and grounded in the “sole organ” doctrine, which argues the president is the exclusive agent in the national government

\textsuperscript{8} Yoo characterizes the early Cold War decision-making: “The executive branch alone defined the national means and ends in the struggle with the Soviet Union” (p. 335).

\textsuperscript{9} In his *Youngstown* opinion Justice Jackson noted, “I should indulge the widest latitude of interpretation to sustain his exclusive function to command the instruments of national force at least when turned against the outside world for the security of our society” (p. 645).
Procuring Swords for Plowshares

responsible for foreign policy and national security decision-making.\textsuperscript{10} Such expansive claimed by presidents to use military power in foreign policy-making coincided with both expansion of executive power and increase of the U.S. global leadership role, but came at the expense of congressional prerogatives in war powers. These changes eventually transformed the FPE from a secondary partner in war making decisions in the 18\textsuperscript{th} and 19\textsuperscript{th} centuries to the dominant player in 20\textsuperscript{th} century national security decision-making under broad interpretation of the executive vesting and commander-in-chief war making clauses.

In the nuclear era, one observation – that “the exigencies of the use of nuclear weapons make it highly unlikely that Congress could be part of such a decision” – notes the practical challenges presented to Congress in fulfilling its constitutional prerogatives (\textit{Oxford Companion, 2012d}). During the Cold War era, as today, the commander-in-chief directs and exercises enormous U.S. military power in pursuit of American foreign policy goals. Since strategic nuclear forces are the central instruments of national power and thus important to foreign policy-making, the president plays a central role in the development, deployment and maintenance of the instruments of national power, and the negotiated control of those instruments through diplomacy. During the Cold War, executive branch decisions on the development and acquisition of nuclear forces were considered a highly sensitive undertaking that potentially could exacerbate super-power relations and in a crisis, even plunge the nation into war.\textsuperscript{11}

As the complexity of maintaining the Cold War security apparatus grew, executive power directing it became more pronounced; the practical ability of the legislative branch to challenge it

\textsuperscript{10} The theory of a “unitary executive,” like the “sole organ” doctrine, draws its authority from the Art. II Sec. 1 “vesting” clause and the Sec. 2 “commander in chief” clause. Fisher (2012) observes however, “No framer, President, or court in the early decades made that argument” (p.19).

\textsuperscript{11} Madison, as a member of the House, argued in his 1793 dissent over Jay’s Treaty that because such presidential decisions could lead to war, the legislative branch retained certain prerogatives in the making of these decisions. Although Madison was arguing over executive authority in the treaty power rather than war-making power, in the nuclear era the logic is the same.
also diminished as pressure to materially support the apparatus kept Congress occupied largely with budgetary issues, and much less with concerns over weapons development, force structure, missions and strategy of American security policy and grand strategy. Under exercise of their war powers, presidents dominated all of these issues. This was nowhere more evident than in the composition of the nation’s strategic nuclear deterrence forces.

**Inter-branch Bargaining Over the Treaty-Making Power**

“The power in question seems therefore to form a distinct department, and to belong, properly, neither to the legislative nor to the executive. The qualities elsewhere detailed as indispensable in the management of foreign negotiations, point out the Executive as the most fit agent in those transactions; while the vast importance of the trust, and the operation of treaties as laws, plead strongly for the participation of the whole or a portion of the legislative body in the office of making them.” – Alexander Hamilton (*Federalist* 75)

Under the Constitution, the chief authority to conduct external relations for the United States is contained in the treaty-making power. Article II, Section 2 provides that the president “shall make” treaties, although “With the Advice and Consent of the Senate,” and with similar Senate consent, appoint ambassadors and high government officials to help the executive negotiate and conduct diplomacy on behalf of the nation. Further, the president is provided with the duty – not specifically a power – to receive foreign ambassadors and other ministers. The ability to control treaty making under the Constitution largely provides the FPE greater initiative than Congress in conducting foreign policy and determining grand strategy to pursue that foreign policy.

The legislative role in, and influence over, how treaties are formulated, debated and approved is less clear. The Constitution explicitly divides treaty negotiation from treaty approval, with the latter conducted through the Senate’s advice and consent function requiring a two-thirds majority of senators present. This distinction appears to make the formal constitutional role of the Congress in treaty making operationally limited, while granting the president a virtual monopoly over actual treaty negotiation. In part, this is because the Constitution fails to explicitly define procedures for presidential solicitation of “advice” as it does for securing “consent.”
“Advice and consent” does provide a legislative check on executive ambitions. At best, the Senate’s “advice” function allows an important legislative advisory role in foreign policy, albeit one that almost presidents since Washington have not formally engaged. As important as the “consent” role may be as a stamp of republican approval of national policy and strategy, the absence of an active “advice” procedure to engage the Senate prior to treaty completion and submission consigns Congress to a secondary and largely reactive role in treaty making. It is otherwise only if the FPE seeks advice from individual senators or keeps the Senate informed on negotiating progress as necessary to improve prospects for later consent (Corwin 1957).

Of course, as in other aspects of law making, amendments and reservations may be added. If accepted by the president, such Senate conditions may require the FPE to reopen Level I negotiations over final terms with U.S. negotiating partners, potentially voiding the treaty. At any time, the president may decide to abandon treaty ratification if dissatisfied with Senate conditions (Congressional Research Service, 1993). Either chamber of Congress may otherwise signal its foreign policy preferences by other means during Level I negotiations through such legislative vehicles as concurrent resolutions and budget authorization bills, but these vehicles do not legally constrain or influence a president negotiating a treaty with foreign powers.

On the basis of the enumerated treaty powers, precedents and options, the legislature is largely overshadowed by the executive in several ways: as the sole federal official elected by a nationwide constituency, the FPE determines the nation’s foreign policy objectives, devises a diplomatic negotiation strategy, has a monopoly over the conduct of negotiations; selects a negotiation team and tables diplomatic proposals without formal congressional input (Art. I, Sec. 8, Cl. 1). This makes the Senate's role essentially legislative in nature; that is, “ratification” of a treaty becomes a joint presidential-legislative act, a means to formalize a treaty into the law of the land (U.S. Constitution, Art. I, Sec. 5, Cl. 1; Art. VI, Cl. 2).

Corwin notes the Senate must be content with such information as the president decides to provide (pp.428-429).
Sec. 2, Cl. 2). In practice this means that the specifics of U.S. negotiation stances in diplomatic forums are frequently cast in terms of the FPE’s policy preferences, both in terms of declaratory policy, diplomatic strategy and in sensitive negotiation instructions provided to diplomats. By themselves, the treaty-making provisions in the Constitution make difficult – but not impossible – for the legislative branch to exert direct policy leverage over the executive branch.

The first forty years of U.S. history under the Constitution—roughly the first five presidencies—was a formative period in U.S. constitutional law on the separation of powers and the role of the legislative and executive branches in creating foreign policy. Many of the men who helped draft the Constitution were also sitting in the Senate at this time. At some point in time the branches were likely to disagree over both policy matters and national interests, pitting branch against branch in a bid to encroach upon the others’ authority, as Madison had anticipated in Federalist 51. From a congressional perspective, the intermixing of treaty powers is an unwanted and open invitation for the president to inject himself into the “lawmaking” process. From an executive perspective, presidents desire to protect sensitive negotiations between sovereign states and to seek maximum negotiating leverage at Level I without congressional interference. Notwithstanding Jay’s and Hamilton’s elaborate theorizing in The Federalist Papers, this is exactly what transpired, starting in the 1790s after a frustrated President Washington abandoned all efforts to seek Senate “advice” before submitting finished treaties;

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14 This clause requires the president, in choosing a team for major diplomatic negotiations, to secure Senate consent of the chief negotiator, who is typically given the diplomatic rank of Ambassador.

15 In this view, legislators are inclined to see treaty making as another form of lawmaking, which invites legislators to influence the actual negotiation process, or, during ratification, to improve upon executive diplomacy by inserting clarifications and changes to treaties carefully negotiated at Level I. This sentiment has eroded over time, as presidential primacy in both treaty negotiation and the general conduct of foreign policy has become the norm.
this practice became an established norm with his successors for the next century (Corwin, 1957).\footnote{Washington made a personal and frustrated attempt in his first term to engage the Senate directly – the president appeared in the Senate chamber to seek ‘advice’ on terms of a draft Indian treaty. The president found Senate proceedings disruptive (due to street noise and other ongoing Senate business) and his mission went unfulfilled after senators who were unprepared to provide specific advice suggested Washington leave the treaty behind for review and they would get back to him in due time. Washington thereafter dropped any further practice to solicit Senate advice prior to formal treaty submission (pp.207-217).}

While the president shares constitutional treaty-making authority, the executive institution evolved early to gain a dominant advantage in conducting foreign policy, in times of national emergency, in the face of external threats or to leverage opportunities to expand American interests. Early conflicts between Washington and his immediate successors with Congress defined the constitutional parameters of foreign policy-making authority in the interpretation of separated powers. These interactions established lasting norms, with the presidency exhibiting its dominance over the definition of national interests, direction of policy and formulation of grand strategy in times of high external threats, with Congress more likely to play a larger role in foreign policy during periods of relative peace. In the early conflicts, the FPE established inter-branch dominance over treaty making because of several factors:

- The undefined nature of how presidents seek advice from Senate;
- Early precedents established before 1815 where the FPE usually ignored the Senate while negotiating treaties, seized initiative on establishing foreign policy ends to achieve national interests, and formed grand strategy means to achieve policy ends;
- Presidents routinely applied the institutional advantages of the office – speed, secrecy, unity and dispatch – to bear on addressing crises, threats and opportunities in foreign policy.

Subsequent struggles over treaty powers between the branches have been mostly a question of political differences over the ends, ways and means of foreign policy-making. These are “political questions” rather than separation of power issues.

After Wilson’s failure to secure Senate approval of the Versailles Treaty and U.S. membership in the League of Nations in 1919-20, it became more common for presidents to
informally acknowledge Senate concerns and criticisms of on-going treaty negotiations and to attempt mitigating concerns, even if presidents still eschewed active solicitation of “advice” from the Senate. These informal activities have taken the form of progress reports and intelligence briefings to relevant committees and key members, at times allowing Senate and House members “observer” status at negotiation forums. In practice, the FPE’s advantages in foreign policy inevitably clashed with a Senate desire (usually unrequited) to provide policy counsel. The two institutions’ frequent policy disagreements, exacerbated by ambiguities of the treaty-making and approval clauses, continue to breed as much inter-branch conflict over foreign policy as cooperation.

Application of NCR and APD theories to Treaty Making. The historical evolution of inter-branch conflict over treaty making is relevant because dominance of one branch over the other is theorized under Neoclassical Realism as conditioned by external threats and opportunities in U.S. foreign policy; for example, both Lindsay (2011) and Koh (1996) make the connection between relative changes in the external environment and the relative power relationships of internal governing institutions. These authors argue that dominance in the exercise of treaty-making power can be conditioned as a shift between high or low threats to the nation, and by the dominance of high or low politics that characterize U.S. foreign policy.

It is also possible to examine the evolution of federative inter-branch relations on treaty making from the APD perspective by tracing the sources of institutional disorder (Orren & Skowronek, 2004). Early American presidencies (1790-1815), exercising the treaty-making authority for the first time in an era of great power rivalry and IR systemic disorder, epitomized ‘domestic disorder’, as the young nation experimented with the functionality of its untried

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17 APD focuses not on “the pervasiveness of order”, but rather seeks to “expose sources of disorder, introduce incongruity and fragmentation into depictions of the political norm, and push into the foreground an essentially dynamic view of the polity as a whole” (p.14).
political institutions.\textsuperscript{18} Early presidents repeatedly clashed with the legislative branch over differing calculations and perceptions of relative power in the international system, and how best to respond, which helped establish a dynamic, flexible and ‘energetic’ presidency. The international equilibrium established after 1815 also helped to create a condition of domestic order in federative affairs, characterized by congressional dominance under the Monroe system (1825-1905); this period serves as an initial baseline for analytically and empirically measuring motivations for political change in congressional practices and procedures in federative affairs in successive periods.

As existential external threats existing from 1789 through 1815 receded, the foreign policy “pendulum” swung back towards a greater dominance by Congress. Under the prevailing and stable regime of \textit{Pax Britannica} and a successful grand strategy (the Monroe system) securely in place from 1825 until the end of the 19\textsuperscript{th} century, Congress dominated in a “low-politics” environment based on issues of political economy.\textsuperscript{19} For example, once an energetic executive (supported by a relatively passive legislature) created the Monroe system, relatively little executive initiative was required to maintain it, given equilibrium in the international order.\textsuperscript{20}

The nearly 80-year dominance by Congress would be punctuated only by occasion executive initiative—either to fulfill national urges of Manifest Destiny and secure U.S. regional hegemony (Polk, McKinley, Roosevelt) or to head off possible European intervention in the Civil War (Lincoln). Such periodic exercises of executive energy between stretches of congressional dominance can be periodic.

\textsuperscript{18} Institutional disorder can be periodically identified when the FPE gains greater institutional power as the expense of the legislature, and both branches adjust to the new power circumstances with internal reforms and organizational arrangements.

\textsuperscript{19} Congressional dominance under the Monroe system surprised Alexis de Tocqueville in his travels in America; his discovery that Congress dominated foreign affairs shook his contention that the Constitution provided a latent potential for vast executive power; he speculated that sustained external threats would eventually enable that power (Tocqueville 1969:126).

\textsuperscript{20} The establishment of the Monroe System reflected a relatively benign threat environment where demands for executive attention in foreign affairs were relatively low, allowing for congressional dominance.
initiative in foreign policy generally consolidated or expanded American perceptions of national security prior to acceding to global power and leadership in the 20th century.\footnote{The period after Lincoln’s presidency was characterized by what Wilson described as “congressional government” that conclusively ended with President Wilson’s internationalism during World War I.}

Yet an uncertain or shifting international regime favors the executive branch institution in directing foreign policy and strategy (Koh, 1996, p.161). When issues of “high politics” arise, presidents are able to seize the initiative from Congress, taking advantage of characteristics of speed, secrecy and dispatch in the executive office, aided by precedents established by Washington and enjoyed by nearly all presidents since.\footnote{Ironically, inter-branch relations under the Monroe system largely reflected what the founders originally envisioned in terms of the Constitution’s treaty-making powers and the overall conduct of foreign policy-making.} In the bumpy transition from \textit{Pax Britanica} to \textit{Pax Americana} in the 20th century, presidents seized the foreign policy initiative using their latent treaty-making power in foreign policy by acting on both national threats and opportunities. By the 20th century Tocqueville’s prescient observations on the latent executive power in federative affairs under the Constitution would be fully realized. This lead to routine FPE dominance over the shared constitutional treaty-making powers, with periodic inter-branch conflicts and shifts in primacy concurrent with shifting power in the international system.

Along the way, there would be shorter periods of energy and initiative (but never again dominance) in foreign policy by Congress, which occurred during periods of (virtually self-imposed) low politics in the 20th century.\footnote{As Lindsay (2011) and Koh (1996) observe, such instances specifically occurred in the inter-war periods between World Wars I and II (approximately 20 years) and briefly after 1945 before the Korean War (about 5 years). Congress also sought to reassert its prerogatives in the early 1970s in the wake of U.S. foreign policy reversals in Vietnam, taking advantage of a (perceived to be) weakened post-Watergate presidency.} When Congress attempts to seize the initiative in federative affairs by means of the treaty-formulation or the traditional legislative path, it finds itself institutionally ill equipped to successfully devise and coordinate a collective grand strategy or foreign policy; while the institution may exert its influence in periods of low threat/low
politics, the executive eventually reasserts dominance if global threats to U.S. interests global rise and demands a focus on high politics. The most prominent example of congressional dominance in 20th century was Senate rejection of the League of Nations, leading to isolationism in the inter-war years that facilitated the rise of fascist regimes and a second world war.24

The 20-year period of congressional reassertion in federative affairs that emerged in the 1970s largely subsided with the end of the Cold War. Yet this period saw Congress emerging from a prolonged period of institutional disorder, and the reassertion was accompanied by institutional reform that coincided with the emergence of a power shift in a bipolar global system with Soviet nuclear parity, ending a long period of American global superiority. The post-Cold War “unipolar” global system with U.S. global hegemony in the 1990s represents an unprecedented situation and has complicated a reprise of the historical post-war pattern of congressional dominance under the treaty-making power. Both the 1970s reassertion and its subsequent diminishment in the 1990s are somewhat counter-intuitive to the historical patterns suggested by Lindsay and Koh.25 Neither author’s thesis predicted Congress’s effort to reassert its influence over federative affairs after 1970. Nor when it occurred were congressional efforts to influence foreign policy manifested through a successful use of the treaty-making power, as documented by Johnson (2006), but rather through spending powers and in defense, not diplomatic, realm.26

24 Outside the scope of this study is the possibility that legislative management of federative affairs during period of its dominance or high influence perhaps creates the conditions of rising external threats and a requisite need for presidents to devote greater attention to high politics.

25 Koh and Lindsay however, do posit interrelated propositions that reinforce basic tenets of NCR and APD theory, where domestic factions act upon perceptions of shifting relative power in the international system to exert policy influence. Such action may precipitate either a shift in dominance, or at least generate conflict, between political branches in foreign policy.

26 Johnson notes that the efforts of the “new internationalists” on the Senate Foreign Relations Committee (the traditional forum for Congress to influence foreign policy) to challenge executive dominance of Cold War policy largely failed. Greater success in challenging the FPE, Johnson observes, occurred through the armed services and defense appropriations committees.
Congressional success in leveraging its treaty-making authority may be limited in its ability to dominate or directly influence foreign policy in high politics, especially under conditions of disequilibrium in the IR system. Since these conditions prevailed during the Cold War, the legislative exercise of treaty powers during the Cold War was largely passive and reactive. The diminished legislative role in exercising treaty powers – similar to that of reduction of its war powers role – effectively diminished the overall influence of Congress in both these federative activities, opening the door to a steady erosion during the Cold War of their constitutional responsibility to serve as a check on executive dominance in American foreign policy.

If, as an institution, Congress desires to exert such influence under these conditions, Congress must use other constitutional authority as a means to influence foreign policy outcomes.

**Inter-Branch Bargaining Over the Spending Power**

“No money shall be drawn from the treasury, but in consequence of appropriations made by law.”

— *U.S. Constitution, Article I, Section 9*

“The purse and the sword ought never to get into the same hands, whether Legislative or Executive.”

— *George Mason, at the Constitutional Convention, 1787*[^27] (Hunt, ed. 1905, 6:148)

**The Power of the Purse.** As Schlesinger (2004) notes, failure to aggressively assert its constitutional powers over war-declaration and treaty-making places Congress in a difficult position: it can accept a secondary role and engage the executive in political questions on an issue-by-issue basis; or it can assert its constitutional prerogatives in other areas, such with the Spending Power. Historically, Congress fairs much better in conflicts with the FPE when it uses its spending power than it does with the treaty-making and war-making powers. Congress has direct control over appropriations and, in theory can bend the executive to its will on policy and strategy via spending and executive oversight issues if properly wielding this power. The appropriations power is not a panacea in all areas, however; the FPE maintains considerable

power over appropriations by using or threatening the executive veto and can be expected to continue vigorous use advantages in exercising war- and treaty-making power in foreign policy clashes with Congress.

Legislative and executive struggles over the exercising of enumerated and implied authority for spending and authorizing appropriations are examined below in the context of the research question, including the modern budgetary processes of defense authorization, appropriations and implementation, broad legislative oversight authority over military affairs and legislative procedural devices designed to check and balance executive action in federative affairs.

Spending Powers as enumerated (and implied) in the Constitution. All enumerated spending and oversight powers of Congress are addressed in Article I, which outlines the powers of the legislative branch (See Figure 4.1). In the first clause of Section 8, Congress is granted the responsibility to set national spending generally, as well as to establish and collect taxes, pay the national debts and “provide for the common defense and general welfare of the United States” (emphasis added).

**Figure 4.1**

**Constitutional Relationships: Defense Appropriation and Oversight Powers**

<table>
<thead>
<tr>
<th>Legislative Authority</th>
<th>“Article I, Section 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>“Article I, Section 8. The Congress shall have power . . .”</td>
</tr>
<tr>
<td></td>
<td>To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States . . . (Clause 1)</td>
</tr>
<tr>
<td></td>
<td>To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; (Clause 12)</td>
</tr>
<tr>
<td></td>
<td>To provide and maintain a navy; (Clause 13)</td>
</tr>
<tr>
<td></td>
<td>To make rules for the government and regulation of the land and naval forces; (Clause 14)</td>
</tr>
<tr>
<td></td>
<td>To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.” (Clause 18)</td>
</tr>
<tr>
<td></td>
<td>“Article I, Section 9. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time.” (Clause 7)</td>
</tr>
</tbody>
</table>


“Article I, Section 7...” Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections. If after such reconsideration two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law...” (Clause 2)

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives...” (Clause 3)

Clauses 12 and 13 of Article 1, Section 8 establishes that Congress can “raise and support armies,” and “provide and maintain a navy.” This power authorizes not only spending levels on the armed forces but allows Congress to establish force levels and particular characteristics of those forces, such as authorized personnel levels and overall force structure; these powers are further reinforced in Clause 14, which allows Congress to “make rules for the government and regulation of the land and naval forces,” both in terms of authorization of policies such as acquisition rules and practices and of the structure of the executive branch to operate the armed forces. This clause effectively grants to Congress broad oversight authority regarding how the commander-in-chief manages funds authorized and appropriated for weapons development, acquisition and maintenance of the military instruments that constitutes the armed forces. A critical part of Clause 12 is the language that allows Congress not only to provide funding and guidance to the military, but that “no appropriation of money to that use shall be for a longer term than two years.” This provision allows for regular review and control over the size, organization, makeup and the very existence of the nation’s armed forces.

Finally, in addition to the Article I enumerated powers in Section 8, is the implied “necessary and proper” authority (Clause 18), also known as the “elastic clause,” which grants Congress the power to “To make all laws which shall be necessary and proper for carrying into execution the

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28 Clause 14 does not provide congressional authority on how to direct or operationally employ forces, especially in wartime. It does imply oversight of how the commander-in-chief maintains and manages those forces to achieve national ends.
foregoing powers, and all other powers vested by this Constitution.”

The “necessary and proper” authority allows Congress to pass statutes that guide the Commander-in-Chief in execution of duties and provide explicit direction on how the president executes the will of Congress in annual military authorization and appropriations bills.

Article I, Section 9 stipulates that “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law,” making clear that the president has no independent spending authority other than to execute appropriations as directed in legislation. This creates a complete dependency of the executive on the legislature, encouraging cooperation in federative policies; this also requires the FPE to engage in Level II bargaining to promote executive policy and strategy initiatives. Yet Article I, Section 7 balances the legislature’s appropriations and oversight powers by allowing a presidential veto over all legislative products, subject to a two-thirds bi-cameral override of a president’s veto. While the veto power is an important bargaining tool, it is largely a negative power to be used carefully in inter-branch bargaining.

The constitutional theory behind the allocation of the spending authority was that Congress could always check the presidency by controlling the resources at its disposal. This is especially critical in federative affairs. As discussed above, the executive branch over time has stretched, even breeched, the intended constitutional checks and balances over the treaty making and the war authority powers; in the case of spending, legislative dominance remains the

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29 Importantly, this clause includes making laws affecting not only its own enumerated powers, but also “all other powers vested in this Constitution”, including the executive branch’s enumerated powers. This allows Congress to specifically direct the executive branch in governing the armed forces, as well as delegating its own legislative power to the executive through statute, typically done by amending and adding to specific Titles 10 of the U.S. Code that concerns the regular armed forces.

30 This “power over the purse,” Madison argued, provides “the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect just and salutary measures” (Federalist 58). Most importantly, as articulated by George Mason, the founders especially feared the union of “the purse and the sword” in security matters (Fisher, 1996). “The rise of democratic government,” Fisher concludes, “is rooted in this legislative control over expenditures” (p. 227).
ultimate constitutional backstop of checking and balancing executive power. When Madison contends in Federalist 48 that the Constitution creates “a dependence ... in the latter [the executive], which gives still greater facility to encroachments of the former [the legislative], he refers specifically to the legislature’s enumerated spending power and implied “necessary and proper” clause of Article I to provide for executive dependency. 31 This power provides continuous encouragement to challenge an energetic executive (Federalist 48). 32

Consensuses over “Standing Armies.” Clause 12 of Article I, Section 8 prohibits Congress from making defense appropriations more than two years, and by custom defense appropriations laws are passed annually. This restriction addresses the founders’ concern over “standing armies” under control of the commander-in-chief. 33 To assuage Antifederalist concerns, Hamilton posited in Federalist 24 and 26 that standing armies were essential to the nation’s defense and that the legislature’s two-year limitation on defense appropriations sufficiently checked executive power as commander-in-chief. Hamilton further emphasized that the deliberate nature of the two-year military appropriation obliged Congress to firmly retain military matters in their hands in keeping with voter preferences (Federalist 26). Hamilton argued that Congress, in theory, could use its appropriations power at any time to terminate participation in any military conflict. 34

31 As Madison explains in Federalist No. 48, “the legislative department alone has access to the pockets of the people.”

32 In both Federalist 48 and 49, Madison reveals his preference for legislative dominance and the resulting dependency and restraint upon the executive branch. Madison’s “checking” theory in Federalist 51—in which one branch’s political ambition may be checked by another—further reinforces the dependency argument in Federalist 48.

33 There was no consensus among delegates in Philadelphia on even a need for a “standing army” (Oxford Companion 2012b). Delegates recognized that the “power of the president as commander in chief is at its low point when there is no standing army and Congress must act to raise troops. But when a standing army exists, ready to move at the president’s command, the balance of power can shift decisively.”

34 No such cases exist in American history of Congress cutting off military appropriations in wartime (Oxford Companion 2012b). In the 1970s, Congress cut-off funds for overseas intelligence operations, and for some American military operations in Southeast Asia, but these were covert activities—ordered at presidential discretion—not formally “authorized” political-military operations. In 1975 Congress cutoff of military aid to South Vietnam, which shortly afterward resulted in a Northern military victory; this was not a wartime termination of U.S. military operations, as U.S. combat troops had been completely withdrawn in 1973.
same theory implies Congress could use the spending power to create, re-create, re-direct, re-prioritize or cancel any military program either existing or requested by the FPE.

The two-year constraint on military appropriations serves several important purposes:

- Limits the size of a standing army in time of peace;
- Provides regular deliberation by elected, accountable legislators on the need for the “common defense”;
- Reduces potential for abuse of military power by executive action;
- Acts as a deliberate legislative constraint on the power and activities of the executive;
- Establishes that the raising and maintenance of armed forces is inherently a power reserved for the legislature, being the closest representative of the people.

In this manner, the two-year appropriations limitation is a powerful and fundamental legislative check on both the Article II, Section 1 executive vesting clause and the Section 2 commander-in-chief authority – whether implied or inherent depending upon varying theories of presidential power – to conduct diplomacy through the use or creation of military power.

*Inter-branch conflict over use of the “power of the purse.”* Congress provides the fiscal means to achieve nation’s foreign and military policy ends. In doing so, Congress may fund, build, structure and maintain the armed forces not only as a means to check presidential initiatives, but to promote its own policy preferences. Yet the Constitution itself is vague on how the revenue and appropriations process should work. Because of the presidential veto, and overall congressional delegation of power via statute to the executive since 1789 (through the “necessary and proper” clause), the process of how Congress exercises the spending power has both evolved over time and been a source of inter-branch conflict over the direction of national fiscal policy. Historical evolution of the federal budget process is also a story of how the branches interact in federative affairs. Interaction of the branches in the federal budget over two centuries roughly breaks down into three periods, roughly conforming to Lindsay’s swinging
These periods are Legislative Dominance (1789–1933), Executive Dominance (1933–1974), and Legislative-Executive Conflict (1974–present). Each struggle is addressed below.

- Legislative Dominance (1789-1933). Frequently the inter-branch relationship in federal budgeting is characterized as “the President proposes, the Congress disposes.” Yet, only since the Budget and Accounting Act of 1921 (BAA) has the president had statutory responsibility for proposing a comprehensive budget for each fiscal year. Before BAA passage, Congress provided whatever national fiscal policy direction existed, but for decades Congress lacked a disciplined process to measure the impact of its actions on the national economy. Only after the Civil War did Congress even establish separate appropriations committees; prior to this the entire body in each chamber participated in fiscal decisions, an awkward and cumbersome process. “The United States did not have a fiscal policy,” it was said, “but a fiscal result” (Generous, 1995, n.2). Within a democratic system, such an inefficient and haphazard fiscal system could be tolerated only as long as the Federal government’s impact on the overall national economy was small and benign. Yet as the executive branch expanded in the 20th century, Congress struggled to more effectively wield its fiscal and appropriations powers.

- Executive Dominance (1933-74). The 1921 BAA reform was intended to impose greater coherence and discipline on government spending. The actual effect of the 1921 reform would be to make the president a more important player in exercising the spending power and in directing national priorities. The relationship was ripe for an “energetic executive” with aggressive fiscal

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35 As stated above, the extended periods of dominance by a single branch are punctuated by shorter periods of shifts between the branches. The three periods discussed here are designed to provide historical context for institutional changes in federal budgeting and their effects on inter-branch relations in the direction of foreign policy.

36 This breakdown of historical periods and historical summation is based on a 1995 on-line article (Generous 1995). A similar historical categorization is found on-line in Ragone (2004). Categorization differs slightly in the second period (Presidential Dominance, 1921-74), only because Ragone marks its starting point with the 1921 Budget and Accounting Act, while Generous identifies FDR as the first president to effectively use the 1921 Act to dominate federal budgeting.
policies and procedural tools ready to more directly regulate the national economy. The first president to take full advantage of 1921 BAA provisions was Franklin Roosevelt, who used the statute to expand the executive’s role as a major legislative and budgetary player in passing his New Deal program. In the 1930s and 40s, the size and scope of the Federal Government’s activities grew many fold, followed by further expansion during World War II. What Schlesinger (1973) later called “the imperial presidency” has its roots in the energetic hand of FDR and his successors over the next half-century. In this period, Congress played only a secondary role in budgeting; “while it still appropriated federal spending, it increasingly deferred to the president's proposals and estimates” (Ragone, 2004). Under BAA authority, aggressive presidential leadership made “the president’s annual budget submission, by default, the sole unified statement of national priorities in existence in Washington [with] Congress’ role reduced to making ad hoc decisions to, and subtraction from, that document” (Generous, 1995, n.4). The presidency shaped the policy agenda and came to dominate fiscal expenditures.

Increased presidential involvement in legislative budgeting created institutional difficulties for Congress; its workload vastly increased while its prestige and power declined vis-a-vis the executive branch. To cope, Congress increasingly delegated ever-greater authority to the executive branch, while its own oversight and budgeting procedures failed to maintain pace with the expansion of government. An attempt at reform in 1946 did improve legislative oversight of the executive branch, yet these reforms failed to reverse the flow of power from the legislative to the executive branch (*Legislative Reorganization Act of 1946*).38

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37 “Rather than control federal spending, the Budget Act of 1921 spurred an explosion in the growth of government, as presidents linked ambitious legislative programs like the New Deal and the Great Society to their annual budgets” (Ragone, 2004).

38 While reducing the number of committees, the positive effects were partly counterbalanced by the subsequent proliferation of subcommittees, which were not regulated in the act. This same effect is found in the 1974 budget reforms. The ambitious 1946 reform failed to restructure an antiquated budget process and was soon abandoned; it failed to reverse the flow of power and prestige from the legislative to the executive. For analysis and criticism, see, Galloway (1951). Kolodziej (1966, p.567)
It is still difficult for a president to force Congress to submit to his direction in all instances, especially under a divided government. In these conditions, Congress could be very adept at mounting legislative obstacles in a president’s path, more secure that it could override any threatened presidential veto. For example, Eisenhower’s attempt to run a fiscally conservative government characterized by low taxes and reduced spending often clashed with the Democratic-controlled Congress, where his veto threat was not always credible.\(^{39}\) Presidents learned to avoid these conflicts by working closely and cooperatively through the committee procedures, a few key leaders and committee chairmen. During the early Cold War, Congress was also reluctant to challenge FPE security priorities and defense requests, assuming the president maintained cooperative relations.

By the late 1960s, Congress began to reassert its spending powers. With expanded domestic spending under the Great Society and mounting costs of the Vietnam war, the national economy worsened, creating rising inflation, a budget crisis regarding Federal spending, and a constitutional confrontation between the president and Congress over Nixon’s impoundment practices. Underscoring the budget crisis was Congress’s chronic inability to impose fiscal discipline upon itself, and the problems this caused in generating budget deficits in times of severe economic downturns. After relatively ineffective institutional reforms in 1958 and 1970, Congress enacted a comprehensive budget process reform in the landmark Budget and

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39 Because it does not discriminate between valid or unnecessary spending, a presidential veto threat typically is a sledgehammer, not a scalpel. Since the political risk of being overturned by a two-thirds majority of each chamber is real, veto threats (and actual vetoes) must be issued sparingly to be truly effective. Eisenhower was somewhat effective; his was the last presidency where federal spending (in 1954) decreased over previous years (Ragone 2004, p.168).
Procuring Swords for Plowshares

Impoundment Control Act of 1974 that represented an institutional effort to re-acquire powers eroded during the growth of the presidency (1974 Budget Act).\(^40\)

- **Resurgent Congress/Legislative-Executive Conflict (1974-Present).** This conflict unfolded amidst the weakening of Nixon’s presidency in the Watergate scandal and the more general congressional backlash against executive power in foreign policy at the end of the Vietnam War. The direct result of the 1974 Budget Act, combined with the 1973 War Powers Act, was a far more aggressive and resurgent Congress willing to use its power of the purse to promote its institutional policy preferences, frequently at odds with the FPE. Besides its more “defensive” aspects curtailing executive impoundment authority, the 1974 Act transformed the way Congress dealt with fiscal matters and was intended to give greater direction and coherence to the budget process as Nixon (and earlier presidents) had demanded, and where the 1946 Act had failed.

The 1974 Act created parallel committees and procedures in each chamber to address legislative functions for funding and managing the entire federal government: budget and fiscal planning, policy and program authorization, and spending.\(^41\) The Budget Committees within each chamber have specific responsibility of drafting the broad outlines of a national budget plan, providing a “big picture” of annual revenue and expenditure targets, called concurrent budget resolutions.\(^42\) Authorizing Committees create and review substantive policy for

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\(^{40}\) The 1974 Budget Act (Pub. L. 93–344, 88 Stat 297) also curtailed executive impoundment authority. The Budget Act was amended several times (in 1985, 1990 and 1997) in a futile effort to control institutional spending. The original 1974 legislation, however, remains the basic blueprint for today’s annual congressional budget procedures. Nixon signed the final Budget Act into law on July 12, 1974, less than a month before he resigned the presidency.

\(^{41}\) The 1974 Budget Act also created legislative support organizations (CBO and GAO) to provide expert analysis to assess all fiscal and policy-oriented legislative initiatives both within Congress and submitted by the executive branch. The agencies also are intended to challenge executive experts, assumptions and analyses and assist in executive branch oversight.

\(^{42}\) Budget Resolutions represented overall budget ceilings within which the respective chambers’ tax-writing, program authorization, and appropriations subcommittees develop the substance and finer details of annual legislation for revenue, program direction and expenditures. Authorization and appropriations sub-processes run concurrently with the Budget
government programs and write programmatic guidance for executive agencies; these committees do not provide funding, but provide legal authority and policy guidance for the programs under their oversight and jurisdiction, which must stay within authorized funding ceilings. Actual funding for authorized programs is managed by the large and powerful House and Senate Appropriations Committees, representing thirteen appropriations subcommittees in each chamber, from which come detailed spending levels each year funding the Federal Government.

The budget process created by the 1974 Act remains the current institutional structure, and was intended to provide long needed budgetary coherence and discipline within Congress. The 1974 budget reforms did not eliminate executive-legislative clashes over the direction and control of spending, nor did budget reform resolve issues of institutional budget coherence in the Congress. The very complexity and decentralized nature of the post-1974 Budget Act requires that the congressional leadership (and the executive if close coordination is desired) work across several layers of overlapping processes, which are operated by more independent-minded (and numerous) subcommittee chairman and individual members, than in the pre-reform process. Added complexity also enhances uncertainty, placing a premium on inter-branch cooperation and communication that, even in the best of times, is often fragile and fleeting. Post-1974 operation of Congress in the wake of substantive reforms, especially in fiscal matters, can also be considered a period of institutional disorder, albeit one which gave individual legislators far greater leverage.

Committees, with staggered schedules designed to complete the annual legislative milestones for budgeting, authorization and appropriations by the start of the fiscal year. Historically, these milestones are rarely achieved by this time.

Military authorizations, and actual appropriations (constitutionally limited to two years) are generally done annually, although statute provides for multi-year procurement for larger projects like ships, ballistic missiles and aircraft.

The thirteen subcommittees reflect the major functional departments and agencies in the executive branch. For example, the House and Senate Defense Appropriations Subcommittees set spending levels for the Pentagon. Appropriations for military construction projects and nuclear warheads are subject to separate subcommittees.
This observation accurately captures the problem with legislative control over the purse: while it provides powerful leverage for shaping and influencing national policy and programs, unless organized around a coherent procedural framework, and directed by a focused, collective leadership with clearly aligned policy preferences, it is a cumbersome tool, subject to individual members’ unpredictable influence; an energetic executive can bend the process to shape presidential, rather than legislative, policy preferences.

Unlike the shared War- and Treaty-Making Powers, the Spending Power belongs almost exclusively to the legislative branch, with some limited executive influence through the veto. Most inter-branch conflicts over spending are considered political, rather than constitutional, questions. In part, this is because the constitutional boundaries are ambiguous. As various scholars have pointed out, there is little established Supreme Court precedent that addresses the constitutional limits on the legislature’ use of appropriations to restrict an FPE’s foreign policy initiatives; although there have been various attempts to do so, the Courts generally view the issue as an inter-branch political conflict and evoke the political question doctrine. While Wildavsky (1968) and Koh (1996) posit that modern presidents frequently are able to push the limits of their power more easily in foreign than in domestic policy, it is false to assume that restrictive conditions on appropriations are proper for domestic legislation but impermissible for governing foreign policy and the war powers (Fisher, 1996, p.228). In the 1970s and 80s,

45 Koh (1996) cites Supreme Court and lower court cases addressing appropriations cut-offs, but notes that no Supreme Court case or precedent has invalidated an appropriations statute on the grounds that it violates a president’s inherent foreign affairs authority as described in the 1936 Curtiss-Wright decision. Most supporters of the Unitary Executive theory have argued that the 1980s-era Boland amendment denying appropriations to the Nicaraguan Contras represented an unconstitutional encroachment of inherent executive authority to conduct foreign affairs; yet, Yoo (2009) disputes this idea, stating “the Congress had the Constitution on its side” (p.358). Because the issue remains a gray area as yet untested by the judiciary, Koh suggests that future presidents may challenge appropriations limitations as an unconstitutional exercise (p.169).

46 Wildavsky argues that presidents’ formal powers to commit resources in foreign affairs and defense are vast, and their actions in foreign affairs also makes it difficult for Congress to restrict their actions (i.e. de facto situations). Koh states that the powers of the office and circumstances of foreign policy usually mean that executives will prevail in contests over foreign policy control. The exception Koh makes is in the spending power, which in his view is too infrequently used by Congress.
legislative amendments were frequently offered to limit funding for specific presidential activities in foreign policy (Johnson, 2006; Fisher, pp. 232-237). No successful legal challenges have yet been made by the FPE to challenge the constitutionality of these types of measures.

Limitations to the Appropriations Power. Historical review of the spending power suggests that its use and related oversight authority by the armed services committees would be the primary means of exerting congressional bargaining leverage affecting the FPE’s conduct of diplomacy. The study’s proposition is that Congress seeks to extend its influence via the purse over executive policy decisions. This proposition is generally accepted in domestic politics, but as noted in the literature, is more problematic in foreign policy. Can this influence routinely extend to “high politics”, such as the establishment and exercise of the state’s foreign policy, formulation of grand strategy, content of diplomatic negotiation instructions, or even possibly the operations and structure of military forces?

In the 20th century, executive-legislative conflicts over spending power in military affairs and foreign policy became more pronounced. Yet as early as 1850, the Supreme Court ruled the president as commander-in-chief can “direct the movements of naval and military forces placed at his command, and to employment them in the manner he may deem most effectual to harass and conquer and subdue the enemy” (Fisher, 1996, p.229). Fisher notes the discretion provided the president in federative affairs is substantial, including movements of military forces and actions, negotiating treaties and the conduct of foreign policy; yet it is not unlimited, as “it is the power placed by law at his command” (p.229).

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47 Johnson documents attempts during the Cold War to influence policy through the Spending Power. Examples include the 1976 Clark Amendment prohibiting assistance for conducing military or paramilitary operations in Angola; efforts in the 1980s to condition military aid to El Salvador on certification of curtailing of human rights abuses, and the 1982 Boland Amendment.


49 Congress can always pass legislation as “necessary and proper” to ensure its policy preferences guide FPE implementation.
Where the boundaries begin and end for FPE discretion over use of the armed forces are vague, as are the limitations of how far Congress can use its power of the purse to constrain this discretion. Where the institutional responsibilities of one branch frequently influence perceptions of the other, conflict ensues. Since Congress “places by law” wide discretion to the FPE over operation of the armed forces, it may or may not provide the resources through appropriations that enable exercise of a president’s federative authority. How Presidents interpret this authority, and the limits Congress may impose, differ widely, in part perhaps on the personalities of leaders involved and in part on gravity of the external situation requiring presidential energy and action.

Efforts by Congress to apply spending power and oversight to issues such as Cold War weapons acquisition, planning, deployment and operational use of strategic nuclear forces, did not occur in a historic vacuum. How Congress might have exercised this power prior to the Cold War cases examined in this study is instructive and can provide historical context to efforts to investigate causal mechanisms that suggest a general theory of congressional use of the purse to influence foreign policy outcomes. Two pre-Cold War examples are examined below.

- **Pre-Cold War Historical Case: The Great White Fleet.** A well-known example illustrates the point that perceptions of federative responsibilities differ between the branches. In 1907, President Theodore Roosevelt dispatched the Great White Fleet – sixteen new battleships of the Navy’s Atlantic Fleet – around the world on a fourteen-month voyage often characterized as a “grand pageant of American sea power” (McKinley, 2007, p.4). Roosevelt undertook this “pageant” with little prior consultation with Congress. “Once the plans for the cruise became public,” a U.S. Naval historian accounts, “not everyone was impressed.” Maine Senator Eugene

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50 The fleet embarked on a voyage covering some 43,000 miles and made twenty port calls on six continents. The scale of the naval deployment, with four naval squadrons comprised of 14,000 American sailors, had never been attempted by any nation before and represented the first around-the-world cruise by a fleet of steel steam-powered battleships. The 14-month peacetime circumnavigation “is widely considered one of the greatest peacetime achievements of the U.S. Navy” (p.4).
Hale, the powerful Naval Appropriations Committee chairman, worried that deployment of so many ships would weaken Atlantic naval defenses and threatened to use the purse to withhold funds. Roosevelt famously and brusquely informed Hale that funds to sortie the fleet were already in hand; the fleet would sail, and dared Congress to ‘try and get it back’ (p.12). The Senate declined to take up Roosevelt’s challenge.

Both senator and president held strong yet conflicting views on the implications of the voyage for U.S. security at a time of shifting global power. Roosevelt’s rationale for the trip was, in fact, part of his larger geostrategic vision and grand strategy, and certainly within the constitutional purview of a commander-in-chief’s war- and treaty-making powers. An adherent of Admiral Mahan, Roosevelt held a deep conviction that a nation could project its power and prestige abroad only through a strong navy and wanted to demonstrate to other great powers the U.S. Navy’s new capabilities. Foremost among Roosevelt’s concerns were recent demonstrations of Japanese naval power in the Far East after the 1905 Sino-Japanese War, and the relative weakness of U.S. naval power in the Pacific at that time (McKinley, 2007).

Yet constitutionally, Roosevelt was literally on a “short leash,” his challenge to Senator Hale notwithstanding. Congress held the purse strings on funding the operation of American naval power, and despite the president’s grand strategic design, Congress theoretically could have interrupted the ‘pageant’ that was the historic voyage of the Great White Fleet.

\[51\] Drawn from McKinley, quoted in The Cruise of the Great White Fleet, (U.S. Navy Department Library, on-line).

\[52\] Sen. Hale’s security concerns were not without foundation, as the Atlantic was the central theater of an unfolding Anglo-German naval competition, one in which U.S. interest were clearly involved. Hale is thus an early example of Congress as a possible intervening variable in foreign policy, reflecting institutional perceptions of changing threats.

\[53\] Deploying the Great White Fleet, initially by way across the Pacific on its global circumnavigation, was Roosevelt’s subtle demonstration to Japan of American force projection capabilities, despite the temporary condition of the Navy’s Pacific squadrons. As the Naval History Office notes, the Japanese “realized that when the American fleet rounded the Horn it completely altered the balance of power in the East.” Japanese statesmen believed that the American fleet’s visit to the Pacific marked the beginning of a new era in Asiatic affairs (p.15).
Modeling this phenomenon to investigate a casual relationship between congressional purse strings and Roosevelt’s foreign policy objectives begins where Congressional Naval Appropriations (X) is causally related to TR’s Far East Diplomacy/Grand Strategy (Y). This relationship describes a casual condition where Naval Appropriations was a necessary and/or sufficient for occurrence of the outcome. But was such a causal mechanism evident, and was there a path by which Hale could have influenced, or prevented, execution of Roosevelt’s preferred strategy? The theorized causal path where a variable (or factor) produces an outcome would be:

\[ X \rightarrow [\text{causal mechanism}] \rightarrow Y \]

Using a process tracing method to fully analyze what occurs inside this ‘black box’, a possible causal relationship can be represented as:

\[ X \rightarrow [(z_1), (z_2), (z_3)] \rightarrow Y \]

Where Z represents discrete parts of a theoretical causal mechanism to be investigated. A key factor possibly motivating Sen. Hale to attempt to influence Roosevelt’s grand strategy was his perceptions that threats from potential enemies to America’s eastern seaboard demanded the White Fleet not begin a global tour (European powers then being engaged in a major naval arms race). \( Z_1 \) could therefore represent an ideational component – the expressed concern by Hale, which was the product of his perception of the threat environment. \( Z_2 \) could represent a possible psychological component, where the subjective perceptions of external threats by Hale (and possibly others) would lead to the institutional enforcement of behavior regularity, characterized at the time by congressional dominance in use of the spending power. \( Z_3 \) could represents an institutional component, where the normal powers and practices of naval appropriations could have been exercised – either by public expression or in statute – that the president would
expressly not be receiving naval appropriations for a global circumvention by the Great White Fleet.

While a process tracing analysis on this case was not conducted in this study, this exercise suggests a theoretical chain that could have allowed Congress to transmit a causal force via budgetary restraint upon Roosevelt’s preferred strategy. Hale’s clearly expressed concern represents an ideational part of a casual chain; the psychological component could have either followed normal committee behavioral regularity, or have overridden it in event of a consensus among Hale’s colleagues that Roosevelt’s planned action in fact made strategic sense and the Great White Fleet should sortie. The absence of any empirical evidence or observed manifestations of such legislative parts of a causal path however thus prevented a transmission of causal forces. Since the “transmission belt” did not engage in this case, it can be inferred that there was no casual mechanism suggesting the influence of Congress on the outcome.

Whatever deft strategic initiative displayed by Roosevelt, this example underscores the reason why the founder’s placed a two-year limitation on defense appropriations: to keep within boundaries the wide discretion and latitude given a president in fulfilling his commander-in-chief duties, always subject to legislative (and possible judicial) restraint. Despite Teddy’s bluster, the FPE requires defense appropriations to sortie the fleet and must explain to Congress his strategic purposes so as to secure funding for executing a preferred grand strategy.

- *Pre-Cold War Historical Case: Congressional Inter-War Naval Construction and Arms Control*. Inter-war naval arms control negotiations conducted between 1921 and the mid-1930s are more relevant to the research question since it involves the synergy of inter-branch relations over global distribution of power, grand strategy, defense appropriations and arms control. Maurer (1994) writes that the vigorous post-World War I naval arms race “was a manifestation
of underlying shifts in power balances within the international system,” as rising global powers Japan and the United States challenged Britain’s position of leadership in international trade, finance and naval power.\(^{54}\) These underlying shifts within the international system fueled interwar fears of an unchecked naval arms competition between the great powers.

Beginning with McKinley, successive U.S. presidents sought to strengthen American power and influence before and after World War I, a period of strategic adjustment in the global power balance. Critical to their grand strategy was the construction of battleships and battle cruisers – capital ships then considered the primary measure of a great power, the equivalent of today’s strategic nuclear triad and naval and air power-projections forces. In 1916, the Wilson administration sponsored, and Congress passed, legislation authorizing a naval building program designed “to give the United States a navy as strong as that possessed by any other great power” (p.268). After World War I, Wilson resisted efforts by disarmament advocates to scrap the still-incomplete 1916 program, seeing it as a key part of his Fourteen Points and vision of global collective security (Fanning, 1994, p.2).\(^{55}\) Even after the U.S. declined to join the League of Nations, the 1916 naval program continued under President Harding, who campaigned on a promise to complete it, believing (like Roosevelt) in the Mahanian notion that a powerful naval capability insured future U.S. dominance in maritime trade (Maurer). While firmly wedded to the concept of a superior navy, Harding required continuing congressional appropriations to complete the 1916 program.

\(^{54}\) “This competition, if unchecked, portended an eventual conflict on the magnitude of the one that had just ended” (p. 269).

\(^{55}\) While arms control was the fourth of Wilson’s Fourteen Points, Wilson saw a reduction in American naval power incongruent with his second point, ensuring the freedom of the seas – a traditional American national interest. Wilson also saw a strong navy as essential to strengthen the League of Nations and concept of collective security. Maurer notes that Wilson saw U.S. parity with Britain in naval power as a powerful bargaining leverage in the Versailles negotiations, compelling Britain to join the League. Under his new world order, Wilson also wanted to end traditional British naval supremacy and bolster America’s strategic position in the western Pacific to counter growing Japanese power and influence.
While after the world war all major powers engaged in renewed naval competition, domestic pressures in these states reflected a growing desire to limit military arms.\textsuperscript{56} Naval restrictions on Germany in the Versailles Treaty were touted as a means to promote arms control among other great powers, providing primary impetus for inter-war naval negotiations.\textsuperscript{57}

For different strategic reasons, each major naval power responded to an American invitation issued in 1921 by Secretary of State Charles Evans Hughes to discuss naval disarmament in Washington. Great Britain desired to restrict or halt the large 1916 American naval program that within a decade could achieve strategic parity in capital ships and eclipse Britain in other categories, especially heavy cruisers. Japan emerged from the Versailles conference concerned over its role in international affairs and desired great power recognition. France sought to deny Italy naval parity and demanded superiority over Japan (Fanning, p. 4).

There were two distinct phases in building the inter-war naval arms control regime: the initial 1921 Washington Conference, frequently seen as an example of successful strategic arms control, and several follow-on efforts intended to leverage the 1921 success into construction of a lasting naval control regime to prevent future major power conflict. In each phase, the role of weapons acquisition by Congress could be considered to have a causal role in the outcomes.

The \textit{Washington Naval Conference of 1921}. The initial American proposal at the Washington Conference was a “stop-now” concept to halt existing and restrain new capital ship construction for ten years.\textsuperscript{58} The proposal also contained a ratio system designed to balance the

\textsuperscript{56} The desire was encouraged by elite views in victorious democratic societies that the war’s primary causal factor was the Anglo-German arms race. This perceived causal factor is consistently noted in more recent analyses of the inter-war period, including Fanning (1994); Goldman (1994); Trubowitz, Goldman, & Rhodes (eds. 1999); and Goldstein & Maurer (eds. 2012).

\textsuperscript{57} Naval arms negotiations between the great powers were conducted after 1921, in the initial 1921 Washington Naval Conference through subsequent conferences in Geneva (1927, 1932), London (1930, 1932) and far less successful efforts that petered out by the mid-1930s.

\textsuperscript{58} Hughes’ scheme required that the great powers forgo new construction and deploy only those ships already completed. The “stop-now” proposal is akin to the “nuclear freeze” proposal of the 1980s – only this proposal emerged out of the executive
legitimate naval requirements of the major powers, purportedly allowing those powers with the greatest “need” for naval capability a higher ratio, hence larger fleets.\footnote{In a ratio system “need” was based on recognition of existing geostrategic requirements and overseas territories. Thus, Great Britain’s global empire required a larger navy than Japan and Italy, with more modest and regional interests; the United States, a continental power with two broad oceans to defend, required more to defend it than did Japan or France. Thus, the ratio system measured “legitimate” strategic requirements, above which a state might be seen as creating a security dilemma.} This U.S. proposal had great appeal to democratic societies eager to curtail armaments, but ran counter to projected building programs of the major powers jockeying for post-war strategic advantage.\footnote{In a different interpretation by Maurer (1994), Hughes’ highly publicized ‘stop-now’ proposal was designed to be rejected and thus strengthen support in Congress for appropriations to complete the 1916 program. Maurer notes that just prior the conference, Harding sketched his basic negotiation strategy to a friendly journalist: “We’ll talk sweetly and patiently to them [the other major naval powers] at first; but if they don’t agree we’ll say, ‘God damned you, if it’s a race, then the United States is going to go to it.’” Senator Henry Cabot Lodge, a member of the negotiating team, further confirmed this strategy (p.175).} This included strong support in Congress and the U.S. Navy to complete the 1916 program. The “stop-now” and ratio system also faced strong opposition from other powers’ negotiators, especially those from Japan, who insisted on completing several major battleships. The resulting compromise at the Washington Conference granted Japan this right, while also allowing Britain and U.S. to complete or modify ships in their ongoing programs. While France demanded at least parity with Italy and superiority over Japan, its lack of an active capital ship building program severely reduced its bargaining leverage (Maurer, p. 277). France’s dilemma underscores a prospective causal relationship between legislative consensus within a democratic state for an active arms procurement program and a credible FPE negotiation strategy.\footnote{The former is a key element in obtaining national security goals in the latter and reflects Putnam’s two-level negotiation model that underscores the importance of domestic variables in foreign negotiation outcomes. Maurer writes “the French bargaining hand was weak because France did not have underway a major building program of warships,” attributed to a lack of domestic consensus on financing (p.277). The separate U.S., Japanese and French experiences at the Conference each demonstrate this linkage between active weapons procurement and arms control bargaining leverage.}

By contrast, the United States and Japan faired far better and altered the trajectory of Level I negotiations due to well-publicized, ongoing naval acquisition programs, efforts that the other powers actively sought to curtail. The existence of the robust American program provided
Hughes with powerful negotiation leverage (Fanning 1994). Other naval powers, some only reluctantly, agreed to constrain their naval programs at the Washington Conference, which was declared a success because it suspended most battleship and battle cruiser construction. The Americans saw their original negotiation goals largely achieved; further, their ongoing naval programs in non-capital ships positioned the U.S. to establish eventual cruiser superiority over Britain and Japan, although the exact nature would be determined both by future naval acquisition activities and in subsequent talks in Geneva (1927) and London (1930, 1933).

A casual relationship between congressional naval acquisition and the inter-war naval arms control conferences could also be modeled using a process tracing method, as represented by,

\[ X \rightarrow [(z_1), (z_2), (z_3)] \rightarrow Y \]

Where,
X = Congressional Naval Appropriations committees,
Y = Washington/Follow-on Conference outcomes (treaty “success” or “failure”), and
Z_1 = Appropriators’ perceptions of the global shift in power and opportunities created for U.S. strategic parity with Great Britain,
Z_2 = Actual authorization/appropriations support via annual legislation to complete the 1916 program,
Z_3 = The win-set resulting from executive-legislative bargaining over naval acquisitions in preparation for Level I negotiations.

While this case is not one of the five in this study, a brief review of the ‘facts of the case’ suggests a theorized casual mechanism could be envisioned where congressional contributes towards the outcome of the Washington Naval Conference, as shown in Figure 4.2.

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62 Fanning concludes that Hughes “made the best of the Washington Conference.” Congressional building authorization – and the knowledge that the U.S. could afford a naval arms race more than other great powers – provided Hughes with strong negotiation leverage, although some of this was based on bluff. Hughes realized better than his negotiating partners that the American public would not support long-term expenditures for an ambitious, open-ended naval construction program (pp.7-8).

63 The U.S. goals were: U.S.-British parity in capital ships, superiority over Japan, and end of the 1902 Anglo-Japanese Alliance.
Congress, through the Naval Appropriations Committee, appeared to initially support the FPE’s strategy to use the active 1916 program to achieve naval parity with Great Britain and move into superiority in other categories. Taking full advantage of these opportunities would further cement the United States into a strong position in terms of the distribution of global power based on naval power. Evidence of this support could be found in the full authorization of the 1916 program, and initial appropriations necessary to complete the building program. A high degree of Level II inter-branch consensus, over both the goals of strategic parity and acquiring the instruments to achieve it, created a relatively narrow win-set in Level I bargaining, providing
U.S. negotiators strong negotiation leverage to achieve their goals at the Washington Conference.64

Follow-on Naval Arms Conferences, 1922-1935. Successive efforts to build a lasting the control regime upon the Washington outcome met with either failure (Geneva 1927, 1932) or only limited success (London 1930, 1933). Post-war economic depression had encouraged Harding to embrace naval arms control to save money and win congressional support for his domestic programs (Fanning).65 While Congress had already fully authorized on-going U.S. construction, annual appropriations to complete it were by no means secured. One of the important domestic after-effects of the Washington Conference was the creation of a “peace psychology” among American public in mid-1920s, stimulating disarmament and progressive social groups (Fanning).66 This was condition actively promoted in Congress by isolationists such as Senator William Borah (R-UT). Active opposition to the 1916 program came from two camps: rank and file legislators seeking a practical means to save money, and committed disarmament advocates and isolationists like Borah who desired to strike a blow for peace. Borah publicly opposed the 1916 naval program and called for a global disarmament effort, working closely with domestic disarmament groups to that end.

64 The Washington Conference resulted in several treaties: a Five-Power Naval Treaty between Britain, United States, Japan, France and Italy establishing ratios of capital ships; a Four-Power Treaty signed by Britain, France, Japan and the U.S. that replaced the Anglo-Japanese naval alliance of 1902; and a Nine-Power Treaty to settle with issues in the Far East and China.

65 Fanning (pp.2-4) writes, “A principal reason for the Washington Conference was a common desire for economy on the part of the three major naval powers, since navies formed such a large part of national budgets” and in Japan's case, a majority part of its national budget. He also notes that the United States, Britain, and Japan “sought naval arms control as a means to insure stability in the Far East, contain naval expenditure, and prevent another world cataclysm.” However, Maurer (1994) contends that Harding’s actual purpose in calling for the Washington Conference was to offer a proposal likely to be rejected by Britain and Japan, and thus strengthen his domestic support for completing the 1916 naval program.

66 ‘A peace psychology’ focuses on the psychological aspects of the formation, escalation, reduction, and resolution of conflicts. Peace psychological activities are usually normatively bound in their means and objectives by working towards the ideal of sustainable peace using non-violent means and institutions. Fanning (p.26) identifies how post-WW I American disarmament advocates sought to influence policymakers and society in terms of a normative orientation toward the ideal of peace, while building supporting institutions (i.e. control regimes). This effort was also experienced in other Western democratic societies. Peace psychology, a subfield of Psychology and Peace research that deals with the psychological aspects of peace, conflict, violence, and war, has its origins in the post-World War I period.
Encouraged by the peace psychology, many Americans and cost-conscious congressmen believed that the Washington Conference had rendered further large naval appropriations unnecessary; this psychology helped erode the consensus in Congress to complete the 1916 program and to modernize the navy thereafter in the critical years of the 1920s and into the mid-1930s. This uncertainty called into question whether the U.S. could reap the benefits of the favorable ratios won at the Washington Conference, benefits including American naval superiority across other types of naval combatants. So-called ‘small navy’ advocates succeeded in keeping naval appropriations well under Navy budget requests during the 1920s. These reductions crippled the heavy cruiser program enabled (and encouraged) under Washington Conference terms. U.S. manpower and ship construction fell far below levels supported by Japanese and British parliaments, which vigorously sustained their respective building programs (pp.16-17). Disarmament advocates were at first assisted by the Coolidge administration, which sought to reduce defense spending in the mid-1920s. When Coolidge became concerned after the failure of the 1927 talks and tried to increase naval appropriations in 1929, Congress failed to respond. The Great Depression after 1930 forced further austerity measures upon the Navy (pp.19-20).

Diminished support in Congress for fleet modernization programs exposed a potentially critical divergence between FPE and legislative goals, both in foreign policy and spending priorities. Policy disagreement could have contributed to a much broader win-set, denying U.S.

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67 The British Parliament continued its cruiser programs after the Washington Conference and the Japanese Diet supported robust cruiser construction during the 1920s and 1930s. In contrast, “The reduced [American naval] appropriations permitted little expansion, modernization and even maintenance ... Congress seemed not to care about cruisers” (Fanning, p.17).

68 Coolidge, who believed the pre-1914 naval race caused World War I, took a middle ground and submitted naval proposals, but did not request any increase in naval tonnage (p.19); Congress generally supported the administration’s navy request – some only with authorization, not funding – but placed greater hope and faith in future negotiated reductions (Fanning, pp.20-21).
negotiators the strong bargaining leverage in the follow-on talks that had been critical to earlier American success in the 1921 Conference (see Figure 4.3).

On the surface, the Washington Conference “ended” the arms race in capital ships, headed off an Anglo-American naval competition, suspended the American-Japanese rivalry (at least temporarily) and appeared to stabilize the political situation in the Far East. Considered in its day a successful approach for constraining arms races, today the Conference regime’s flaws are well recognized. 69 Whatever security benefits the United States derived from the Washington

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69 It is typical for major arms control treaties to be hailed as great successes when signed, only to discover unintended consequences over time. Fanning concludes that the naval arms race only slowed “from a fast gallop to a slow trot”, as loopholes allowed capital ships to be converted to new types rather than scrapped, deflating claims of a 10-year building holiday. For example, the large battle cruisers Lexington and Saratoga authorized and started under the 1916 program were converted into fleet aircraft carriers, a new type that became the new capital ship and chief offensive weapon of naval powers in World War II.
agreement and follow-on naval arms control agreements soon diminished. Follow-on agreements in Geneva and London failed to secure a stable and lasting regime. The failed 1930 London Conference began the unraveling of the Washington Conference regime. Japan soon resumed its active naval construction after the 1930 London Conference, its complete abandonment of the 1921 limitations fueling its aggression and expansion. Rather than respond in kind, the U.S. and Great Britain doubled down on disarmament in later negotiations, and continued to underfund its overall defense establishment. The weaknesses in the naval control regimes owed seeds of later problems in the 1930s, when it later became clear to political leaders that the benefits of naval arms control fell far short of expectations.70 The U.S. and Great Britain did not reverse its disarmament policies until late 1930s, when trends already pointed towards war.

Today the collapse of the inter-war naval control regime is seen as having multiple casual factors. The 1921 Conference contributed to the Americans and British investing too heavily in arms control as a security strategy after the initial 1921-22 success; they ignored later failures and disappointments, and under-funded deterrence in the face of Fascist and Japanese militarism in the 1930s (Goldman 1994). The main problem however, was follow-through; the initial agreement represented only a down-payment of what was needed to secure a stabilizing control regime among great powers – several of whom were not yet committed to sustaining the regime nor supporting the global status quo established in the 1921 agreement. Many of these factors can be correlated with the American failure to consolidate the favorable terms gained in the original agreement, and failure to modernize its forces within the agreement as other great

70 Navy officials not only believed U.S. failed to achieve U.S. parity with British envisioned in the 1921 accords, but U.S. military planners contended at the time that the Nine-Power Treaty on Pacific defense fortifications rendered the defense of Philippines nearly impossible (a weakness later exploited by Japan), an all too prophetic conclusion (Fanning, p.7). Other analysts believe the 1921 Conference had unintended consequences of shifting great power competition into other categories of offensive arms (cruisers, aircraft carriers, submarines), which undercut later disarmament efforts. See Goldman (1994), Goldstein & Maurer (1994, Eds.); Fanning (1994) and Trubowitz, et.al (1999).
powers did that may have diminished chances for successful conclusion of successive phases of regime-building. Thus Congress could have played a critical causal role contributing to this policy failure.\textsuperscript{71} The evaporation of Congress’ political will to fund naval modernization programs after the Washington Conference had a negative effect on American leverage in successive disarmament talks, and the chance for building a sustained control regime favorable to American interests. While hardly the sole cause, it may be hypothesized as a significant contributing factor.

\textit{Possible Causal Conditions and Mechanisms of the Spending Power.} The two historical examples discussed above suggest a rich field of inquiry for investigating the causal role of the congressional spending power on weapons, grand strategy, and foreign policy outcomes. In both pre-Cold War cases, the FPE actively pursued an ambitious grand strategy and used American military power to pursue strategic parity and a global advantage relative to other great powers, under conditions representing an underlying shifts in power balances within the international system. The actions of Congress in influencing FPE foreign policy decisions, as discussed above, further illustrate the value of a process tracing method to investigate causal conditions and paths of legislative influence.

In the Great White Fleet case, Congress did not elect to use its spending power to prevent Roosevelt from pursuing his grand strategy preferences, and perhaps (by default) even supported a more muscular perception of parity in American naval power among the other great powers. Without identifying an underlying causal mechanism between congressional naval appropriations spending, Congress (other than providing its normal appropriations) cannot be said to have substantively influenced American foreign policy and Roosevelt’s grand strategy.

\textsuperscript{71} The example here is merely illustrative of how a historical case can be analyzed using a process tracing method.
In the inter-war naval case, the role of congressional support for strategic weapons procurement appears to have figured prominently (a ‘necessary and/or sufficient cause’) in both the success of the initial Level I Washington Conference, as well as the later general failure of follow-on negotiations, arguably contributing to the ultimate failure of U.S. inter-war grand strategy and foreign policy. Congressional policy preferences were present in each application of the spending power in the context of a global balance of power.

In the case of the 1921 Washington Conference, the pursuit of strategic parity as a national strategy goal, given a perceived global threat or opportunity, manifests itself through the acquisition of state power through strategic weapons. Congressional preferences appeared to parallel the FPE’s naval appropriations and arms negotiation strategy, where both branches perceived opportunities to shift the global distribution of power strategic in favor of the United States and its interests through creating a favorable arms control regime. This points to a correlation between a perceived condition of strategic parity (its achievement or preservation) and the degree of support in Congress for acquiring the instruments of national power.

In later negotiations, however, there appears to have been a divergence of both threat/opportunity perceptions and policy/strategy preferences between Congress and the FPE. The ideational preference of legislative elites (in line with public desire) for a ‘peace dividend’ may be traced back to a prevailing peace psychology where further naval modernization was deemed unnecessary, wasteful and counter-productive to cooperation and comity in building a strong international arms control regime. This effect manifested itself in reduced support for naval force modernization, where Congress perceived a condition of relative stability and reduced tensions with its peer competitors.
In each negotiation phase, the national pursuit of either parity or peace appears to have conditioned the attitudes of Congress towards weapons acquisition. The role of appropriations support can thus be hypothesized as crucial to obtain the desired policy preference of Congress. The history of inter-war naval arms control suggests a causal relationship between congressional weapons acquisition activities and the outcomes of successive, multiple arms negotiations. Case analysis in Chapters Six and Seven will further investigate this correlation – the effects of parity and peace as conditions that influence subsequent congressional support for strategic force modernization and arms control. In the selected Cold War cases, divergence between Congress and the FPE on policy preferences is given special attention, focusing on situations where legislative elites’ perceptions, policy preferences and weapons spending priorities sharply diverge from those of the FPE. This focus represents a primary basis to infer causality and assess legislative elites’ influence on foreign policy.
Chapter Five
Process and Policy: Nuclear Weapons Strategy, Congress and Arms Control

"Nuclear forces are a backdrop against which other forces and diplomacy operate."
– James Schlesinger (Talbott, 1981)

“The most mischievous character of today’s strategic weapons is that they may provide an enormous advantage, in the event that war occurs, to the side that starts it.”
– Albert Wohlstetter (1959)

“Wohlstetter’s point ... was the basis for most Cold-War arms control analysis.”

Prior to examining case studies, where the state’s acquisition of the instruments of national power is intended to address external security threats, it is important to define and describe the interrelationships between the formulation of nuclear strategy, requirements for nuclear weapons, their development and procurement, and arms control negotiations. This is illustrated in a simple model, where State responses to external threats are defined in terms of nuclear weapons strategy, requirements, acquisition and control:

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Possible Intervening Variables</th>
<th>Dependent Variable</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Input] Strategic Circumstances</td>
<td>State Responses to Circumstances</td>
<td>[Output] Policy/Strategy</td>
</tr>
</tbody>
</table>

Consistent with a structured and focused approach, collection of useful data is necessary for linking these interrelated activities to the specific case studies, driven by three questions: (1) why does the state acquire strategic nuclear weapons and how do the weapons contribute to defending state interests; (2) what role do legislative bodies provide in the formulation and support for the State’s nuclear policy and strategy, and (3) how the on-going acquisition of these weapons relates to the conduct of arms negotiations. Three processes address these questions.

Strategic Context: The Geopolitical Challenges of Nuclear Parity. In the context of nuclear arms acquisition and arms control in the late Cold War period, the American Foreign Policy Executive’s main security challenge was to address the reality of approaching “parity” – the rough equivalence in overall strategic nuclear systems by the USSR. From 1945 until
approximately 1970, the United States enjoyed a clear quantitative and qualitative nuclear superiority. However, U.S. leaders were less certain of the geopolitical implications of a Soviet Union perceived by both its own leaders and other states as roughly “equal” to the United States in this military power. This presented a foreign policy dilemma not faced earlier in the Cold War, creating uncertainties over whether the grand strategy of Containment could be maintained under a condition of nuclear parity. Although varying in approach, each administration, from Lyndon Johnson through G.H.W. Bush, faced this challenge.¹

As the Soviet nuclear weapons build-up matched U.S. nuclear systems in raw numbers in late 1960s, Washington devised a bifurcated strategy: First, it capped the overall number of deployed strategic launchers at 1,054 Strategic Nuclear Delivery Vehicles (SNDVs), but was also determined to maintain a *qualitative* edge through vigorous weapons R&D and force modernization. In the second strategy component, Washington chose to engage in arms control negotiations after 1969 in an effort to slow and manage the quantitative arms race.

Thus, after 1969, all presidential administrations had two primary objectives in U.S.-Soviet bargaining over nuclear weapons deployments and arms control: First, they planned to deploy advanced military capabilities to modernize older U.S. strategic capabilities that, relative to Soviet systems, by the mid-1970s, were becoming, or had become, increasingly obsolete and expensive to maintain.² Second, it was hoped that imminent deployment of new systems would encourage Soviet concessions that U.S. leaders hoped would constrain existing (and future) Soviet strategic capabilities. Using an analogy of the poker game, U.S. negotiators needed a

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¹ The major FPE concern over implication of Soviet nuclear parity involved the continued validity of the American Containment strategy as a means to maintain and extend the American post-WW II geopolitical position. Under conditions of nuclear parity, could the United States continue to successfully contain the Soviet Union?

² U.S. ICBMs deployed in the 1960s were rapidly reaching the end of their service life by the late 1960s. Leveraging of new weapons as a means to negotiate constraints on an adversary’s future capabilities was typical of arms control theory of the 1960s, as developed by U.S. think tanks and academics. See Brennan (1961), Schelling & Halperin (1969) and Hyland (1982).
stack of ‘bargaining chips’ (new and improved U.S. weapons systems in the development pipeline) available when needed to ‘bet’ with their Soviet counterparts. The presence (or absence) of high-value chips, in their view, could significantly influence the way the negotiation game would unfold, and provide sufficient leverage for the FPE to secure more favorable terms.

**Why acquire strategic nuclear weapons?** The first question involves defining the external threat that drives the purpose of strategic weapons acquisition: Why do states acquire the nuclear ‘swords’ that served as capital weapons of the Cold War? Dichotomous external and internal explanations exist in the IR literature for why and how weapons development and acquisition occurs. As outlined by Neorealists such as Waltz (1979) and Mearsheimer (2001), the most basic external explanation is the rational response by unitary state actors (or their policy elites) to the behavior of other states constrained by anarchic nature of the international system. US-Soviet accumulation of nuclear weapons was a manifestation of the distribution of power in a bi-polar IR system. From a Neoliberal theoretical vantage, the same anarchic systemic creates an arms race theory that could mitigate security dilemmas via state cooperation and enhance strategic stability by beating nuclear swords into ‘plowshares’ through establishment of arms control regimes (Jervis 1978). Under these systemic theories, a unitary actor model ignores a state’s domestic response decisions in explaining a State’s foreign policy behavior. This model, as applied to the late Cold War period, treats domestic decision making as a “black box”:

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>[Black box]</th>
<th>Dependent Variable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>[Input]</strong> Strategic Situation: State Responses to Situation</td>
<td><strong>[Output]</strong> Policy/Strategy:</td>
<td></td>
</tr>
<tr>
<td>Soviet Nuclear Parity</td>
<td>U.S. Govt Activities</td>
<td>Containment of USSR</td>
</tr>
</tbody>
</table>

Other theories seek to open up the black box to explain the State responses and challenge both state-centric neorealist and neoliberal institutionalism approaches. One theory posits a “technological determinism/imperative” resulting from scientific and technical advances
Procuring Swords for Plowshares

(Evangelista, 1988). This theory, drawing upon empirical cases of Cold War arms race characteristics where allowing relatively unfettered technological innovation and modernization was allowed to create ever more capable and flexible systems (even under alleged “control” regimes like SALT). A second, more traditional, “bureaucratic politics” explanation emerges from the foreign policy analysis literature where outcomes are characterized by ‘bureaucratic pulling and hauling’ (Allison, 1971), with more advanced weapons capabilities continuously promoted within government bureaucracies—even while active negotiations are underway to control these very weapons. Both theories have been advanced to explain the FPE dilemma after 1969 to address challenges of Soviet parity with the bi-furcated response discussed above.

Constructivist theory also suggests that individuals and groups that collectively forge, shape and change culture through ideas and practices can overcome arms races. Neoclassical Realist (NCR) and American Political Development explanations treat specific weapons development and acquisition activities as subject to an “intermestic” effect – where both external and internal factors determine strategic decisions that affect foreign policy outcomes:

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Possible Intervening Variables</th>
<th>Dependent Variable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic Circumstances</td>
<td>State Responses to Situation</td>
<td>Policy/Strategy</td>
</tr>
</tbody>
</table>

Using the NCR/APD approach to open up the black box, military strategy, weapons requirements, acquisition, deployment, and arms control rationale of any weapons system depend upon ruling elites’ perceptions regarding nuclear weapons’ material effect on the distribution of power in the international system, and the willingness of congressional and non-government

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3 Constructivist approaches were employed in the literature to explain inter-war naval arms control efforts where state behavior is shaped by the agency of elite beliefs changing collective norms and creating new structures of control. These are discussed in the previous chapter.
policy elites to impose its policy preferences upon the FPE foreign policy executive in control of these weapons via detailed legislative procedures.

*Nuclear Weapons and Deterrence of War.* The integrating link between these factors is how the state maintains a strategy of nuclear deterrence. Since the United States during the Cold War chose not to match the Soviet conventional threat on a weapon-for-weapon basis, it relied upon relatively inexpensive nuclear weapons and the threat of nuclear retaliation to deter the Soviet Union. Using the logical progression shown in Figure 5.1 (below), nuclear deterrence became central to the logic of deterring and containing Soviet aggression in the Cold War.

**Figure 5.1**

*Deterrence: From National Security Policy to Nuclear Weapons Deployment*

The main purpose of nuclear weapons for each state acquiring them is generally assumed to be deterrence: to *deter* an adversary from aggressive political-military activities contrary to your interests by holding over the aggressor the threat of devastating retaliatory punishment – either on its military forces, industrial capacity or society’s population. “Punishment” is implicit in the destructive potential of the weapons themselves, and the credibility of the weapons to deliver punishment if necessary is important to the function of nuclear deterrence (a function of nuclear strategy and doctrine). Should deterrence fail, the goal of using nuclear weapons to seek “victory” in the traditional sense of warfare is highly controversial, but, as demonstrated below,
this issue is also central to the issue of what targeting doctrine, types and numbers of weapons are needed to credibly deter conflict in the first instance (by calculating “what deters Moscow”), and how to control nuclear arsenals in ways that promote mutual deterrence rather than nuclear war.

_Nuclear Weapons’ Relationship to Nuclear Strategy and Doctrine_. It is also important to understand the process of strategic weapons procurement in the context of nuclear strategy. Nuclear strategy and doctrine drive the development, production, deployment and employment (i.e. possible use) of nuclear weapons. As a component of broader military strategy, nuclear strategy attempts to match weapons capabilities to overall political ends, including containment and deterrence. Counter-intuitively, an important imperative of nuclear strategy is determining how to deter adversaries in ways that avoid the actual use of nuclear weapons in conflict. Nuclear strategy is unique from other forms of military strategy because the immense power of nuclear weapons makes their actual use impossible in a traditional military sense.

Throughout four decades, the grand strategy of Containment relied upon national power – especially the political-military threat of nuclear weapons – to contain, and if necessary confront, Soviet aggression globally. After the U.S. nuclear monopoly ended in the early 1950s, nuclear strategy became more complex as questions arose about what types of nuclear threats and weapons were sufficient to deter Soviet leaders in a global environment where both states possessed nuclear capabilities. Refinement of _nuclear doctrine_ (the set of principles guiding the development and possible use of nuclear weapons) expanded weapons capabilities intended to deter a range of undesirable actions by Soviet leaders, based on threatening what they most valued as a society. Over time, determination of what nuclear strategy, doctrine and weapons best deterred Moscow evolved, as did weapons technologies themselves. To procure and deploy
the ‘right’ weapons to match evolving strategy and doctrine required inter-branch cooperation, as Congress had to approve and appropriate funds for all nuclear weapons to deploy as well as to modernize existing deployed systems.

From the perspective of the FPE, the intelligence community and military bureaucracies, development of nuclear strategy, doctrine and weapons derived from a standard set of procedural steps: an assessment of the Soviet political-military threat and a calculation of what American counter-measures to those threats can affect (deter) unwanted Soviet behavior. This calculation determines what types of targets need to be “held as risk” by U.S. nuclear weapons; resulting targeting doctrine drives requirements for specific capabilities that could access those targets and affect decisions by Soviet leaders, resulting in activities to design nuclear weapons.\footnote{While an understanding of “what deters Moscow” was complicated and subjective, U.S. planners devised doctrine and capabilities not on the basis of what would deter American leaders, but what they believed would convince Soviet leaders of two certainties: the American political will and military capabilities to react and respond to Soviet aggression in ways that threatened that which Soviet leaders’ most valued, such as Soviet military forces, heavy industry, population and political control over the USSR; targeting doctrine varied over time due to American intelligence assessments and the available technological means to credibly target these assets.} Military authorities, submit as part of the president’s budget (PB), a request to Congress for funding to research, develop and procure those capabilities. These steps are summarized in Figure 5.2:

**Figure 5.2**

*Nuclear Weapons Strategy, Doctrine and Weapons Requirements*

*INTELLIGENCE/MILITARY PLANNING ROLE*

Regardless of whether Soviet and American nuclear weapons were deployed in a geographic theater of operations (“theater” or “battlefield” weapons) or a homeland (“strategic” weapons) environment, nuclear strategy in large part also involves the potential for nuclear weapons to serve as *bargaining tools* in international negotiations. The term ‘bargaining’ with nuclear
Procuring Swords for Plowshares

weapons fits two contexts. The first context is the sense that the threat of nuclear weapons can be used to modify an adversary’s foreign policy behavior (i.e. deter). This is the realm of nuclear strategy and doctrine. A second context is the control of such weapons through formal international negotiations, by constraining overall numbers and capabilities of weapons by bilateral or multi-lateral agreement. The case studies in Chapter Six focus on the second context of nuclear weapons bargaining.

There is a tension between the destructive capabilities of existing (and future) nuclear weapons and the political efforts to control them, a tension that provides the crucial link between nuclear weapons acquisition and arms control policy. Control of nuclear weapons is more than merely a question of negotiating over weapons’ quantity and quality, but also involve bargaining over distinctive components of nuclear strategy. Some bargaining issues related to nuclear strategy components include:

- Under what conditions does it serve a nation's interest to develop nuclear weapons?
- What types of nuclear weapons should be developed? Where should they be deployed and in what numbers?
- Under what political-military circumstances should such weapons be employed?
- Should these weapons be subject to international negotiation and control?
- Is it necessary to modernize nuclear forces subject to control, and do modernization activities provide more or less bargaining leverage to secure favorable agreements?

Nuclear strategy contains numerous components: a declaratory policy, a weapons capability, an employment policy and a deployment policy. Each of these components is discussed below.

Nuclear declaratory policy “signals a nation’s intentions to both allies and adversaries and, perhaps most importantly, to its own people” of the political purpose of its nuclear deterrence

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5 A debate existed in the 1970-90s among supporters and opponents of arms control in terms of the arms control leverage of on-going nuclear weapons programs. Does leverage exists because of a latent capability to build weapons or can building and deploying such weapons during negotiations provide better leverage? Arms control proponents argued that the former provides sufficient bargaining leverage at arms talks without the need for the latter. This debate is explored in the case studies.

6 George (1990) notes "There is not general agreement on these components" and there are also disagreements on emphasis and terminology among practitioners and scholars in the field (p.3). George provides a simple terminology framework for explaining the relationship between various nuclear strategy components, which will be used here.
forces; these deliberate statements made by authoritative policy-makers “become the touchstone by which all else is measured” (George, 1990, p.4). In theory, declaratory policy is a well-thought out statement of how the state intends its nuclear forces to be perceived by potential adversaries; yet in practice, declaratory policy may raise more questions than it answers.⁷

When the United States held a nuclear monopoly from 1945-1949, it had little need for a declaratory policy. It was assumed that the United States would use its deployed weapons when and where necessary to counter overt acts of military aggression by Soviet conventional forces. After the U.S. and Soviet Union began to deploy nuclear weapons in larger numbers after 1950, there have been relatively few instances when American declaratory policy statements have been publicly issued and revised (these few instances are summarized in the Appendices, Table A.1, *The Evolution of U.S. Nuclear Strategy, 1950s-1980s*).

Although infrequent, declaratory policy statements are significant milestones in American nuclear strategy with tangible implications for weapons acquisition. Each successive public statement and disclosure after 1954 indicated that American leaders were engaged in a continual search for a more flexible nuclear policy and force posture; each iteration moved U.S. declaratory policy further away from a purely *counter-value* policy (an emphasis on targeting of major industry and population centers, also known as “city-busting”), and towards a *counter-force* policy (a primary emphasis on targeting an opponent’s military forces). The shift from counter-value to counter-force held important implications for procurement of strategic weapons. In addition, each successive declaration was criticized domestically as creating a nuclear ‘war fighting’ mentality, with additional scrutiny on nuclear policy demanded by Congress.

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⁷ As Richelson (1983) observes, “these statements may be misleading because of oversimplifications, or a reluctance to discuss politically sensitive aspects of employment policy” that may further raise unanticipated concerns among allies and adversaries alike (p.128). George (1990) states that declaratory statements are often carefully parsed to determine if weapons capabilities, deployment and targeting match the rhetoric, if the policy is taken seriously within the strategic community to which it applies, and if the policy is “pulling” weapons development in its direction or if weapons are “pushing” declaratory policy (p.4).
For example, after McNamara’s initial promotion in 1962 of both a “damage limitation” and “assured destruction” standard for U.S. strategic nuclear weapons, he spent the next five years publicly backing off the “damage limitation” component of his statement (George 1990, pp.38-41). Concluding that continued U.S. nuclear superiority was no longer desirable nor sustainable, McNamara announced in 1967 a unilateral freeze on overall U.S. SNDVs at a Cold War high of 1,054, claiming that a U.S. second-strike capability (“assured destruction”) was “sufficient” for effective deterrence. Nevertheless, the 1962 justification encouraged a U.S.-Soviet nuclear arms race in the 1960s and 1970s that continued long after McNamara’s tenure. Criticism of declaratory policy as a nuclear ‘war fighting’ mentality eventually led some in Congress to link evolving nuclear strategy to its nuclear weapons procurement decisions. See Figure 5.3 for general definitions of declaratory policy.

**Figure 5.3**

**Variations of Nuclear Declaratory Policy**

<table>
<thead>
<tr>
<th><strong>Flexible Response</strong></th>
<th>A policy referring to the capability to react with a diverse set of military responses to a broad spectrum of threats, from relatively low-level conventional aggression through nuclear weapons introduction by the adversary.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assured Destruction</strong></td>
<td>Describes a capacity of one’s nuclear deterrent forces to absorb an adversary’s nuclear first-strike and still retain capability to inflict a massive second strike sufficient to devastate an adversary’s urban-industrial capabilities; this implies highly survivable counter-value nuclear capabilities best suited to attacking soft population targets.</td>
</tr>
<tr>
<td><strong>Damage Limitation</strong></td>
<td>The objective, if deterrence fails, of attempting to limit the amount of damage to one’s society caused by any nuclear exchange; assumed to involve targeting an adversary’s remaining military capabilities; a damage limitation strategy requires highly capable counter-force weapons that an adversary might mistake for a first-strike force.</td>
</tr>
</tbody>
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8. Seeking system cost-effectiveness and efficiency, McNamara emphasized a nuclear force structure measured by “how much is enough?” to ensure deterrence rather than maintenance of U.S. nuclear superiority. By 1967 he concluded that superiority was both undesirable and could not be maintained, a damage limiting strategy too costly, and an assured destruction capability alone was “enough” (George, 1990, pp.38-41). See Appendices, Table A.2, McNamara’s Evolving Flexible Response Declarations.

9. SNDVs were used in arms control talks as an early measure of overall capability. McNamara’s use of the “assured destruction” concept soon evolved in popular parlance into Mutually Assured Destruction, with the acronym “MAD.”

10. Variations are loosely associated with policy preferences for the Hawk (Damage Limitation), Dove (Assured Destruction) and Owl (Flexible Response) factions.
A weapons capability is equally important to nuclear strategy because it is closely scrutinized for compatibility with declaratory policy. If a capability matches what the declared policy says the weapons should do, then the credibility of deterrence is enhanced; if not, there is a mismatch that can erode deterrence credibility. Like declaratory policy, acquiring a specific weapons capability is highly visible, especially in democratic societies, to domestic and foreign observers through news and trade media.

A deployment policy refers to the policy of choosing where nuclear weapons will be deployed (or based). Early in the nuclear era, American nuclear weapon systems had severe range and payload limitations that required basing weapons as close to the intended targets as possible. Deployment in this way was designed to enhance national declaratory and employment policy. For example, early nuclear capable bombers required forward bases in Europe or the Far East to which they were deployed either permanently or moved forward in a crisis.11 As nuclear systems matured and technology improved in the 1960s with routine in-flight bomber refueling and deployment of intercontinental-range ballistic missiles (ICBMs), for a period of time deployment policy became a less important element of nuclear strategy. However, improvements in ballistic missile accuracy during the 1970s — with thirty-minute flight times to target — threatened the survivability of each sides’ fixed land-based forces and C3 systems. Such developments made deployment policy once again an important consideration of strategy.

Nuclear employment policy refers to the targeting of nuclear forces, or how weapons would be used against the adversary should deterrence fail. As Ball (1986) states, “Targeting is central to any serious discussion of nuclear strategy” (p.7). Yet unlike the elements of declaratory policy, or weapons deployment policy, a state’s nuclear employment policy is highly classified,

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11 For examples, in the 1948 Berlin Airlift nuclear-capable bombers moved to forward bases as a signal of American nuclear intentions and political resolve.
deliberately invisible to both domestic and foreign observers. The *Nuclear Weapons Employment Policy* (NUWEP) is a targeting “list” of an adversary’s critical assets that in wartime would be subject to attack. A *Single Integrated Operational Plan* (SIOP), which contains all targeting priorities and weapons assignments, represents the nuclear “war plan” if deterrence fails.\(^\text{12}\)

Like weapons capability relative to declaratory policy, there should be a minimal difference between a state’s declaratory and nuclear employment policies. Too obvious a conflict erodes confidence in the deterrence credibility and gives rise to concerns among adversaries as to the other side’s intentions. While this is difficult to ascertain due the highly classified nature of the NUWEP and SIOP, there are occasional statements and information “leaked” to the public that attempt to correlate declaratory and weapons employment policies. In addition, procurement of certain weapons capabilities can imply an actual employment policy.\(^\text{13}\)

The first SIOP was created during the Eisenhower administration, when nuclear forces were dominated by the relatively slow bombers of the 1950s, and, later in the early 1960s included mostly inaccurate ballistic missile forces; it reflected a limited but still evolving counter-force targeting doctrine. The Kennedy Administration made SIOP revision a top priority in 1961, reflecting a desire for greater nuclear flexibility and pursuit of counter-force capable weapons capable of both the damage limitation and assured destruction emphasis of the early Flexible Response declaratory policy. The 1961 SIOP revision largely established this employment (and weapons procurement) philosophy until the mid-1970s, when improved flexibility in nuclear weapon targeting was further emphasized. George (1990) notes “tremendous change” over eight

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\(^{12}\) Each potential SIOP target is categorized and prioritized, with weapons assigned from the inventory. Target categories vary from high-priority military and political targets, frequently “hardened” to withstand anything but a direct hit, to “softer” urban-industrial targets that require weapons of lesser speed, nuclear yield and/or accuracy. The most highly capable weapons are assigned in a “counter-force” role to targets deemed most critical or time-urgent (to be attacked first); less critical targets are assigned less accurate or slower-to-arrive weapons.

\(^{13}\) Procuring purely counter-force capable weapons may contradict a declaratory policy that professes a retaliatory “assured destruction” counter-value targeting posture. Such a posture might lead an adversary to question the declared intentions and suspect the other side is acquiring a first-strike capability or is weakening a stable mutual deterrence relationship.
years in American nuclear declaratory statements under Flexible Response, but “remarkable little difference in actual employment or targeting policy” (p.44). This is likely because early public misconceptions of the Massive Retaliation declaratory policy as a largely counter-value (or “city-busting”) doctrine not reflected in actual employment doctrine (Friedberg, 1981, p.53). George concludes that “this is a cynical viewpoint representing the mismatch between declaratory policy and targeting, but as strictly deterrent policy, it is not necessarily bad. Though targeting changed during the early years of the Kennedy administration, it was never changed again to match the [declaratory] statements” (p.44). McNamara’s Assured Destruction ‘yardstick’, as declaratory policy, may have publicly masked the earlier McNamara 1962-63 emphasis on pursuing a Damage Limitation doctrine (Friedberg, p.41; Ball, p.67). These variations and distinctions were lost on the public and in Congress, which largely perceived an Assured Destruction evolution, despite internal consistency in nuclear employment doctrine.

**Nuclear Strategy Formulation and the Role of Congress.** A second question involves the legislative process and political context in which nuclear weapons are acquired: *what role* does Congress provide in the formulation and support for national nuclear policy and strategy. The combined NRC and APD theoretical approach posit that congressional elites can shape policy preferences for why and how strategic weapons are procured (Lindsay, 1987, 1990, 1991).

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14 George quotes Henry Rowen, a former Kennedy-Johnson DOD official and later president of RAND, that “the nuclear planning process experienced no important change from the early 1960s until 1974. The assignment of weapons to a growing target list went on in accordance with the political direction established in the early 1960s” (p.44).

15 This fact is substantiated by former DOD official Rowen who, noting the “growing divergence between declaratory policy and actual employment plans during the 1960s”, explained that Assured Destruction’s primary purpose was to provide a metric for deciding “how much was enough”; it provided a basis for denying service and congressional claims for more money for strategic forces. “However, it was never proposed by McNamara or his staff that strategic forces actually be used this way” (p.53).

16 This claim is supported by analysis of weapons after the 1961 SIOP revision: only 10.7% of 3,253 weapons then in the inventory were allocated to urban-industrial targets; the rest were allocated to “nuclear threat targets” and “other military forces.” Evolution of Flexible Response is summarized in Appendices, Table A.1.

17 The thrust of Lindsay’s research agenda in the 1990s was demonstrating how Congress uses its oversight and spending powers to influence national defense policy, including nuclear weapons policy, although not specifically arms control policy.
Congress plays no formal role in “determining” nuclear strategy; the control and direction over the armed forces is considered an executive function, yet Congress may provide an indirect role through its Article I responsibilities in the Constitution to “raise and support armies ... provide and maintain a navy” and “to make rules for the government and regulation” of the armed forces. There is procedural linkage and policy synergy through exercise of the defense appropriations power and government oversight responsibilities of the armed services committees, between the military formulation of nuclear strategy and the congressional authorization/appropriations process for procuring nuclear weapons that allows its execution.

If Congress decides to exert its policy influence, how could this occur? The President’s Budget (PB) submission to Congress begins the annual legislative process for evaluating the military budget request. The indirect role of Congress in nuclear strategy formulation somewhat parallels the military’s role; before Congress “approves” (provides authorization and funding for) nuclear weapons procurement, it also follows an annual process of review of how national policy guides nuclear strategy, and how this strategy relates to prevailing declaratory policy, nuclear doctrine and stated rationale for acquiring a nuclear weapons system. Congress begins by assessing the President’s Budget (PB) request for strategic nuclear forces in the context of official declaratory policy and asking, what national purpose will nuclear forces serve? This involves an annual posture statement and testimony by the Secretary of Defense and other top administration, military and intelligence community (IC) leaders before the major defense and foreign policy committees. Either in public hearings or in a classified format, executive officials testify on the global threat environment and programmed response to threats and provide

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18 In the 1980s Congress began requiring, in addition to the annual posture statement, numerous mandated reports on the status of the armed forces in order to provide more information for Congress to improve the general understanding of military requirements to more members. In the 1990s Congress added the requirement for a quadrennial defense review (QDR), an even more in-depth review and assessment of long-term force requirements.
Congress an opportunity to place military requirements for strategic nuclear forces in the context of an overall nuclear strategy. Figure 5.4 provides an overview.

**Figure 5.4**
Congressional Review of Nuclear Threats, Strategy and Requirements

**FPE POLICY AND STRATEGY**
- National Policy
- Nuclear Strategy
- Nuclear Doctrine
- Weapons Rationale
- Deploy = Deter

**INTELLIGENCE/MILITARY PLANNING ROLE**
- Assess Threat
- Affect Soviet Perceptions
- Targeting Doctrine
- Weapons Requirements
- Budget to Congress

**ANNUAL WORLD-WIDE THREAT & DEFENSE POSTURE HEARINGS**
- PROGRAM OVERSIGHT & DIRECTION
- SPENDING ACCOUNTABILITY & GUIDANCE

**CONGRESSIONAL ACQUISITION ROLE**
- PB Request
- Threat/Posture Hearings
- Authorize Weapons
- Fund Weapons Acquisitions
- Procure & Deploy

In the Pentagon’s annual defense budget presentations to Congress, weapons must be justified in the context of prevailing declaratory policy, with weapon sub-elements scrutinized for contributions to enhancing deterrence, overall cost and performance characteristics. This process involves committee reviews of a nuclear weapon’s consistency with overall declaratory, deployment and employment policies to determine if the weapons program meets the military requirements and contributes to strategic deterrence goals. The House and Senate Armed Services Committees (HASC and SASC), the “authorizing” committees in the budget process,

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19 These sub-elements include the weapon’s range, accuracy, payload, anticipated deployed numbers, command, control and communications (C3) features, and its survivability against surprise attack. All of these characteristics are important determinants of whether a system is seen as stabilizing and positively contributes to deterrence.
conduct these reviews, which provide a policy-oriented evaluation of the strategic forces budget request and result in a legal authorization for advancing specific weapons programs.

While the authorization committees confer legal program authority, Defense Appropriations Subcommittees in the House and Senate (HAC-Defense and SAC-Defense) provide appropriations to authorized programs, and through management oversight, ensure that appropriations allocated for programs are well managed, are deployed on time, within budget, and perform as intended.\(^\text{20}\) Since strategic nuclear programs are complex and may take years from program initiation to final deployment, authorizing and appropriating committees have numerous opportunities to review, shape, re-shape, modify, accelerate, stretch-out, and even at times cancel, a weapons program at any stage in the long weapons acquisition process.

**The Arms Control Process: Strategic Weapons and Arms Control.** A final question asks how the acquisition of these weapons relates to the conduct of on-going arms negotiations, and addresses how much leverage does Congress retain during the weapons acquisition process towards the conduct and outcome of Level I arms control negotiations? These issues are briefly addressed below for purposes of informed explanation of the case studies.

As seen in Figure 5.4, the successive steps of the state’s formulation of nuclear strategy (the formal policy/strategy/doctrine/requirements processes that influences the rationale for nuclear weapons acquisition) ideally results in a deployed weapons system that successfully deters. But if nuclear weapons are subject to international control, how does this affect weapons acquisition? What decision-making processes exist for initially procuring, then turning, nuclear ‘swords’ into ‘plowshares’? As with Congress, the arms control role in nuclear strategy and requirements

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\(^{20}\) In theory, Armed Services Committees are policy-oriented and tasked to review a weapons military rationale in the broader defense policy context, while Defense Appropriations are tasked with ensuring present and future approved programs are funded and provide program oversight of those funds. In practice, however, distinctions between the armed services and defense appropriations functions are often blurred with an intense institutional rivalry existing between the committees.
formulation is largely indirect. However, there is correlation between executive branch’s strategy formulation, weapons requirements, the congressional process of authorization oversight and appropriations actions on nuclear weapons, and the negotiation of arms control.

**Figure 5.5**

*Relationship of Negotiations to Nuclear Threats, Strategy and Acquisition*

Figure 5.5 illustrates the arms control process in relation to these other processes. Successful arms control agreements may also re-shape future nuclear strategy formulation and weapons requirements. Barring total and complete disarmament, some deployment of nuclear capability is the logical end result of this complex process.²¹ Arms control negotiation must in some manner

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²¹ Military planners advocate a weapon’s capability based on its contribution to military doctrine and mission requirements; few concede new weapons would not be required in the absence of arms control, and, if deterrence failed, to execute operational war-time missions. Once bilateral arms talks began, however, civilian decision-makers and arms negotiators began to refer (at least in public and before Congress) to the *bargaining leverage* inherent in new systems, implying that weapons...
interact with, and also contribute to, these inter-related processes, while also re-shaping in a positive manner the threat environment from which weapons requirements are derived. How is this done?

Regarding the initial step (Security Requirements), the arms negotiation process must support the basic requirements for national security. Security requirements are formulated prior to arms negotiations and represent a consensus of the executive (policy-making) branch and the professional military establishment, with approval and oversight by the Congress, for a projected military capability that meets national requirements. Returning to a poker analogy, these security requirements define the overall “table stakes” over weapons capabilities and the nuclear balance.

The second step (Level II Bargaining) is the inter-branch negotiation at the domestic level that occurs over what types nuclear capability is required, both addressing ‘how much is enough?’ to deter and how weapons fit into a prospective arms limitation regime. This bargaining occurs in the context of national security requirements, where the executive branch is challenged to persuade Congress to fill those requirements with requested weapons authorization and appropriations leading to deployment. In the analogous poker game, Level II outcomes determine the size and value of “bargaining chips” the FPE will retain and represents the win-set for bargaining at Level I.

At the Level I Bargaining stage, using the accumulated stack of “chips,” American diplomats attempt to negotiate agreeable “terms” with their Soviet counterparts that mutually satisfy each state’s security requirements, domestic constituency demands and contingencies against deterrence failure. The last stage (Success or Failure) refers to the outcome of Level I international negotiations, but also to some degree reflects a successful Level II inter-branch capabilities could be reduced in a prospective agreement. Whether this subtle change in program rationale was necessary to increase congressional likelihood of funding new systems, or a matter of actual bargaining leverage is explored in this study.
bargain to that meets the state’s security requirements within an arms limitation regime. If no satisfactory Level II consensus occurs, the FPE may well determine there is no acceptable treaty terms at Level I that can satisfy state security requirements, and the FPE will rationally forgo an arms agreement. Therefore, within a Neoclassical Realist framework, Level I agreements (the Dependent Variable) are frequently contingent on successful Level II domestic bargaining (the Intervening Variable) over weapons procurement that are designed to address emerging shifts in the international strategic balance (the Independent Variable).

If inter-branch process synergy and policy consensus exists at Level II, the arms control process can serve as an *adjunct to* (not as a *substitute for*) the nuclear weapons acquisition process, leading to a condition reflecting the *unity of strategy and arms control* as posited by arms control theory developed in the 1960s (Hyland 1982). Alternatively, the lack (or inadequate supply) of bargaining leverage (‘chips’) with which to negotiate at Level I reflects inter-branch conflict over either weapons acquisition or the security purposes that the weapons serve, and in an arms control bargaining context, may severely hamper the ability of the FPE to conclude arms control terms that satisfies national security requirements. Inter-branch divergence of ways and means reveals an important congressional role in the integrated processes of nuclear weapons requirements, procurement and arms control, possibly a casual factor in policy formation and relative distribution of global power.

**On-going acquisition of nuclear weapons and the conduct of arms control negotiations.** Whether Congress *actively seeks* to use its latent bargaining leverage at Level II to influence Level I negotiation stances and outcomes is examined in detail in the case studies. It is this central proposition – involving process linkage between nuclear strategy, weapons acquisition,
arms control – that the case analyses in the next chapters are intended to establish, building on earlier work by Lindsay (1991) on congressional efforts to influence national security policy.\(^{22}\)

**Arms Control Theory and Early Practices.** As noted above, classic arms control theory fails to incorporate a dynamic legislative role in the processes that influence arms control negotiations. From the FPE perspective, the central purposes of nuclear arms control are straightforward: first, *reduce the overall threat to the nation*, which supports the basic purpose of national defense, and; second, *stabilize the nuclear relationship and strategic balance*, which supports the goal of deterrence and seeks to avoid state behavior that could result in nuclear war.

Two other goals of arms control are extensions of these primary objectives and frame a state’s negotiation strategy: to *curtail threats from an adversary’s emerging technology and capabilities*, by avoiding and/or managing the arms race to minimize, or make more predictable, emerging threats from an adversary’s technological advances, and; to *protect one’s own existing and future technology and capabilities*. Both negotiating parties seek to protect technology options to hedge against deterrence failure that could result if an adversary fails to maintain a credible second-strike retaliatory capability.\(^{23}\) These reasons for pursuing arms negotiations are not mutually inclusive and represent conflicting, even contradictory, security objectives. Yet this paradox is what made Cold War strategic arms control agreements complex and difficult to

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\(^{22}\) While using essentially a NCR theoretical approach, Lindsay establishes legislative intent to influence U.S. nuclear weapons policy, but declines to pursue the proposition that Congress actively sought to influence arms control policy and larger foreign policy outcomes through its weapons acquisition activities. See Lindsay (1991, p.4) for his distinction between the influence on defense policy and arms control; for how NCR theory applies to his body of research, see Lindsay (2003, pp.394-411).

\(^{23}\) Maintenance of the nuclear weapons force structure and stockpile assures the weapons’ safety and functionality and is an essential part of the deterrent’s credibility. Past instances of a systemic failure of a critical component, belatedly discovered, across a single deployed weapons system have occurred. Knowledge of this information by an adversary could have unpredictable consequences. It is likely that both U.S. and Soviet nuclear arsenals have experienced these failures in the past.
negotiate among great powers, and what makes examination of arms control theory and practice a worthwhile investigation to better understand state behavior.24

According to early arms control theoretical literature, negotiated agreements would bring mutual benefits such as a reduced risk of nuclear war, strategic stability and nuclear non-proliferation (Miller, 1984). As noted in Chapter Three, Nye (1982) defined objectives to be achieved by arms control as crisis stability, damage limitation, and cost reduction (p.107).25 As seen in the evolution of declaratory policy, as well as each side’s force levels, superpowers pursued these objectives unilaterally for nearly twenty years (1950-1969), at ever-higher nuclear weapons arsenals, before initiating the bi-lateral Strategic Arms Limitation Talks (SALT).

As the executive branch was the undisputed center of the foreign policy from the 1950s onward, arms control theory ignored the political question of how to both win supportive coalitions in Congress and sustain arms control progress in Level II bargaining (Miller, p.69). Congress was largely absent from the literature other than as a reliable source of funding new weapons programs (Huntington, 1961; Allison, 1971; Steinbrunner, 1974; Halperin, 1974; Lindsay & Ripley, eds. 1993).

Hyland (1982) inadvertently draws Congress into the substantive decision-making process by his assertion that meaningful arms control could be achieved only through the “unity of strategy and arms control” that recognized the need for force modernization even under the most optimistic disarmament scenarios. Force modernization requires substantial resource allocation and, after 1974 budget reforms, raised the potential for legislative leverage in FPE policy decisions.

24 Nuclear arms treaties are not negotiated between close allies, only peer competitors. Arguably, progress in Cold War arms control only occurred after significant reduction in political tensions between the U.S. and the Soviet Union. Goldman (1994) argues “focusing exclusively on the military balance may itself be a contributing factor to instability and lack of cooperation ... Paradoxically, by ignoring underlying source of conflict, technical agreements may exacerbate insecurity” (p.30).

25 See also Schelling & Halperin (1961).
“Unity of strategy and arms control” was intended to draw together traditional bureaucratic antagonists—arms controllers and the military establishment—pursuing a common interest in strategic stability, with arms control becoming a component of national strategic military planning. Yet the initial optimism of achieving this unity soon wore off. Hyland notes that unity failed to emerge when arms control considerations competed with – rather than supplemented – a coherent military strategy; where weapons systems became part of the bargaining process (as expendible ‘chips’) and lost a strong strategic rationale for existence outside of a negotiation context. Arms control then became “a diversion from strategy” (p.99).26

While citing a breakdown of “integrating mechanism between arms control and defense strategy,” Hyland does not specifically mention the direct role of Congress.27 Yet as illustrated above, Congress has an important constitutional and statutory role in the “integration mechanism” and can effectively play this role when so motivated (*Fundamentals of Nuclear Arms Control IX*). But can Congress also contribute to the “diversion from strategy”? Arguably, Congress assists in the integration process between arms control and nuclear strategy by serving as champions of skirmishing factions within the executive branch, which ultimately carry their bureaucratic (frequently substantive) struggles to Capitol Hill where strategic budgets and program details are fought over and settled. Whether Congress facilitates or hinders the formulation of nuclear strategy as a casual intervening variable remains to be inferred.

*Arms Control in Practice.* The era of U.S.-Soviet strategic arms control began as a result of the 1962 Cuban Missile Crisis, a searing experience that demonstrated the inherent dangers of an unconstrained arms race, misperceptions over nuclear intentions, and the real potential for

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26 Hyland writes “increasingly, U.S. military planning has degenerated into budget management, and combined with federal and congressional budget paring that reflects no strategic design, conspire to turn strategic planning into a bookkeeping operation.”

27 Hyland’s discussion cites the indirect effects of congressional budget parings as a reason for the Pentagon’s diversion of strategy (pp.98-99), but does not posit this as either a deliberate or causal factor.
Procuring Swords for Plowshares

accidental nuclear exchanges—concerns over crisis stability expressed in early theoretical literature. Early agreements included the 1963 Limited Test Ban Treaty (LTBT), the 1967 Outer Space Treaty, and the 1968 Nonproliferation Treaty (NPT). These agreements only indirectly restrained nuclear arsenals. President Johnson and Soviet Premier Kosygin met in Glassboro, New Jersey in 1967 to discuss undertaking a more comprehensive series of negotiations to curtail the strategic arms race, talks postponed after the 1968 Soviet invasion of Czechoslovakia.

President Nixon began the Strategic Arms Limitations Talks (SALT) in 1969. Former ACDA director William C. Foster argued in early 1969 that the time was ripe for U.S.-Soviet strategic arms control to curtail a new round in the nuclear arms race planned for the next decade—a qualitative arms race following immediately on the heels of the quantitative race in intercontinental bombers in the 1950s and ballistic missiles in the 1960s. Foster’s argument relied heavily on two objectives of arms control theory – the need to increase crisis stability and to reduce costs – in what would be an expensive (and he argued, fruitless) pursuit of the third objective (a damage limitation strategy) (Foster, 1969).

However, Foster underestimated the external (Level I) obstacles as well as domestic (Level II) impediments to nuclear agreements. SALT negotiation progress bogged down in 1971 over technical issues such as national verification, compliance and Soviet strong resistance to limiting its heavy ICBM advantage (in response to U.S. resistance in limiting its technology advantage in deploying multiple warhead missiles known as MIRVs). Even as the U.S. strategic community slowly addressed these issues, domestic impediments continued to slow arms control prospects.

28 In 1963, Kennedy and Khrushchev agreed to the LTBT, the first step in the effort to restrain the development and proliferation of nuclear weapons by banning atmospheric testing. In the 1967 Outer Space Treaty, both sides agreed not to deploy nuclear weapons in space. In the 1968 NPT, the US, Soviets and other nuclear powers pledged not to share nuclear weapons, with those non-nuclear states signing the NPT promising not to pursue weapons technology.

29 Foster argued “The technological stars and planets are now in favorable conjunction, so to speak—and they will not stay that way for long.” Foster cited new MIRV and other technologies as advances accelerating the nuclear arms race.
Arms Control Practice: Sentinel/Safeguard Missile Defense and the ABM Treaty. In the late 1960s, congressional interest in arms control increased, further complicating the internal politics shaping (and at times limiting) arms control progress by injecting another high-level institutional player (Miller, 1984, pp.78-79). Negotiations on nuclear offensive and defensive arms limitations resulted in a 1972 treaty of unlimited duration that restrained ABM systems, and a five-year SALT ‘Interim Agreement’ on nuclear offensive arms. Negotiators initially focused on defining weapons technologies future arms control treaties could cover, including both offensive and defensive systems. Yet the complicating factor in limiting strategic offensive launchers was a burgeoning arms race in anti-missile defense (ABM) systems, like the U.S. Safeguard ABM, with which each side attempted to counter the growing number of offensive nuclear warheads.

Under an assured destruction doctrine, the traditional military concept of “defense” against an adversary’s “offensive” military threat had been turned on its head. Nuclear deterrence required a nuclear capability to absorb a first strike if deterrence failed and maintain enough surviving offensive force to retaliate with a devastating second strike. This ‘balance of terror’ had been largely established by the late 1960s. An effective nation-wide defense by either or both sides would upset the assured destruction equilibrium, creating a classic security dilemma—expanding defenses would encourage adversaries to deploy ever more (yet cheaper) offensive weapons to overwhelm an adversary’s defenses in an uncontrolled, potentially de-stabilizing arms race.

Anti-bomber defense systems were too well established by each side’s heavy investment. But new anti-ballistic missile systems were just beginning to be tested and deployed; these provided a promising opportunity for arms control restraint, at least as predicted by arms control theory. Under the SALT negotiations, the two countries agreed in 1972 to limit ABM systems to those
already deployed; this agreement took the form of a permanent ABM Treaty signed at the conclusion of original SALT I talks.30

As SALT negotiators bargained over restraining ABM systems in 1969, the Senate engaged in a high-profile debate over deploying the Safeguard ABM program, the first major Cold War weapons system subject to arms control constraints. That year, by a single vote, Congress approved deployment of a nation-wide Safeguard system. With this controversial vote, Congress entered the inter-branch battles over nuclear arms control and defense procurement in the 1970s.

The extended ABM debate from 1968 through the early 1970’s became the benchmark for congressional efforts to obtain arms control influence. Subsequent congressional actions to reduce funds or limit sites for the authorized national Safeguard system were closely linked to ongoing negotiations leading to the final 1972 ABM treaty, and the SALT I Interim Agreement on offensive arms. Throughout the SALT I talks, Nixon emphasized to Congress the importance of new strategic weapons systems—not only to address strategic threats, modernize aging operational systems and incorporate new military capabilities, but also to enable U.S. diplomats to ‘negotiate from strength’ and to create a more favorable bargaining position. Since appropriations were essential to deploying the Safeguard and other systems, Congress was far better positioned to use defense authorization and appropriations for weapon acquisition to influence strategic arms control policy than with earlier arms agreements.31

On August 3, 1972, the Senate had ratified the ABM Treaty (by a vote of 88-2) that allowed each nation to deploy two ballistic missile defense sites. Yet within a month Congress denied

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30 In a 1974 protocol to the 1972 treaty, both sides agreed to limit deployment of ABM systems to only one site per country.
31 Earlier agreements – the TTBT, Outer Space Treaty and NPT – dealt with more generic issues like limiting nuclear testing, or marking off no-nuclear zones in space and the undersea bed where no nuclear weapons then existed. Because these treaties required little or no appropriated funds to implement, these agreements were considered “self-executing.”
funds to build the second permitted ABM site around Washington (P.L. 92-436). This action represented a rare instance where Congress denied funds for a capability permitted under an existing arms treaty. This had not occurred since the inter-war Naval Conferences of the 1920s.

Arms Control Practice: SALT I Interim Agreement and New Nuclear Weapons Technology. By 1969, both the United States and the Soviet Union had deployed large, second-strike nuclear forces. Having attained this capability, in theory neither nation needed to deploy additional offensive weapons. In 1972, the five-year SALT I Interim Agreement on nuclear offensive set upper limits on the numbers of SNDVs (then counting only ICBM and SLBM launchers, not strategic bombers, the counting over which there was considerable disagreement).

However, whatever arms control gains the SALT Interim Agreement obtained were soon jeopardized by technological innovations that changed the dynamics of the arms race, as well as the utility of the SALT I agreements as effective instruments of control. Weapons research pushed the technology envelope in areas such as terminal missile guidance systems, multiple warhead dispensing systems (MIRVs) and “maneuverable” warheads (MaRVs) that could evade missile defenses. Two key developments – counter-force weapons capable of effectively attacking “hardened” military targets, and MIRVed ballistic missiles that vastly expanded the number of deployed warheads – dramatically changed the control regime envisioned by SALT I.

Counter-force weapons threatened not merely “soft” (counter-value) targets such as population centers and unprotected economic and military facilities, but were capable against

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32 P.L. 92-436, signed September 26, 1972, withheld funding approval of the National Capital ABM site. This was prior to the U.S.-Soviet protocol to the ABM treaty in 1974 that limited each side to one ABM site each. But the earlier decision by Congress forced the FPE to re-open a major arms treaty, dictating in advance a negotiation stance with a foreign power.

33 A MIRV warhead re-enters the atmosphere along a predictable ballistic trajectory, which ABM systems can predict and thus potentially intercept. A “maneuverable re-entry vehicle”, or MaRV, differs in that its re-entry maneuvers into the atmosphere cannot be predicted, thus it could evade 1960s-era ABM systems.

34 Both sides had “hardened” critical military assets such as missile silos, C3 facilities and leadership sites against the effects of nuclear blast, radiation and electromagnetic pulse (EMP), effects of which would render these facilities inoperable during a nuclear conflict. Attacking these facilities required improved warhead accuracy, greater nuclear yield, or a combination of both.
more hardened military (counter-force) assets. Counter-force weapons thus raised the possibility that nuclear deterrence based on an assured destruction capability against the adversary’s soft counter-value targets might alone be insufficient to deter an adversary; that adversary might be better deterred if his primary strategic weapons, leadership and C³ assets could be rendered vulnerable and destroyed early in a second strike. The ability to take out an adversary’s key military capabilities early in a conflict would “limit damage” to your own society later in the conflict. Thus, it was argued that possessing counter-force weapons would better deter by giving the adversary greater pause about initiating a war in the first instance. This was the original concept behind McNamara’s advocacy of a damage limitation doctrine in 1962.

Under a purely assured destruction concept, counter-force weapons were not essential to maintain nuclear deterrence and could be seen as destabilizing. In 1969-1970, while negotiating offensive and defensive limitations in SALT I, the Nixon Administration stated that the U.S. did “not intended to develop counter-force capabilities which the Soviets could construe as having a first strike potential” (Lindsay, 1991, pp. 99, 150). With this executive assurance, Congress denied Air Force R&D funds for counter-force development for the Minuteman III ICBM modernization program in 1970. Senator James Buckley (I-NY) offered three amendments to the FY72 defense authorization bill to reverse this policy. The Pentagon opposed the Buckley amendments, stating,

"It is the position of the United States not to develop a weapons system whose deployment could reasonably be construed by the Soviets as having a first strike capability. Such a deployment might provide an incentive for the Soviets to strike first (as cited in S. Rpt. 93-884, pp.188-190)."

The Senate, led by conservative SASC chairman Senator John Stennis (D-MS), by a vote of 66-17 rejected the Buckley amendment. In 1972, in the glow of the emerging U.S.-Soviet détente, Senate conferees also insisted on deleting a $20 million DOD R&D request to develop prompt,
hard-target kill accuracy against Soviet silos in the post-SALT supplemental appropriations (p.188). In both cases Congress went on the record opposing R&D programs that would break new ground and possibly set new policy.

Yet despite the assured destruction declaratory policy, the U.S. nuclear weapons employment policy edged closer to a damage-limitation, counter-force reality in actual weapons development. In 1974, Nixon approved, and went public with, NSDM-242, altering earlier nuclear declaratory policy and doctrine and justifying counter-force weapons development (Lindsay, 1991, p.99).35

The second technological issue would have a similar negative effect on the integrity of SALT I. In the late 1960s, the United States began developing MIRVs, a revolutionary technology that could mount multiple warheads on a single missile, and make it possible for each warhead to be guided to hit a different target.36 MIRVs would have serious implications for offensive and defensive weapons development as well as for previous arms control constraints that did not account for such systems. MIRV technology was not itself a “counter-force” capability, but did complement such weapons by rapidly expanding their numbers in the inventory and delivering them to their targets far more accurately and efficiently. MIRVs guaranteed that either side – using only a few launchers – could lay down many warheads on a single, hardened enemy target than previously. MIRV technology, combined with greater warhead accuracy, served to increase the war-fighting lethality of fast-flying weapons like ICBMs and SLBMs. ICBMS, because of their “fixed” nature allowed accuracy improvements

35 NSDM-242 reversal was driven by a reassessment by the strategic community of observed changes in Soviet doctrine on nuclear war-fighting; this was underscored by rapid Soviet fielding of the heavy, MIRVed SS-18 ICBM, a weapon which appeared to match a war-fighting doctrine. This is a clear instance where implications of Soviet parity changed the views of U.S. planners, strategists and the FPE.

36 A MIRVed missile contained a “post-boost vehicle” essentially serving as a “bus” that dispensed warheads at different “stops” like passengers on public transportation, allowing individual reentry vehicles (warheads) to fall on widely separate targets.

Throughout the SALT I negotiations, some in Congress expressed concern over proposed U.S. deployment of MIRVs, believing that opportunities for arms control existed for qualitative restraints on new technological developments, preferably before such innovations were deployed by either side. While plans for a MIRVed Minuteman III were announced in March 1970, U.S. SALT negotiators, at the Pentagon’s urging, had already made a decision to exempt MIRV technology from the Interim Agreement discussions in order to preserve a then-existing unilateral U.S. MIRV technology advantage. From a purely strategic planning viewpoint this made sense; MIRVs helped to balance the fact that the Soviets had surged ahead in deployed SNDVs (launchers) but had not yet developed MIRVs, while the U.S. has unilaterally frozen its SNDV totals in 1967 under the assured destruction nuclear doctrine. In preserving its MIRV lead, the U.S. strategic community estimated that the Soviets would not deploy MIRVs within the timeframe of the five-year Interim Agreement. This projection, however, proved wrong.

As part of the FY72 defense authorization in 1971, Senator Hubert Humphrey (D-MN) proposed placing all funds for MIRV deployment in escrow until the President and Congress jointly determined that Soviet testing and deployment of a MIRV system and other actions necessitated MIRV testing and deployment by the United States. The Humphrey amendment was soundly defeated 39-12 (Fundamentals Of Nuclear Arms Control, Part IX; Platt, 1978, p.18). As with other Cold War technological advantages, the U.S. MIRV lead quickly vanished (Platt, p.14). Again, a “unity of strategy and arms control” in U.S. policy proved elusive.

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37 The Soviets began MIRV testing in 1973 directly on the heels of the 1972 SALT agreements, far sooner than the U.S. intelligence community had anticipated, and soon after had deployed MIRVs on its “heavy” SS-18 and SS-19 ICBMs.
Yet even with ABM systems tightly constrained by treaty, practical limitations for nuclear offensive weapons proved difficult under the Interim Agreement. The military institutions, cultures, doctrines and weapons technologies of both sides differed widely, and since anticipated limitations would have to apply to the equivalent systems in each country, negotiators focused on more simple ‘units of account’ that addressed broad categories of weapons, such as counting SNDVs, which could be most easily verified by the national technical means (NTM) of each side.\(^3^8\) Negotiations that required greater refinement of arms limitation (encompassing different units of account) were deliberately put off to “SALT II” or “SALT III” negotiations, while the SALT I Interim Agreement focused on controls based on a preliminary SNDV framework that tried to establish congruence between the two very different strategic force structures.

SALT negotiations continued while both sides proceeded with plans to deploy more lethal nuclear warheads and delivery systems in greater numbers than required for deterrence based on a criterion of assured destruction. U.S. and Soviet offensive force composition was also very different. Land-based ICBMs, all deployed within its huge landmass, dominated Soviet force structure, including very large (“heavy”) missiles, providing the USSR a considerable throw-weight advantage over the United States, which deployed far more ICBM nuclear warheads.\(^3^9\) The U.S. spread its nuclear capabilities more evenly among a strategic “triad” of land-based ICBMs, land-based bombers and submarine-based ballistic missiles (SLBMs); its nuclear missiles were far more accurate and technologically advanced than Soviet versions.\(^4^0\) While the

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\(^3^8\) NTMs typically consisted of spy satellites, other electronic intelligence means and espionage assets. Reliance on NTM was necessary because more sophisticated forms of verification, such as on-site verification, required a non-existent trust and cooperation between negotiating parties that would only appear at the end of the Cold War.

\(^3^9\) Throw weight characterizes a ballistic missile ‘payload,’ the amount of weight or size of warhead that a missile carries. Prior to MIRV technology, throw-weight was useful for predicting the power of single large warhead; after MIRV technology, throw-weight was a measure of the number of MIRVed warheads a single missile potentially could carry. A “heavy” missile with a large throw-weight could theoretically carry more MIRVed warheads than a “light” ICBM with less throw-weight.

\(^4^0\) American ballistic missile forces in the 1970s were solid-fueled systems allowing for immediate operational launch and contained more advanced guidance systems with better accuracy. Soviet liquid-fueled systems required a lengthy pre-launch
U.S. deployed more SLBMs in 1970, the Soviet Union quickly caught up and surpassed U.S. levels by mid-decade. The United States remained superior in long-range bombers, and the Soviet Union had nothing comparable to the U.S. B-52 bomber either deployed or in development; in addition the American penetrating bomber force was poised to add an air-launched cruise missile (ALCM) capability to overcome a huge Soviet investment in anti-air defenses against manned penetrating bombers.\footnote{The U.S. retained a significant advantage (a “fourth” leg of the triad) in its ‘forward based systems’ in Europe and East Asia, within range of the Soviet homeland, which together ensured that the U.S. second strike capability was geographically diverse.}

This force diversity made negotiating offensive limits extremely difficult and time-consuming. The five-year (1972-77) SALT I Interim Agreement on offensive forces set limits only on the overall number of ICBMs, SLBMs, and missile-launching submarines each side could have; remaining concerns were postponed until SALT II.\footnote{These included deferring disagreements on how to count bombers, especially armed with ALCMs. The Soviets were highly concerned about the U.S. bomber force whereas the greatest U.S. concern was the large Soviet advantage in heavy ICBM systems, including its throw-weight and large missile advantages.} The Interim Agreement did not prevent either side from planned force modernizations that increased force lethality and effectiveness against its opposite number. Unconstrained force modernization within SNDV limits would incorporate even greater counter-force capabilities within each side’s arsenals.

\textit{U.S. Congress and Level II negotiations in SALT.} While giving approval to both the ABM Treaty and the Interim Agreement, various congressional factions expressed grave reservations on both documents. First, strict defensive limits on ABM systems and future development locked both sides into an offensive-dominant, morally ambiguous “mutual assured destruction” (MAD) philosophy of nuclear deterrence some found uncomfortable at best, which limited efforts to seek alternative form of security and deterrence beyond threats of mutual annihilation.
Second, a controversial decision by U.S. negotiators allowed in SALT I unequal offensive SNDV limits (2,360 USSR vs. 1,710 U.S.) favoring the Soviet Union and encouraged a continued deployment of Soviet heavy ICBMs programs already underway. This was severely criticized by congressional Hawks (Vladivostok Summit Meeting). It was intended that the SALT II negotiations would remedy this situation during the Interim Agreement’s five-year timeframe. Senate nuclear Hawks, including the powerful and influential Senator Henry ‘Scoop’ Jackson (D-WA), were unhappy about higher Soviet SNDV ceilings and refused to approve the SALT Interim Agreement without inclusion of a clarifying statement demanding that all future SALT agreements restore "essential equivalence," or roughly equal quotas (Talbott, 1979).

Détente, Shifting Geopolitics and the Vladivostok Framework. The initial SALT agreements coincided with, and came to symbolize, a period of U.S.-Soviet relations known as détente – a general thawing of earlier Cold War hostilities. By the late 1960s both countries had solid domestic reasons for pursuing arms talks and reducing bilateral tensions (Milestones 1969—1979). Détente addressed the exigencies of an expensive nuclear arms race and promised relief for domestic economies from the diversion of resources to military programs. The early 1970s saw a general warming of relations that was conducive to arms control and other negotiations. Yet the substantive promise of detente was to be realized primarily through arms control, through improved strategic stability of nuclear deterrence and reduced military burdens.

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43 The SNDV imbalance in part was a U.S. concession to Soviet concerns over U.S. superiority in forward based (“theater”) aircraft and nuclear systems assigned to NATO and long-range bombers, a continuing Soviet concern. The agreement also did not restrict the number of heavy bombers or missiles equipped with multiple warheads (MIRVs) for either country, which (at least temporarily) worked to American advantage, but would be a future objective of Soviet negotiators.

44 Washington saw improved relations as a means to restrain future limited interventions such as Vietnam. The Sino-Soviet split also gave Moscow an incentive to improve relations with the United States. The Nixon administration’s skillful opening to China in 1972 served to demolish the myth of monolithic Communism, re-injected traditional balance of power politics into international diplomacy and grand strategy, and gave the Soviet Union reason to fear a future convergence of American-Chinese strategic interests aligned against them.

45 These included a Conference on Security and Cooperation in Europe (CSCE) from which emerged the 1975 Helsinki Final Act.
The SALT I agreements symbolized détente’s promise, but détente coincided as well with nuclear parity and an era of relative Soviet gains in strategic power after an astonishing decade-long build-up in strategic offensive forces. Moscow perceived the SALT agreements as tacit American recognition of these gains, which presaged a “coming of age” of greater Soviet global power and influence. This milestone greatly concerned many in the U.S. strategic community and some factions in Congress, worried about renewed Soviet geopolitical adventurism and the possibility that Moscow would use nuclear parity to stretch and extend its geopolitical influence, especially in strategic Third World regions, by checking America’s nuclear power with its own. The Soviet Union’s grand counter-strategy, its sponsorship of “wars of national liberation” in the Third World, expanded throughout the 1970s from Southeast Asia, Africa South and Central America, and eventually in 1979, to neighboring Afghanistan, with a net growth of Soviet-client states in strategic locations across the globe.

Work on SALT II began immediately after ratification of the ABM Treaty and approval of the SALT Interim Agreement. Between 1972 and 1974 U.S. and Soviet negotiators designed a general SALT II framework, but had not yet agreed upon two major items: numbers of aggregate launchers and MIRVed launchers permitted each side, and whether to specify equal numbers for each country or allow a differential (with the Soviets to have more launchers and the United States more MIRVs). These differences were hammered out in a Ford-Brezhnev summit in December 1974 held in Vladivostok, where they expected to complete the SALT II treaty.

In preparing for the summit, the Pentagon and Secretary of States Kissinger urged Ford to hold out for numerical equivalency of ballistic missiles. Kissinger – mindful of Senator Jackson and others in Congress closely monitoring negotiations – thought that while Brezhnev would test Ford’s resolve, he wanted an agreement more and would bend first (Vladivostok Summit, Sec. 2;
To Ford’s surprise, at Vladivostok the leaders agreed to limit both nations to an “equal aggregate number” of 2,400 overall SNDVs and a sub-ceiling of 1,320 MIRVed systems (Ford, pp.215). The Soviets were also insisting – and Ford steadfastly refused to agree – that Forward Based Systems (FBS) deployed in Western Europe be counted in any agreed-upon total of strategic weapons. Brezhnev conceded the point on the FBS issue, but given the American firm position, refused to even consider a central American objective of the negotiations: convincing the Russians to give up or reduce its advantage in heavy ICBMs, with their massive throw-weight that increasingly threatened survivability of the U.S. triad’s land-based ICBM leg. Brezhnev made a vigorous, yet unsuccessful attempt to get the Ford to scrap other U.S. Triad force modernization programs that clearly concerned the Soviets, the Trident submarine and the supersonic B-1 bomber, both then in development (Ford, pp.214-215). While failing to complete the SALT II treaty, both sides felt, the final end game was imminent. On November 23, 1974, Ford and Brezhnev signed the joint Vladivostok communiqué that was intended to serve as basis for a final SALT II negotiation (Vladivostok Agreement Joint Statement).

In private conversation with Ford at the summit’s conclusion, Brezhnev addressed the foreign policy influence of Congress. Brezhnev, who had publicly voiced irritation at how Congress “had fouled up” U.S.-Soviet progress on trade expansion and was then trying to link trade to Soviet emigration policies, asked Ford: “You just had elections in your country. What

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46 Ford had been thrust into the presidency only a few months earlier and his advisors wanted him to show his toughness.

47 This satisfied Jackson’s original concern, although he was still bothered by allowance for Soviet “heavy” ICBMs, as the U.S. had no such category. The Soviets pushed for higher figures, and wanted U.S. bombers counted as part of the 1,320 MIRVed sub-ceiling. The compromise meant the Soviets would have to reduce their overall launchers by about 300, mostly by retiring older obsolete weapons (Kissinger, 1999, pp.286–303; Dobrynin, 1995, pp.322–23, 327–33).

48 U.S. FBS included nuclear-capable medium and tactical bombers as well as the older theater and tactical nuclear weapons.

49 Ford recalls, “Now Brezhnev wanted something in return [for agreeing to exclude American FBS]. We should stop production of the Trident submarine and cancel our plans to build the B-1 bomber. Our national security, I replied, demanded that we push forward with both. We simply couldn’t rely on our aging B-52s.”
kind of a Congress will you be dealing with for the next two years?” Ford replied, “Mr. General Secretary, I can only say that my fingers are crossed.” The new Congress would soon weigh in on the Vladivostok framework and arms control.

Kissinger described the U.S. delegation as “exuberant” departing Vladivostok. In his view “the Soviets ... made almost all the concessions” (p.302). Ford felt that the summit “had far exceeded my expectations, and I was euphoric. As soon as technicians had ironed out the few remaining problems, we would sign a SALT II accord. Brezhnev shared my enthusiasm” (Vladivostok Summit, Sec. 5, Day 2).

However returning home, Ford came under intense domestic criticism in a political environment already questioning détente and the Ford-Kissinger foreign policy. During SALT negotiations, Congress as a whole and especially the House—which has no explicit constitutional role in treaty approval—sought to increase its influence on arms control by exercising more critical attention to the arms control implications of new weapons in its procurement decisions (Fundamentals of Nuclear Arms Control IX). Criticism came from both the political left and the right. From the left, Ford had not “closed a deal” by holding firm on long-standing U.S. positions and protecting new weapons like the new MX ICBM and B-1 bomber. On the right, Ford had caved to Soviet pressure by not eliminating their heavy ICBM and throw-weight advantages and demanding U.S. equality in these categories.

Domestic American politics—the post-Watergate 94\textsuperscript{th} Congress elected in November 1974, the most assertive in foreign policy since the 1920s, and the pending 1976 presidential campaign—dashed American and Soviet expectations for swift conclusion of SALT II. Within

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50 Emphasis added. This reference was to the famous post-Watergate class of 1974, elected in November 1974 but which had not yet taken office. (Vladivostok Summit, Sec. 5, Day 2; Ford, pp.214-215).

51 Kissinger noted that he and Ford “watched with dismay as the Vladivostok agreement dissolved before our eyes” (p.302).
the shifting pendulum of inter-branch relations, these events place propelled pending strategic modernization decisions and the unfinished treaty into the administration of Jimmy Carter.

Summary: Opening up the “Black Box.” The decision making process detailed in this chapter suggests a complex interrelationship between three distinct sub-processes, as illustrated in Figure 5.6: 1) formulation of military/nuclear strategy including the definition of nuclear weapons requirements; 2) allocation of resources for development and procurement of nuclear weapons; and 3) negotiation of international controls on nuclear weapons.

These sub-processes involve acquiring the instruments of national power to implement American national security objectives that address external strategic circumstances. Opening the “black box” allows detailed investigation into these processes, particularly with regard to the possible causal role of Congress in shaping American arms control policy through the weapons acquisition process.

In the first sub-process (military threat analysis and weapons requirements), executive branch departments and agencies perform several important national security tasks. These
department and agency tasks are performed “upstream” from a second sub-process (Congressional role) that is performed by the legislative branch exercising its policy oversight and appropriations functions over strategic weapons. Further “downstream” from the congressional authorization and mobilization of materials resources is the third sub-process (Arms Control role), which is nominally the responsibility of the FPE.

**Figure 5.7**
Relationship of Nuclear Strategy, Weapons Acquisition and Arms Negotiations

Opening the black box indicates that inter-branch bargaining over a future strategic weapon system is central to the formulation of win-sets for international arms control negotiations. Congress can use its constitutional power over military spending and oversight to interact with the executive branch both “upstream” in the threat analysis and weapons requirements sub-
process, and “downstream” in the arms control negotiation sub-process to influence overall U.S. foreign policy and national security strategy. These congressional linkages both upstream and downstream are illustrated in Figure 5.7.

The next two chapters examine, through process tracing and comparative case analysis, the proposition that in the final twenty years of the Cold War, Congress increasingly sought to influence arms control outcomes through its ability to direct weapons acquisition programs and appropriate money for strategic weapons.
Chapter Six
Weapons and Arms Control Case Studies and Within Case Analysis

Five Case Studies. This chapter addresses five cases involving congressional decision-making on strategic weapons acquisition and assesses possible influence on U.S. arms control policy. A process tracing (within-case) analysis of each case is conducted and inferences are made as to the possible existence of Intervening Variables and a causal mechanism. Each case is summarized according to the following structure: Threat Assessment, Military Rationale/Need, Associated Negotiation Forum, Congressional Perceptions and Manifestations of Congressional Influence.

Case Study No. 1: B-1 Bomber, MX ICBM and the SALT II Treaty (1979)

‘When we build, they build; when we stop, they build.’
—Secretary of Defense Harold Brown on U.S.-Soviet nuclear arms competition (George, 1990, p.41)

"I'm not a hawk or a dove. I just don't want my country to be a pigeon."
— Sen. Henry 'Scoop' Jackson (D-WA), opponent of SALT II (Jackson, 1972)

Threat Assessment. In 1976, Ford’s new CIA Director, George H.W. Bush, established a “red team” of outside experts to review the CIA’s net assessment of Soviet military threats.\(^1\) The “Team B” conclusions were far-reaching and controversial, suggesting that official U.S. intelligence assessments understated Soviet threats and challenges to U.S. primacy in world affairs. The same year former SALT I negotiator Paul Nitze established “The Committee on the Present Danger” (CPD).\(^2\) A group of former government officials and academics critical of détente and the direction of SALT II and supportive of the CIA’s Team B’s Soviet threat assessment, the CPD advocated a strong strategic nuclear modernization effort and efforts in Congress to remedy SALT I’s unequal SNDV force levels in a SALT II treaty (Talbott, 1988).

\(^1\) A “red team” is an external group tasked to challenge prevailing in-house assumptions and premises.

\(^2\) Nitze, a lifelong Democrat and Cold War hawk, held numerous policy-making positions under several presidents. Nitze had quit the SALT I negotiating team in 1974 over his belief that Henry Kissinger was sacrificing U.S. security interests in the negotiations.
Of primary concern to U.S. planners were the Soviet investments in a national air defense, designed to counter a large U.S. advantage in long-range bombers, and in large, MIRVed and increasingly accurate ICBMs. The Soviet ICBMs had created a “window of vulnerability” for the 1,000 silo-based Minuteman ICBMs, the most potent counter-force leg of U.S. triad. Slow, low-flying 1950s-era B-52s could no longer be certain of penetrating Soviet air defenses by the mid-1970s due to continued upgrading and widespread deployment of Soviet surface-to-air missiles. U.S. planners feared that once fully MIRVed, the large Soviet ICBM force could pose a Pearl Harbor-style “sneak attack” that threatened Minuteman ICBMs using only a fraction of its total inventory while retaining a considerable second strike reserve. Also threatened by this ‘bolt from the blue’ type attack were all other nuclear forces not operationally deployed—bombers parked on the ground and a significant portion of the Poseidon SLBM force not routinely deployed at sea. The Minuteman force—and only that portion consisting of 550 highly accurate three-warhead Minuteman IIIs deployed in 1970—contained all of the then-existing U.S. prompt, ballistic missile counterforce weapons. Neutralization of Minuteman in a first-strike would severely cripple existing U.S. war plans requiring a secure, second-strike capability if deterrence failed. This weakness—even in theory—also could create crisis instability and possibly embolden Moscow to engage in risky foreign policy acts they might not otherwise take.

**Military Rationale/Need.** Soviet threat assessments prompted U.S. efforts to modernize each triad leg. The two most critical needs were in the strategic bomber and land-based ICBM forces:

- **B-1 Bomber and ALCMs.** The new B-1A was a supersonic high-altitude bomber that could overfly or outrun Soviet air defense interceptors and missile batteries and also fit within the evolving U.S. flexible response doctrine (Knaack, 1988). The B-1A’s long-range (6,000 miles) and low-radar cross-section was designed to penetrate Soviet airspace by making detection by air defenses more difficult. The B-1 payload exceeded the older B-52. A highly cost-effective rival to the B-1A was the AGM-86 Air Launched Cruise Missile (ALCM), a
subsonic, pilotless, non-ballistic missile (FAS B-1A Background). With a range of 1,500 miles, ALCM could be launched outside of Soviet defenses and penetrate at low altitude like a bomber, but in much greater numbers to saturate Soviet defenses at only 20 percent of the planned cost of 244 B-1As. Carter campaigned against the B-1 in 1976 as both unaffordable and unnecessary. In June 1977 Carter cancelled the B-1A, announcing a strategic modernization program of the MX ICBM, Trident-submarine based SLBMs, and upgraded ALCM-equipped B-52s.

- MX/’Missile Experimental’ (LGM-118). The MX was initiated in 1971 as a replacement for Minuteman, its development guided by NSDM 242 (Nuclear Weapons Archive; Johnson, 2006). The MX mission was to “reduce the growing asymmetry between Soviet and U.S. ICBM capability at the earliest possible date” (H. Rpt. 94-1305, p.40). While MX provided a logical evolution of missile technology to support U.S. counter-force doctrine, Soviet improvements in ICBM warhead accuracy and expanding warhead numbers also drove MX requirements inexorably toward some form of MX survivability through mobility or deceptive basing.

**Associated Negotiation Forum.** In January 1977, Carter set aside a nearly complete SALT II Treaty based on the 1974 Vladivostok Framework in favor of an approach to eliminate, rather than manage growth of, nuclear weapons. Carter often referred to “real arms control,” an indirect criticism of Kissinger’s diplomacy and the Nixon-Ford arms control approach (Talbott, 1979, pp.49-50). Given this background, Carter’s SALT II objectives were four-fold:

- **Eliminate (or mitigate) the Soviet threat to Minuteman (‘the window of vulnerability’).**
- **Address future ICBM mobility options via arms control.**
- **Preserve ALCM deployment options for U.S. bombers.**
- **Gain the support of Congress for an eventual SALT II ratification debate.**

Moscow flatly rejected Carter’s initial March 1977 “Comprehensive Proposal” – a creative effort to seek “real arms control” that could have resolved the Minuteman vulnerability issue without requiring expensive U.S. ICBM mobility options. Instead the Soviets demanded a return to the

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3 The ALCM was an evolution of the World War II-era German V-1 “buzz bombs,” updated with computer-programmed terrain-mapping guidance system giving it high accuracy over a long-range.

4 Mobile ICBMs presented serious arms control verification issues; however Minuteman vulnerability led defense officials to urge negotiators to protect all ICBM basing options, including mobility (Talbott, p.166).

5 Jackson had sent a February 1977 memo encouraging Carter to “protect freedom to deploy mobile missiles” and warned that resurrecting the Vladivostok framework would jeopardize Senate approval of SALT II (Talbott, pp.52-54).
Vladivostok framework, which preserved its heavy ICBM advantages. Apparent in the Soviet rejection was that the Americans could not expect Moscow to adopt the U.S. concept of strategic stability. Following Moscow’s rejection, re-starting SALT II progress only began after a September 1978 “breakthrough” U.S. proposal reflecting the Vladivostok framework, but also involving a key trade-off: Soviet acceptance of a MIRVed ICBM sub-ceiling in exchange for U.S. acceptance of ALCM counting rules (*PD-20*; *Aaron Exit Interview*, p.12; Talbott, p.125). A further logjam was broken in April 1978 when U.S. negotiators proposed to allow each side only one new ICBM type (MIRVed or not) to be tested and deployed, banning all other new ICBM types, but only as part of a treaty running until 1985. This proposal allowed MX development and testing outside of the new type ban. Moscow vigorously campaigned against the MX in the media – referring to it as “an instrument of destabilization.” Attempting to ban MX development before it made much progress, the Soviets proposed a total ban of all new ICBM types for entire SALT II period. After B-1 cancellation, Carter knew Congress would not tolerate cancelling another strategic weapon then under negotiation. Moscow’s agreement in July to the “one-new-ICBM-type” provision, a major U.S. negotiation success, protected MX and ALCM options, and increased acquisition leverage of both systems.

The July 1978 conceptual breakthrough on MIRVed ICBM sub-ceilings, ALCM-equipped bomber counting rules, and the ‘one-new-type’ removed most remaining obstacles to a SALT II treaty. Yet attaining a final agreement would consume another year, coinciding with intense Level II bargaining over MX basing, structuring the ALCM program and the not-yet-dead B-1 bomber. To the Pentagon, “more than ever, the MX seemed to represent a possible solution to the problem of impending strategic imbalance” (pp. 158-159). Yet congressional concerns lingered over its final basing scheme and the SALT II’s implications for strategic modernization.
Congressional Perspectives. Arriving in 1975, the new 94th ‘Watergate’ Congress held more assertive views on policy and pushed through a series of procedural reforms that allowed individual members to bypass conservative committee chairs and exert greater policy influence on the House floor (Johnson, 2006). Under the 1974 budget reforms, subcommittees proliferated, increasing their power and resources. This enabled greater independence of policy entrepreneurs within a given domain (Wolfensberger, 2013). House freshmen were in favor of reduced military spending, highly critical of nuclear counterforce programs, and supportive of arms control; they saw the Vladivostok/SALT II framework and détente as a means to end the Cold War and the nuclear arms race (Johnson, pp.210-211). Using the 1974 Budget Act, they exploited the expansive tools the act provided for greater oversight and scrutiny of defense budgets and programs (p.196). Defense committees, traditionally dominated by Hawks, moved in 1975 in a dovish direction, giving greater prominence to younger members inclined to challenge FPE policy preferences (pp.192-194, 196). Ascension to the HASC of Rep. Les Aspin (D-WI) signaled an end of ‘business-as-usual’ complacency on the defense committees. Aspin realized the importance of coalition building and using House rules to promote policy preferences, once observing that his colleagues “prefer to deal with issues indirectly and procedurally” (p.195).

Yet more established, defense-minded members also clashed with the incoming Carter Administration over both weapons and arms control. The motivations and politics behind Jackson’s February 1977 memorandum to Carter framed executive-legislative relations during the Carter Administration, signaling that Hawks would link MX procurement and SALT II and require a high standard for mitigating Soviet force structure advantages. Aware that the Hawks

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6 The new Democratic House revised its party rules, diminishing the seniority-based power system on House committees.
7 Aspin, considered the most effective critic of the Pentagon in the House, saw in the post-1974 Budget Act greater opportunities for the defense committees to redirect and reduce Pentagon spending.
would try to sway his SALT II negotiation strategy, Carter’s March 1977 “comprehensive proposal” contained elements that encouraged the Jackson wing in Congress. Carter thus walked a fine line between congressional Hawks and Doves. Yet once Moscow rejected Carter’s radical arms reduction proposal as non-negotiable, all subsequent and more modest proposals or agreements would be viewed as a retreat from principle of the original, bolder proposal. Hawks viewed Carter’s hasty retreat from his early proposal as abandoning American strategic interests, leading them to incorporate their concerns and preferences in annual defense bills. Carter’s ambitious arms control agenda raised the issue of such leverage and whether ongoing weapons acquisition provided “bargaining from strength” or served only as “bargaining chips” to be traded before actual procurement. The issue split the nuclear Hawk and Dove factions, and encouraged emergence of a third group (Owls) that viewed weapons contributions on a case-by-case basis, measured by each system’s implications for strategic stability. Embracing a “bargaining chip” strategy, Doves viewed all new nuclear weapons as only needed to serve arms control purposes. In the FY74 SASC report, several dissenting senators argued that “a more orderly” (i.e. slower) development pace of strategic weapons programs would improve SALT II bargaining leverage (S. Rpt. 93-385, p.178). Bargaining chips presented an effective counter-argument to the Hawks’ (and Pentagon’s) justification for a new strategic acquisition, marketed “as a hedge against arms control failure” or a Soviet technological breakthrough. Calibrating a “bargaining chip” argument laid the groundwork for greater program constraints and spending oversight, where Congress controlled the pace of weapons development, while monitoring SALT progress.

B-1 Bomber/ALCM development and SALT II. Greater congressional oversight of the B-1 occurred only after Carter’s cancellation decision, which some Hawks criticized as a unilateral
“giveaway” to Moscow (Lindsay, 1991). Had Carter offered up the B-1 to secure a Soviet concession, as some proposed in Congress, this would have validated the Doves’ ‘bargaining chip’ thesis, but he made no such effort in his March 1977 proposal or later. This encouraged Hawks to criticize that Carter gained nothing for unilaterally cancelling a major strategic weapon system. Congress also kept the program alive through continued acquisition and testing of the original four B-1A prototypes. The July 1978 SALT breakthrough encouraged a possible development of a new bomber configured primarily to carry ALCMs. While Carter preferred as a leading candidate for a new ‘Strategic Cruise Missile Carrier’ (CMC) an inexpensive wide-body jet (a modified civilian 747), the Air Force and a sizable contingent in Congress preferred a reconfigured B-1A, which also retained its penetrating bomber role (H. Rpt. 95-1573). In the FY81 bills, defense committees rejected Carter’s CMC concept, shifting CMC funds “to initiate a strategic weapons launcher, a low-cost variant of the B-1” (H. Rpt. 96-166, p.11).

**MX Missile and Basing.** The search for ICBM mobility and survivability characterized the lengthy debate over the MX, with Congress insisting that, whatever its military capabilities, MX be deployed only in a survivable, verifiable basing mode. After 1974, over thirty basing schemes were proposed, focusing largely on air and ground mobility (*ICBM Basing Options* 1980). Early MX development concepts still presumed an interim deployment in existing silos with post-deployment survivability enhancements (*Nuclear Weapons Archive/MX*). Having heard repeated official testimony about the ‘window of vulnerability’, Congress reacted unfavorably to interim silo basing of MX, although disagreement persisted for several years among defense committee elites (H. Rpt. 93-1212; H. Rpt. 94-710; H. Rpt. 94-488). Four basing systems appeared most promising to meet the survivability requirement: *silo hardening, ABM defense of missile silos,*

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8 The Air Force acquisition practice to field the military capability as rapidly as possible, making later post-deployment improvements, had by the mid-1970s become overtaken by broader political, strategic and arms control considerations.
randomly mobility via airborne mobility, and concealment. Of these four options, missile concealment via a form of multiple protective structures or shelters (MPS) seemed the most promising, but also the most costly.

Over the next four years MX basing would periodically change, driven by a combination of technical and political re-direction within the Pentagon, the Carter Administration and Congress to study, and re-study, basing options, at times to meet changing SALT II negotiation stances for reasons of cost, technical issues and arms control verification (S. Rpt. 94-2966). As talks continued, authorizing committees became concerned that U.S. negotiators had given insufficient attention to survivability, insisting that MX basing must be survivable against programmed Soviet threats (H. Rept. 96-166; S. Rpt. 95-129).

From Carter’s first FY78 budget onward, Hawks criticized the administration for a weak approach to strategic modernization in the face of an expanding Soviet threat (S. Rpt. 96-428, p.166). Hawks posited the net result of administration actions was to further increase, rather than decrease, U.S. ICBM vulnerability (H. Rpt.94-1231, p.368). Doves adopted an opposite tack, claiming that billions would be wasted addressing a ‘mythological’ ICBM window of vulnerability (S. Rpt. 96-826). SASC further warned that its support for SALT II was contingent on developing proper criteria (“only if such arrangements preserve a real military balance”) that required closer cooperation and coordination between SALT negotiations and defense committees’ weapons decisions (pp.232-234). This expression of concern marked the rise of a distinct “Owl” faction in the SASC, led by Democrats such as Georgia’s Sam Nunn and Republican members swept into office after the 1978 mid-term election (Johnson, 2006). Owls criticized a lack of coordination in the executive branch between weapons design and arms control decisions that created force structures encouraging crisis instability; this suggested the
absence of a “unity of strategy and arms control” called for in arms control theory (Hyland, 1992, p.98). Led by Nunn, SASC Owls saw their mission to promote this unity and pressed their preferences in the form of specific policy and strategy guidance upon the Carter, and later Reagan, administrations, whether the FPE desired these inputs or not.

Whether the draft SALT II draft treaty being finalized would ultimately be approved by Congress focused on two interrelated issues: whether strategic treaties with Moscow could be adequately verified, based on accusations of Soviet cheating in the 1972 SALT I Interim Agreement and ABM Treaty; and whether SALT II contributed to national security, in the face of perceived relative gains in Soviet global power and influence.

- **Verification.** Great efforts in final negotiations focused on how to verify a mobile/deceptively based MX (MX Policy Task Force, 1984, p.7). Hawks remained skeptical that SALT II could be adequately verified and found that Carter’s efforts to ensure MX/MPS met Soviet verification scrutiny drove up MX program cost. MPS also created grassroots opposition in projected MX deployment areas. Doves also questioned whether a MPS configuration could be adequately verified, which seemingly also endorsed Hawks’ criticism (S. Rpt. 96-826, p.234).

- **Contributions to U.S. Security.** In 1979, the main debate over SALT II was the undeniable Soviet military and foreign policy advances over the previous five years. Hawks contended that, even if SALT II could be verified, the growing capability of Soviet strategic forces within SALT would not buy any relief for ICBM vulnerability (Talbott, 1979, pp.164-165). The Carter administration actively promoted MX as the best answer to restore viability of land-based ICBMs, and to support evolving strategic doctrine, regardless of how or where the

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9 A February 1980 GAO report cast greater doubt on the MX survivability and thus increased uncertainty over SALT II’s actual contribution (GAO, 1980, p.17).
procuring swords for plowshares

Yet, given Hill resistance to silo basing, MPS survivability issues and the inability to find politically or technically acceptable basing to Congress, MX deployment logic appeared increasingly circular (H. Rpt. 95-1402). As SALT II talks reached its conclusive stages in May 1979, Congress forced Carter’s hand, directing DOD to immediately proceed with MX in MPS basing. Final Authorization conference language (‘shall proceed’) was unambiguous (H. Rpt. 95-1573). Yet the FY80 Appropriations Conference adopted a Senate amendment (passed 89-0) prohibiting MX funds be spent for only a single basing mode (H. Rpt. 96-696). This reflected extremely weak support for ‘racetrack’ horizontal MPS mode. Even as confusion and uncertainty reigned among congressional defense elites, Carter announced his decision to proceed with a horizontal MX/MPS design (MX Task Force, p. 5; Ball, 1980, p.235).

SALT II Ratification Debate. SALT II prospects in Congress were dim. The treaty was subject to intense Senate scrutiny on several levels—fiscal, economic, strategic, environmental and social and political—and intertwined the fate of the MX missile with regional crises, Moscow’s December 1979 invasion of Afghanistan and the 1980 presidential election. Defense elites in Congress had detected an unfavorable shift in the global distribution of power, despite arms control efforts, during the 1970s. For example, the FY81 defense committee reports each noted an adverse turn in U.S.-Soviet relations, clear perceptions that the U.S. was falling behind critical measures of strategic military power (S. Rpt. 96-826, p.16; H. Rpt. 96-916, p.16).

On November 19, 1979 the Senate Foreign Relations Committee reported favorably on SALT II, albeit with reservations, understandings and declarations (SFRC SALT II Report). The administration’s larger concern remained in the overall Senate, where even prior to the Soviet invasion in December an estimated forty Senators opposed ratification, including nine Democrats.

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10 The new “counter-vailing” deterrence policy and targeting doctrine required an estimated 1,500 survivable, prompt hard-target-kill RVs maintain a credible deterrence force, and MX was expected to provide the bulk of these warheads.
(Johnson, p.245). SASC, in the process of eclipsing the SFRC in foreign policy influence, held special hearings on the military implications of the SALT II treaty. Although it had no formal jurisdiction over foreign policy or treaty ratification, on December 20, 1979 the SASC recommended against the ratification of SALT II (p.246). The Soviet Union began its invasion of Afghanistan as SASC issued its negative report. On January 3, 1980, Carter requested that the Senate delay its consideration of SALT II. Yet politically both SALT II and the MPS basing scheme designed for MX to survive within it were already dead.

**Within-Case Observed Manifestations of Congressional Influence on SALT II.** Elite congressional views expressed during the SALT II negotiation process indicate a clear linkage between legislators’ perceptions of threat, defense committee actions on the B-1, ALCM, and MX, and congressional efforts to maximize U.S. arms control objectives. Specific manifestations of congressional influence are discussed below.

*Jackson Amendment to the Senate’s SALT I Approval (1972).* Congressional action approving the SALT I Interim Agreement in 1972 had included an amendment by Sen. Jackson (D-WA) establishing a congressional requirement for “the principle of equality in strategic forces” in any future arms agreements. The Jackson amendment served notice to the president that a minimum standard for congressional approval of SALT II and future treaties would be equal aggregates in overall U.S.-Soviet strategic nuclear forces. This requirement shaped all subsequent formulations of U.S. strategic arms control stances and considerations of strategic force postures proposed for SALT II (Talbott, 1979, pp.95-97).

*Congressional-FPE coordination in arms negotiations via the budget process (1977).* In the FY78 Authorization Conference report, Congress asserted its “readiness to consider” changes to

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11 SASC voted 10-0, against SALT II against ratification with 7 abstentions.
U.S. strategic programs subject to arms control limitations “in accordance with the process contained in the Congressional Budget and Impoundment Control Act (CBICA) of 1974 and the Budget and Accounting Act (BAA) of 1921” (H. Rpt.95-446, p.58). The FY78 language called for “cooperation and coordination in the negotiation and agreement processes” of the SALT talks, and stated that cooperation would extend to “such modifications in United States strategic arms programs as the President may recommend to facilitate either negotiation or agreement in the strategic arms limitations talks” (p.58). This represents a clear congressional intent to exert a greater role in arms control negotiations involving weapons procurements subject to legislative approval. The “modification in U.S. strategic arms programs” would increasingly occur with and even without presidential recommendation, requiring the FPE to adjust U.S. negotiation strategy according to congressional program modifications. For example, both the HASC and SASC FY79 reports expressed concern that Carter’s SALT negotiations were not fully coordinated with the defense committees’ actions on MX and ongoing issues over a final MX basing mode; the committees then directed the administration to report on accommodations in its SALT proposals to MX/MPS basing (H. Rpt.95-1573; S. Rpt. 95-826). Johnson also observes that after 1978, Armed Services eclipsed Foreign Relations as the committee where the policy-oriented “heavyweights” resided in the Senate (p.243). These trends indicate an important correlation between weapons acquisition decisions and foreign policy influence in Congress.

**B-1 Resurrection.** The executive-legislative battle over the B-1 was a rare congressional effort to add a strategic weapon to the FPE’s budget request while in negotiations in Geneva. While popular parochial or logrolling explanations exist, 12 evidence suggests a substantive policy preference on the part of defense elites (supported by the Pentagon) existed to retain a viable

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12 For examples, Rep. Otis Pike (D-NY) claimed in 1975 that the Pentagon ensured “part of the B-1 bomber is made in everybody’s district.” Evidence exists to both support (Johnson 2006, p.211) and refute (Lindsay 1991, pp.125, 130) this claim.
penetrating bomber in the face of rising Soviet threats and to enshrine this capability into SALT II (H. Rpt. 96-166, p.15). Air Force officials and even Carter political appointees communicated this to Congress, and defense committee reports consistently reflected this concern (Lindsay 1991, p.100). A contributing factor was Carter’s inability to build a strong consensus for his alternative program for bomber modernization (p.101). Hawks, and a growing number Owls, were critical of Carter’s negotiation of SALT II, especially on bombers and ALCMs. Many felt Carter mishandled B-1 at the bargaining table and unnecessarily jeopardized triad viability; they refused to accept sub-optimal bomber modernization options; also, in canceling the B-1, Carter failed to take full advantage of advantages to maximize U.S. bomber and ALCM technology in SALT II.

 Proposed ban on ‘depressed trajectory missile” in U.S. Proposals (1978, 1990). The U.S. SALT II proposal in September 1978 contained a proposed ban on testing “depressed trajectory’ ballistic missiles, even though neither side had tested nor deployed such a capability, nor previously raised the issue.13 Doves Rep. Tom Downey (D-NY) and Rep. Robert Carr (D-MI) – defense policy activists with “a strong belief that SALT should anticipate and prevent destabilizing technological advances” – were the ban’s chief advocates (pp.207-208). Carter added a ban to the U.S. proposal as a “crisis stabilizing element” after the two made a direct appeal, but Moscow reacted negatively and Carter soon withdrew it (Talbott, p.208; Johnson 2006).14 The incident demonstrates Carter’s eagerness to accommodate congressional concerns over SALT from both Doves and Hawks, an indication of their growing influence on arms control policy.

13 ‘Depressed trajectory’ ballistic missiles allow a shorter time-of-flight-to-target attacks than a conventional parabolic missile trajectory, are effective for surprise attack against non-alert submarines and bombers, and thus are seen as de-stabilizing weapons.

14 Reagan vetoed the FY89 Defense Authorization in part because it included a similar ban (Reagan 1988, p.9).
Observed Manifestations and Possible Causal Mechanism. Figure 6.1 summarized the case outcome according to specification of the Dependent Variable, the outcome of Level I bi-lateral arms talks between U.S. and Soviet negotiators.

Variation is characterized in several ways: by the final outcome of the agreement itself as well as a modernized weapons system allowed within the agreement (whether the weapons was deployed, or limited in capability by Congress), whether both the security objective and the FPE’s policy and strategy preferences were met, and whether the final agreement was ratified at Level II.

The SALT II outcome documents a mixed result. To what degree can Congress (or its factions), acting as Intervening Variable(s), be considered a causal factor in the outcome? Through the
result of process tracing, the facts of the case reveal several observable manifestations of causality summarized in Figure 6.2 (above).

Considering these observable manifestations from the facts of the case, the following inferences regarding congressional influence on the SALT II Treaty outcome can be made (see Figure 6.3 below). As theorized in Figure 6.3, process tracing for this case suggests the existence of a casual mechanism, where a series of mechanistic interlocking parts that transmit causal forces between congressional activities and arms control outcomes have been identified and causality inferred.
Case Study No. 2: Pershing II and GLCM in INF

“Never, perhaps, in the postwar decades has the situation in the world been as explosive and, hence, more difficult and unfavorable as in the first half of the 1980s.”

“Because the Pershing II missile system is of paramount importance to the relationship of the United States and the NATO Alliance, and also provides and incentive for the Soviet Union to negotiate on nuclear arms limitations, the committee recommends that the amount requested be authorized.”

Threat Assessment. In the late Cold War period, procurement of Intermediate-Range Nuclear Forces (INF) in Europe were tied not only to theater nuclear balance, but also geostrategic issues such as the Soviet achievement of nuclear parity and the larger U.S.-Soviet strategic nuclear balance (H. Rpt. 96-916). In early Cold War years, Soviet conventional superiority in Europe was offset by the U.S. nuclear monopoly; after the monopoly disappeared in the 1950s, deployment of U.S. theater nuclear weapons redressed NATO’s conventional force deficiency (p.19). Theater nuclear weapons were meant to reassure Europeans regarding the U.S. nuclear commitment.

When Moscow began deployment of new MIRVed SS-20 mobile missiles in 1977, American strategists perceived an effort to alter the East-West balance of power in Europe. Within a few years, hundreds of three-warhead, 2,000-mile range SS-20s had been deployed in-theater, threatening to overturn the American INF superiority (H. Rpt. 95-451). Addressing the need for INF modernization, in October 1977 German Chancellor Helmut Schmidt note that while the SALT process codified a rough strategic nuclear parity, it also “magnifies the significance of the disparities between East and West in nuclear tactical and conventional weapons” (George, 1990, p.98; Nolan, 1991). This significance raised European worries over a ‘de-coupling’ of West European security from the American extended nuclear deterrent.

15 The SS-20 was a two-stage mobile missile with greater range, accuracy, mobility and striking power, an order of magnitude improvement in military capability over older Soviet IRBM systems. The SS-20 could strike targets as far westward as Iceland.
Military Rationale/Need. The NATO response came at a December 1979 meeting, where NATO Ministers formally approved basing American Pershing II intermediate ballistic missile system and newly developed Ground Launched Cruise Missiles (GLCM) in Western Europe. The NATO ministers unanimously adopted a dual-track’ strategy to counter Soviet SS-20 missiles. The first (‘negotiation’) track called for arms control negotiations to restore the balance in intermediate-range nuclear forces at the lowest possible level. Failure to secure an arms control agreement would trigger NATO's second (‘deployment’) track that would modernize its theater nuclear forces with 464 single-warhead U.S. GLCMs and 108 single-warhead U.S. Pershing II ballistic missiles. Deployment of these systems would begin in December 1983, and, absent an arms agreement, reach full operational capability in 1985:

- **MGM-31C Pershing II Ballistic Missile.** The Pershing II was an intermediate-range ballistic missile designed to provide a rapid reaction nuclear fire support to NATO Command. Intended to counter to the SS-20, the Pershing II range requirement more than doubled (1770 km/1,100 miles) that of the Pershing Ia it replaced, necessary to cover SS-20s deployed further east than older Soviet INF systems (*FAS/Pershing2* 2014; *Martin Marrietta* 2014).

- **BGM-109 Ground Launched Cruise Missile (GLCM).** GLCM was an Air Force mobile, ground launched cruise missile with a nuclear warhead propelled by a subsonic turbo-fan engine. Like the Army’s Pershing II missile, the GLCM was highly accurate, but unlike ballistic missiles, designed to fly both lower and slower using complicated aerial maneuvers and predetermined flight plans (S. Rpt. 95-826). Its low-observable flight meant a higher likelihood of striking its target, as GLCM flew often undetected, with less warning than a ballistic missile whose launch can be readily detected via satellite. Moscow had tried since the mid-1970s to ban or limit U.S. cruise missile technology altogether, ostensibly on verification grounds, but more likely because the sea-based and bomber-launched nuclear versions presented Soviet air defenses with difficult detection and defense problems.16

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16 Differences between nuclear and non-nuclear GLCMs did present difficult verification problems using only national technical means; problems were later overcome through more intrusive verification measures, developed as part of the INF treaty.
Greater range and lethality of both INF systems provided the ability to strike deep within Soviet/Warsaw Pact territory, making these nuclear systems, from Moscow’s perspective, “strategic” and “first strike” weapons. The operational synergy between the two missile systems made their military capability well suited to matching the SS-20s and provided Moscow with a strong incentive to negotiate to prevent their deployment.17

**Associated Negotiation Forum.** The dual track strategy represented a clear case of procuring weapons as a hedge against a failure of the arms control process. While the deployment track would address the existing real threat, Europe’s NATO ministers were hoping that the negotiation track produced a deal before any deployment would start (Nolan, 1991). The Soviet Union agreed to open negotiations in 1980, but recessed at the end of the Carter administration with little progress. Formal talks were re-initiated in September 1981, with the Reagan Administration offering a ‘zero option’ INF offer—the complete elimination of all Pershing, GLCM, SS-20, SS-4 and SS-5 missiles (NSDD 15; Nolan, p.369). The ‘zero option’ had a three-fold purpose: to diminish the political impact of European public protests and pressure on Allied governments, blunt the Soviet attempt to weaken the resolve and unity of NATO, and encourage prospects for “real arms control” (Nolan, p.361). Yet Reagan’s INF proposal was born of doubts of the dual track’s political viability. Many top Reagan officials would have preferred to scrap INF negotiations altogether and focus first on force modernization (Talbott 1988, p.167). Yet reversing the 1979 decision would damage U.S.-European relations. While the State Department preferred Carter’s original 1979 NATO objective, other top Reagan officials like Richard Perle (Senator Jackson’s former deputy) and Paul Nitze (tapped as the INF chief negotiator) felt the dual track program was ripe for Soviet political exploitation, reflecting Moscow’s desire to

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17 Pershing II-GLCM operational synergy provided the incentive, combining a ‘fast flyer’ and a low-observable ‘slow flyer,’ creating “a lethal combination” (*Digplanet.com*).
‘break’ the NATO alliance.\textsuperscript{18} Most defense officials believed that any arms agreement favorable to U.S. security interests first required a build-up to restore a military balance and to provide sufficient bargaining leverage (Talbott 1988; Nolan 1991). Yet Reagan envisioned an opportunity to eliminate an entire class of nuclear missiles; if not, Pershing II/GCLM would provide NATO with a comparable military capability.

In Geneva, the Soviet Union quickly rejected Reagan’s zero option, dismissing it as inequitable, claiming an adequate theater nuclear balance already existed. Moscow’s proposal to freeze any new deployments before making cuts in existing forces was unacceptable to both the United States and its NATO allies, as a freeze would lock in an existing imbalance. While the talks stagnated and Moscow continued to deploy SS-20s, its propaganda attempted to turn West European publics against NATO-member host governments in the UK, Netherlands, Germany and Italy. Preparation proceeded for a November 1983 INF deployment as public protests grew in intensity, putting ever-greater pressures on host-governments to reverse the deployment track.

**Congressional Perspectives.** Annual efforts by Doves to slow or halt Pershing II and GLCM were largely unsuccessful. In an eight-year negotiation, congressional support for INF modernization and NATO’s dual track was bipartisan, strong and consistent across these areas:

*1979 NATO Dual Track Decision.* Defense committees recognized that the significance of the SS-20 threat went beyond merely matching NATO INF system-for-system, but involved the larger US-Soviet balance of power in the context of strategic parity (H. Rpt. 97-71). This implied a strong desire to modernize NATO’s INF capabilities, even with a successful arms agreement (S.Rpt 96-393, p.28). Defense committees acknowledged that the United States had “awakened to the real threats to Western interests” in both the Persian Gulf and Europe, yet as SASC noted,

\textsuperscript{18} Nolan writes “Despite the NATO decision to adopt the dual-track approach in 1979, consensus among the allies about the new nuclear deployments was extremely fragile” (359).
“the mood in NATO Europe is quite different” where threats were perceived differently and European publics seemed to cling to détente’s unrealized expectations (S. Rpt. 96-58, p.26). Like the administration, defense elites in Congress recognized that the facade of Allied unity masked fear and arms control failure would require extraordinary political will to execute deployment (S Rpt. 97-330).

Reagan’s “Zero Option” Proposal, November 1981. Despite an overall skepticism by nuclear Doves over Reagan’s sincerity towards arms control, congressional reaction in the defense committees to the zero option was highly favorable as Congress greeted Reagan’s proposal with “universal acclaim” (Nolan, p. 367). This support was translated into consistent acquisition support for Pershing II/GLCM (H. Rpt. 97-482). Opposing INF deployment, Doves believed that an administration elected on the slogan “peace through strength” was likely to put forward proposals that Moscow would summarily reject; Doves argued that the long-range theater weapons were provocative and presented crisis stability issues harmful to arms control efforts, an argument designed to appeal to Owls. Despite these efforts, defense committees led by Owls such as Nunn marshalled consistent majorities in support of INF acquisition programs.

INF “Walk in the Woods” Proposal, June 1982. In early INF negotiations, little progress was made. In June 1982 veteran U.S. negotiator Paul Nitze engaged in an off-the-record discussion with Soviet counterpart Yuli Kvitsinsky during a private and non-official outing outside Geneva, where the two diplomats sketched out a possible INF compromise, known as the ‘Walk in the Woods’.19 The proposal appeared to be a reasonable compromise, representing equal levels of weapons somewhere between the status quo and the zero option (Talbott, 1988).20 But the ‘Walk’ provoked a “fractious and prolonged deliberations” among bureaucratic security

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19 Nitze was frustrated by the slow pace and his instructions not to deviate from the zero option. Realizing that INF negotiations were at a dead end and living up to his reputation as an “inveterate problem solver,” Nitze exceeded his formal instructions.
20 It called for equal levels of 75 launchers in Europe, no Pershing II deployment and limit of 90 SS-20 launchers in Soviet Asia.
While the plan was unofficial, details of the Nitze-Kvitsinsky discussion soon leaked in official Washington. The ‘Walk in the Woods’ flap and ongoing bureaucratic infighting caused much debate in Congress and renewed attempts by Doves to gain leverage over arms control policy; however a failure by large margins in the Democratic-controlled House to amend the FY84 Pershing II/GLCM requests demonstrated strong legislative support for INF programs.

_U.S. INF Deployments, November 1983._ As the deadline for the deployment track drew closer, public anxieties in American and Europe over nuclear weapons were higher than at any time since the Cuban Missile Crisis. Despite this, Congress remained stubbornly supportive of Pershing II/GLCM acquisition as well as Reagan’s stance in Geneva (NSDD 137; Perle, 1987). As threatened, in December Moscow quit the INF (and START) talks with no return date set.

_Opening of the Nuclear & Space Talks (NST), March 1985._ Administration officials took early actions to re-engage with Moscow, despite uncertainties in Kremlin leadership. Only months after abandoning the INF/START talks, Moscow made inquiries about new negotiations. By October 1984, the U.S. had prepared an umbrella framework for talks that encompassed strategic offensive, strategic defensive and INF theater nuclear weapons (NSDD 142; NSDD 148). Talks resumed in March 1985. However, after Moscow linked INF progress to resolution of its objections to renewed U.S. missile defense technology research (Reagan’s SDI or “Star Wars” program), little progress ensued, even as Reagan and Gorbachev endorsed the concept of an ‘interim’ INF agreement at their first summit in Geneva (NSDD 209; NSDD 232). Yet progress was made along other avenues. In the fourth round of NST on INF systems in

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21 Perle strongly objected to a Soviet monopoly of ballistic missiles whereas the American INF systems would be restricted to “slow flyers.” Persuaded by Perle’s “fast flyer” argument, Reagan declined to follow-up Nitze’s initiative (p.176).

22 Soviet leadership changed several times in the 1980s: Leonid Brezhnev died in November 1982; his successor, Yuri Andropov died in February 1984, followed by Konstantin Chernenko, who died a year later. Mikhail Gorbachev became the last Soviet leader in March 1985.

23 Moscow requested new talks to prevent the “militarization of outer space,” indicating their intent to limit SDI (‘Star Wars’). The U.S. agreed to a new forum if the talks included nuclear systems discussed under the suspended INF and START talks.
March 1986, Washington proposed “a comprehensive verification regime” beyond the use of national technical means (NTM), suggesting cooperative measures between the two governments, such as on-site inspection and data exchanges (Reagan Chronology). Moscow’s response was encouraging given that a year earlier such an inspections concept would have been unthinkable.

_Reykjavik Summit: INF Breakthrough, October 1986._ At the two-day Reykjavik summit, Reagan and Gorbachev made extensive progress towards the interim (on the way to zero) INF framework consisting of equal global ceilings of 100 longer-range INF missile warheads for each side, with none stationed in Europe. In a final meeting Reagan and Gorbachev veered off into uncharted, utopian territory—discussing the possibility of eliminating all nuclear ballistic missiles and perhaps even all nuclear weapons. When Gorbachev linked these ideas (as well as all INF/START progress at the summit) to U.S. acceptance of constraints on SDI research, the summit concluded abruptly with no agreement. In the aftermath, many in Congress cast Reykjavik as a failure, or at best, a missed opportunity for arms control progress. In a critical February 1987 report, HASC’s Defense Policy Panel criticized the summit’s “airy discussions” on impracticable utopian issues, implying it failed to adequately promote stability (HASC Print 99-26, 1987). At the same time, the report appeared to complement the zero option strategy:

“The fact that both the United States and the Soviet Union agreed to it, however, does illustrate a remarkable point about arms control. It strengthens the theory that the way to get the Soviets to reduce their threat is for the United States to show resolve in deploying forces. If the United States and its NATO partners did not deploy INF, most assuredly the Soviets would not have agreed to dismantle their SS-20s” (p.17). (emphasis added)

The HASC Panel’s contention that deals framed at Reykjavik were irretrievably ‘lost opportunities’ was premature. The summit was later seen as an important turning point in U.S.-

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24 In past arms control agreements, the reliance on national technical means alone to verify compliance prevented negotiation of superior, but more physical and politically intrusive verification measures.

25 The HASC panel also noted “The irony of the INF agreement is that it would have proven a point Reagan has made for years, but which his detractors have scoffed at all those years—namely, that a buildup can lead to a buildup” (p.2).
Procuring Swords for Plowshares

Soviet arms control relations, especially on INF. Within months, rapid progress occurred in follow-up negotiations to the INF framework discussed in Reykjavik. Over the next year, Gorbachev offered additional concessions.26 In February 1987, Gorbachev finally de-linked INF negotiations from resolution of SDI and ABM issues, clearing the way for a signed INF Treaty in December; earlier in March, the U.S. presented a comprehensive approach to INF verification. In January 1988, Reagan established the On-Site Inspection Agency following Congress authorized and appropriated funds for its establishment and operation (NSDD 296).

**Within-Case Manifestations of Congressional Influence on INF.** INF represented an instance where the United States proposed an aggressive deployment objective and executed a deliberate acquisition strategy with the full support of Congress, paced to provide maximum negotiation leverage. Because the U.S. and its allies exercised extraordinary political will in executing an acquisition program, this case resulted in a classic example of “turning swords into plowshares.”

*Nitze’s ‘Walk in the Woods’ versus the ‘Double Zero’ on INF (1982).* The Nitze-Kvitsinsky formula that divided American security agencies had its mirror image in Congress. Reagan’s last-ditch March 1983 INF ‘interim agreement’ proposal, based on a “walk in the woods” formula that the Soviets had rejected outright, was a direct response to public pressure on Congress, then debating the Nuclear Freeze Resolutions in the House; citizens were also bombarded with nuclear weapons-related issues in the public square.27 Yet congressional support to Pershing II/GLCM remained consistent, enabling Reagan to implement a deployment track, preventing what most elites perceived as a serious Soviet effort to drive a wedge between NATO allies (NSDD 137).

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26 The reasons for Gorbachev’s dramatic concessions are often a subject of disagreement by historians and scholars, and even by participants. See Nolan (1991, p.373); Reagan (1990:660); Vogele (1989); Wohlfirth (eds. 1996).

27 These included the Catholic Bishops’ 1983 Pastoral letter questioning morality of nuclear deterrence, Jonathan Schell’s blockbuster anti-nuclear book *The Fate of the Earth*, Astronomer Carl Sagan’s nuclear winter theories, and preparations for the November broadcast of *The Day After*, a TV movie depicting a nuclear strike on Kansas after U.S. Pershing/GLCM deployment.
Confidence Building Measures (CBMs) in Arms Control Stability (1983-1992). Closely tied to weapons acquisition were activities by the defense committees to promote confidence-building measures to modernize strategic force C³I, reduce potential for accidental war, and improve arms control verification and compliance measures. In many cases, CBM initiatives were lead by nuclear Owls, to whom these issues were an extension of their concerns for crisis stability and the possibility of accidental war. In 1982, Senators Nunn and Warner promoted via legislation the establishment of Nuclear Risk Reduction Centers, dedicated, 24-hours-a-day communication links for information exchanges and notifications under existing arms control agreements (Smith, 1986, pp.107-108). The INF Treaty specified use of NRCCs for treaty implementation and lessening risks of accidental or inadvertent nuclear exchanges. NRRCs were eventually established in a separate 1987 bilateral agreement.

Reliance on national technical means (NTM) alone had become an important variable in debating the value of new agreements and evaluating Soviet non-compliance with arms treaties. Highly complex arms control proposals like the zero-option demanded more physical and politically intrusive measures to verify compliance. SASC promoted, and Congress directed, research funds for new verification technologies (S. Rpt. 98-174, p.366). Section 910 of the FY89 Authorization Act required a presidential report that related R&D of weapons verification monitoring to U.S. arms control objectives – a provision that drew defense committees further into the policy formulation loop on arms control verification (H. Rpt. 100-753, p.441). Such efforts improved existing agreement verification and enabled more verifiable future agreements.

Creation of On-Site Inspection Agency (OSIA) within DOD (1988). In the FY89 Authorization Act (Sec. 909) Congress established OSIA as an institutionalized voice within the

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29 NRRCs were discussed in the 1985 Geneva Summit and by Reagan and Gorbachev at the October 1986 Reykjavik summit.
Pentagon for greater focus on arms control, enabling Congress to maintain involvement and oversight of this new arms control tool (H. Rpt.100-753; Lindsay 1991). While established specifically for implementing the INF Treaty, OSIA would later become responsible for U.S. inspection activities under all other arms agreements (Arms Control Today 1985, p.16).

*Observed Manifestations and Possible Causal Mechanism.* Figure 6.4 summarizes the Pershing II/GLCM case outcome according to specification of the Dependent Variable. The INF outcome demonstrates a highly successful negotiation process, reflecting a rare ‘unity of strategy and arms control’ where Congress and the FPE were largely in agreement over weapons acquisition means necessary to achieve arms control ends. A key indicator of this agreement is that for each program, in both development (RDT&E) and procurement phases, authorization and appropriations support was nearly one-hundred percent, (high: 99%; low: 90%), with all amendments designed to prevent or delay the deployment track failing to gain majorities on the House and Senate floors.

**Figure 6.4**

**Pershing II/GCLM Acquisition and INF Outcome, 1977-1988**

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</table>

This policy agreement among defense elites and the FPE over a decade long period represents a strong Level II agreement, ‘ratified’ by the entire Congress, that provided the U.S. negotiators with a positive, narrow win-set and high leverage to achieve arms control policy goals. With such strong institutional funding and policy support to the FPE, can Congress be seen as a causal factor in the outcome? Yes, in the sense that funding was necessary and/or sufficient for strong bargaining leverage. However, in terms of substantive policy influence on American foreign
policy, the Pershing/GLCM and INF case may be considered an example of a “least likely” case supporting a theory of Congress using arms acquisition to influence the substance of U.S. foreign policy. Observable manifestations of causality are summarized in Figure 6.5.

### Figure 6.5
Summary: Observable Manifestations of Congress on Pershing II/GCLM and INF

<table>
<thead>
<tr>
<th>Ideational</th>
<th>Institutional</th>
<th>Psychological</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Products of how actors interpret the global distribution of power</strong></td>
<td><strong>Consistent Authorization/Appropriations support for PBR for both programs (FY78-88)</strong></td>
<td><strong>Establish mental rules leading to behavioral regularity</strong></td>
</tr>
<tr>
<td>Concerns over Soviet threat (FY78-FY88)</td>
<td>• Pershing II RDT&amp;E: 99%</td>
<td>Expectation of Executive branch deference to Congress and its perspectives when in disagreement with FPE</td>
</tr>
<tr>
<td>• Expressed concerns in multiple Defense Authorization &amp; Appropriations committee reports on growth of Soviet global threat and need for US strategic modernization</td>
<td>• Pershing II Procurement: 95%</td>
<td></td>
</tr>
<tr>
<td>• Specific concerns over Soviet SS-20 threat to European allies, NATO and extended nuclear deterrence</td>
<td>• GLCM RDT&amp;E: 90%</td>
<td></td>
</tr>
<tr>
<td>• General agreement with FPE on threat</td>
<td>• GLCM Procurement: 96%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minimum program language (none affecting arms control)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Defeated all anti-deployment floor amendments</td>
<td></td>
</tr>
</tbody>
</table>

**Case Study No. 3: MX/Peacekeeper, Small ICBM and START**

“If we don’t get the MX, we may as well bring our negotiators home from Geneva.”

—President Ronald Reagan, Fall 1982 (Kennedy 1983, p.5)

“Our arms control proposals and strategic arms programs should be integrated and mutually reinforcing.”

—President’s Commission on Strategic Forces (Scowcroft Report 1983, p.3)

“Scowcroft was saying in April to **support** MX what we were saying in December to **defeat** MX.”

—House Dove, opposing the MX, July 1983 (Kennedy 1983, p.5)

### Threat Assessment
The Soviet threat facing the U.S. land-based ICBM force in the early 1980s was an extension of the threat environment projected in Case One. The main difference between these periods was full maturation of the threat first anticipated in the 1970s, and the implications this posed for deterrence stability. Intelligence from monitoring SS-18/19 missiles tests indicated improvements in missile accuracy sufficient in theory to eliminate the bulk of the silo-based Minuteman ICBM force in a surprise, first-strike attack (IFPA, 1986).³⁰ Soviet improvements included over 600 highly accurate, MIRVed fifth generation ICBMs (SS-17/18/19), begun in

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³⁰ Theoretical elimination of Minuteman was pegged at 85 percent destruction of silos, which Soviet missiles were estimated to achieve by 1985. See remarks by Senator Albert Gore, Jr. (D-TN) and General A. Casey, U.S. Air Force, pp. 19 and 31, respectively.
1970s and fully matured in the mid-1980s. The greatest concern was modification of over 300 SS-18 Mod 4 missiles designed to destroy U.S. ICBMs and hardened targets (*R-36MUTTKh*).\(^1\) The USSR was preparing to deploy a sixth generation of land-based ICBMs (SS-24, SS-25) in mobile basing by the late 1980s, anticipating a mobile MX ICBM. Deployment of new, longer-range submarine launched missiles (SLBMs) on its new Typhoon submarines was also underway, and Moscow continued to harden its command, control, communications and intelligence (C^3^I) and other strategic targets against existing Minuteman III ICBMs. This formidable military capability injected uncertainty and instability into the U.S.-Soviet nuclear deterrence relationship, and triggered American concerns over a theoretical “window of vulnerability” that was codified within the SALT II framework. The prompt counter-force capability of the Minuteman III force was considered the ‘crown jewel’ of U.S. nuclear deterrence. Any suggestion of vulnerability could provoke an unwanted military, and possible nuclear, confrontation. Having achieved parity, the Kremlin’s foreign policy had already been trending towards more aggressive behavior.

The Minuteman vulnerability theory posited a seemingly irrational first-strike/blackmail scenario but nonetheless presented a problem of perception. According to Senator Al Gore (D-TN), “the geopolitical significance of these weapons depends upon the credibility of their potential use. If their use becomes incredible, *the political significance of the weapons is lessened*” (IFPA, p.17). This significance affected both perceptions and behavior of a potential aggressor as “the marginal, if hypothetical, advantage gained by the side that has the ability to eliminate the other side’s missile force in a first strike has *important political significance*” in

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\(^1\) The SS-18 Mod 4 was a vast improvement in accuracy (CEP: 370 meters) over Mod 3 (CEP: 700 meters), making it far more accurate against U.S. ICBM silos and other strategic targets than all other Soviet weapons. The Mod 4 force alone could destroy 65 to 80 percent of U.S. ICBMs after which it still retained more than 1,000 warheads for further strikes against American targets.
terms of perceptions of global power. The longer the ‘window’ remained open, the greater potential for Moscow to exploit this perceived U.S. vulnerability.

**Military Rationale/Need.** Since the 1970s, U.S. leaders had prioritized a more survivable and capable ICBM to replace Minuteman, which by the 1980s would no longer retain sufficient counter-force capability against, nor survivability from, Soviet nuclear threats. Two ICBMs were under development to meet these requirements:

- **MX/Peacekeeper (LGM-118 Peacekeeper).** The unique role of the ICBM in the U.S. strategic triad was its ability to promptly respond to an attack against a full range of Soviet hardened military targets. Since 1973, the MX military rationale had not changed, but to military planners, had strengthened; in fact, the Soviet target set had dramatically expanded and become more hardened. To U.S. strategists, this further necessitated near-term deployment of MX, renamed the ‘Peacekeeper’ in 1981 by the Reagan administration (Herken, 1985; Drew, 1983).

- **Small ICBM (MGM-134A Midgetman):** The Small ICBM (SICBM) was a three-stage solid-fueled missile with a range of 6,800 miles. Inability to find a survivable MX basing mode led to a requirement for an advanced ICBM that had a lower target value than MX, was smaller and easier to transport. The missile was to be transported by a ‘Hard Mobile Launcher’ (HML) vehicle hardened against radiation and nuclear blast effects (*MGM-134A Midgetman*). Small ICBM was also a response to development of the rail mobile SS-24 and road mobile SS-25.

The MX-Small ICBM cost and stability tradeoffs were significant. The single RV SICBM used the same 475-kiloton warhead as the MX, giving it on a per-warhead basis the same military counter-force capability as a comparable MX warhead. SICBM/HML would require an attacker to expend multiple warheads to neutralize one SICBM warhead. Because of its single RV and hardened mobile launcher, the cost per deployed SICBM warhead however was estimated at

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32 Herken contends MX was originally renamed “Peacemaker” but White House staff worried that critics might dub the missile a “pacemaker” so they adopted the moniker “Peacekeeper” (p.332). According to Drew, the “Peacekeeper” was the name of a favorite weapon owned by NSC Advisor William Clark’s grandfather, a U.S. Marshall, who used the gun in his California frontier community to keep the peace (p.49). The modern usage implied a powerful weapon, while securely holstered, kept at the ready to deter aggression by virtue of its mere existence. In popular parlance, however, the missile remained “MX.”
Procuring Swords for Plowshares

three times or more that of a similar MX warhead based in either existing silos or on railcars. Yet cost was not the concept’s most important variable. The SICBM (like MX/MPS) was also designed for an arms control regime that constrained warheads (RVs), rather than launchers (SNDVs); this created an adverse exchange ratio to target SICBM that enhanced strategic stability, especially in a crisis. Such a control regime would reverse the strategic stability implications of MIRV technology, shutter the window of vulnerability, and provide strategic stability in an era of superpower nuclear parity.

Associated Negotiation Forum: START (1982-1983), START/NST (1985-1992). During and after the 1980 election, Reagan criticized SALT II as “seriously flawed” because it allowed expansion of Soviet nuclear capabilities that exacerbated U.S. strategic disadvantages. Reagan’s goal was “to enhance deterrence and achieve stability through significant reductions in the most de-stabilizing nuclear systems, ballistic missiles, and especially ICBMs” while maintaining sufficient nuclear deterrent capability (NSDD 33). Distancing his arms strategy from SALT, Reagan dubbed the new forum “Strategic Arms Reduction Talks” (START). By design, formulation of a detailed START proposal lagged behind the strategic force modernization program, initiated in October 1981. By 1982, with Congress debating the nuclear freeze resolutions, defense committees criticized both the absence of a detailed START proposal and a series of incautious public statements by Reagan appointees suggesting a cavalier attitude towards waging nuclear war.33 White House dismissal of the nuclear freeze as bad security policy further implied a disinterest in arms control (Talbott, 1984). START delays were also caused by strong internal disagreement among the administration. While the national security bureaucracy agreed on the goal to reduce overall nuclear weapons, factions differed on specific

approaches. The State Department favored major SNDV reductions from SALT II treaty levels; Perle, now overseeing Pentagon strategic force policy, preferred sharp limits on ballistic missile throw-weight to reduce Soviet heavy ICBMs, the prime cause of the window of vulnerability dilemma. The Joint Chiefs, representing the Strategic Air Command constituency that maintained the SIOP, favored the State approach (Talbott, 1984).  

Reagan’s compromise on the initial U.S. START position satisfied few bureaucratic players. However, if accepted by Moscow, the U.S. position would force significant reductions in Soviet ICBM forces, Reagan’s main objective (NSDD 33). Security officials not directly involved in the closely held formulation, however, found the draft proposal inherently destabilizing, one-sided, and likely to be summarily rejected by Moscow (Talbott, 1984, pp.270-274.). Yet Reagan understood Moscow would reject his proposal; more important was the public rollout of Reagan’s arms control position, designed to ensure “a START proposal that would look good to the American public and Congress, however bad it looked to the Kremlin” and was characterized as “negotiating from strength” (pp. 265, 248). Preparations for the first START round involved briefing key committees on Capitol Hill. Secretary of State Al Haig tied legislative support for the U.S. START position firmly to strategic force modernization and ‘bargaining from strength” (pp.275-276).

**Congressional Perceptions.** Defense committees in the 97th Congress were even more hawkish than the 96th and more vocal in their concern over a decade of Soviet strategic gains. But

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34 In a regime of fewer weapons, SAC planners preferred the smallest possible number of Soviet SNDVs to target; fewer aim points facilitated targeting, even if encouraging each side to deploy less stable, highly MIRYed force structures (pp.233-272).

35 The competing positions were accommodated by a two-phased approach, first reducing SNDVs to 850 and ballistic missile warhead totals to 5,000, of which only half could be on ICBMs; a second phase would reduce throw-weight by two-thirds.

36 ACDA Director Gene Rostow viewed the low launcher limit of 850 as “a formula for instability.” Chief U.S. INF negotiator Nitze told NSC advisor Clark “this is not a force structure we can live with ... [it] would ensure instability” (270). Clark’s deputy Bud McFarlane told Nitze that this was a “good going in position” and likely to evolve (p.272). Perle, whose own preference for Soviet throw-weight reductions was relegated to “phase II” of negotiations, called the 850 ceiling a “crazy” position, but “fortunately we can count on the Soviets to bail us out simply by not accepting it” (p.272).
Reagan’s “somewhat belated” START proposal was poorly received; it was seen as too one-sided, designed for delay while aggressively pursuing strategic modernization, or “as public relations efforts, not serious attempts to negotiate with the Soviets” (Kennedy, 1983, p.5; Talbott, 1984, p.272). Reagan’s effort to make his initial START and INF proposals both substantive (by actually reducing nuclear arms) and dramatic in presentation suggests a parallel to Carter’s original March 1977 SALT proposal.37

**MX Basing Failures.** Committee support for the MX missile remained strong, but so did concern over the window of vulnerability. A strong administration consensus existed to proceed with MX, although not how to base it (NSDD 35). Cancelling Carter’s MX/MPS plan, the administration proposed to deploy MX on an “interim basis” in existing silos, which Congress refused to support (Kitts, 2006, *MX Policy Task Force*, p.15; H. Rept. 97-410, p.309). Reagan’s attempts to secure support for several MX basing alternatives also proved unsuccessful (Kennedy, 1983, p.3; *MX Policy Task Force*, p.11). This failure dismayed Hawks but convinced Doves they could finally cancel the MX (*CQ Weekly Report*, p. 3003; *NY Times*, 12/14/83).

*A ‘political’ solution via presidential commission.* Without a new basing approach, MX was considered dead. MX was rescued by a centrist coalition of congressional Hawks and Owls, in conjunction with NSC officials who convinced Reagan to appoint a bipartisan presidential commission of former high-ranking officials, chaired by former Ford NSC Advisor Gen. Brent Scowcroft. Unlike earlier groups seeking *technical* ways to improve MX survivability, the Scowcroft Commission focused on finding a *political* means sufficient to begin MX procurement in FY83. The Commission’s April 1983 report recommended an immediate deployment of 100 MX missiles in existing Minuteman silos, development of a new single-RV Small ICBM, and a

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37 Collectively, Congress can be difficult to please. After Carter quickly abandoned his initial 1977 proposal for a fallback position more acceptable to Moscow, Hawks criticized him for retreating from principle; when Reagan stuck with his principles far longer, Doves criticized him for a lack of seriousness.
new arms control approach. The predominant theme stressed a linkage between *strategic modernization* and *arms control* (*Scowcroft Commission*).\(^{38}\) The logic can be summarized as:

‘100 MX in silos + Small ICBM + revised START = Stable Nuclear Deterrence.’

The Commission essentially reiterated the long-standing goals in arms control theory of the ‘unity of strategy and arms control’ and advanced several policy ideas of the Owls, including reversing the MIRV revolution of the 1970s to create more stable deterrence postures in the era of nuclear parity. Arms control negotiations ‘are heavily influenced by ongoing programs’ and abandoning the MIRVed MX ‘would jeopardize, not enhance, prospects to reach a stabilizing and equitable agreement’ (*Scowcroft Commission*, p.16).\(^{39}\) The Commission acknowledged arms control proposals offered by a legislative ‘Gang of Six,’ as ‘consistent with the approach suggested in this report’ (*Scowcroft Commission*; *Kennedy* 1983, pp.12-13).\(^{40}\) The compromise appealed to multiple constituencies in Congress, White House, the defense bureaucracy, and U.S. allies—each having different expectations, agendas and constituencies (*Kennedy*, pp.6-7). Because placing 100 MX missiles in existing silos abandoned any pretense of survivable MX basing in the near-term, the report finessed the window of vulnerability issue, placing the *theoretical* in the context of the *operational* by citing a ‘triad synergy’ that complicated an attack against only the ICBM leg.

*‘The Treaty of Pennsylvania Avenue.’* The Scowcroft Commission ‘set the table’, but substantial political hurdles remained to release FY83 and FY84 procurement funds. Supported by key White House aides, the ‘Gang of Six’ committed itself to negotiate changes in the U.S.

\(^{38}\) The report stated, “these two aspects of ICBM modernization and this approach to arms control are integrally related” (p.11).

\(^{39}\) The Commission cited by analogy the Safeguard ABM program and the 1972 ABM Treaty “which came about only because the U.S. maintained an ongoing ABM programs and indeed made a decision to make a limited deployment” (p.16).

\(^{40}\) The ‘Gang of Six’ consisted of Owls forcefully promoting the Scowcroft formulation, including Aspin, Dicks, and Gore in the House and Nunn, Cohen and Charles Percy (R-IL), a SFRC member, in the Senate. The House side of the ‘Gang’ brought together other moderates, known as ‘the Working Group’ to maneuver the Administration to adopt the Group’s arms control policies.
START position to allow a greater number of total SNDVs and demanded Reagan incorporate a ‘Build-down’ provision into the U.S. START position (NSDD 106; Drew 1983, p.60; Kennedy 1983, p.19-21).

Owls also firmly tied future MX procurement to Small ICBM development milestones. Reagan’s agreement to these provisions, dubbed ‘The Treaty of Pennsylvania Avenue,’ created a fragile, albeit temporary, consensus for near-term Hill support to begin acquisition to deploy 100 MX-in-silos (Talbott 1984, p.312).


While Doves preferred outright cancellation, previous FY83 procurement approval initiated the MX production line and made this goal problematic; opposition tactics then varied from reducing the number of annually procured missiles, MX cancellation and immediate pursuit of SICBM, to retaining a “warm” production line (no actual MX production). Most creative was a procedure to “fence” FY85 MX procurement in both authorization and appropriation bills, requiring that MX pass four consecutive affirmative votes in Congress; designed to finally kill MX, the plan was defeated by an early agreement between

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41 The upward revision of SNDVs in the U.S. START plan created a pathway for de-MIRVed force structures conducive to the SICBM. Build-down would require each side to reduce existing warhead totals by an agreed ratio while deploying new warheads.

42 After several House Democratic leaders in the ‘Working Group’ supported MX in the FY83 vote, the Party caucus met behind closed-doors and called to task leaders who worked with the Gang. In the July FY84 vote, 19 Democrats switched to oppose MX.

43 Doves believed the Soviet walkout in Geneva collapsed the Working Group’s rationale for MX support. Fence sitters could now ask, “why support MX as a necessity to prod Moscow towards an agreement, when there were no negotiations?” (p.2).
Washington and Moscow to resume arms talks in March 1985, which led to extremely narrow but winning margins for continued MX procurement.

A more serious challenge to the Scowcroft coalition came not from Doves, but from a key Owl. Shortly after the successful votes to un-fence FY85 procurement funds, Nunn unexpectedly proposed to cap MX deployed in Minuteman silos at 40 missiles, citing three reasons: a desire to bring “a degree of finality” to MX and a re-focus on SICBM/HML; stability concerns over deploying 100 MX in silos; and affordability issues in a declining defense budget environment (IFPA). Nunn left ajar the door to an eventual full 100-missile deployment, undercutting, perhaps unintentionally, his own “finality” argument (p.38). Rather than bring finality to MX, Nunn’s surprise announcement re-opened the entire controversy: how many MX missiles would be ‘enough’ for START leverage, whether MX constituted bargaining ‘leverage’ or a ‘chip’ and whether 100 MX missiles constituted a ‘first strike capability.’ It had been assumed that the Scowcroft Commission had laid these policy issues to rest a year earlier; now, some Owls employed these arguments to retreat from their support of a key Scowcroft recommendation. Other members of the original Gang were falling off the Scowcroft bandwagon as well. After Congress placed a statutory limit of 50 MX in silos later in 1985, the Air Force proposed a “Rail Garrison” configuration to deploy the “second 50” MX in more survivable basing (Kartchner, 1992). This guaranteed a long, slow breakdown of Commission’s Hawk/Owl coalition, with MX rail basing competing with the Small ICBM for ever-declining budget resources. Over several

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44 The FY85 defense budget was the apogee of Reagan’s defense build-up with real growth reductions afterwards. Holding MX to 40 missiles would ease budgetary pressures on other strategic programs at critical stages of development (IFPA, p.39).

45 Aspin had become HASC chairman in 1985 but was challenged months later in the Democratic Caucus for arguing the administration’s case to release FY85 MX funds; he barely survived this vote but ceased to advocate a 100 MX program. Gore and Dicks felt that 100 MX was a political, not strategic, determination and supported less than 100 (Kennedy 1983; Drew 1983).

46 Rail Garrison would deploy 50 missiles on train-based launchers in ‘garrison’ on military bases during peacetime, dispersing onto the national rail system in a crisis, hidden ‘in plain sight.’ This would add 500 survivable counter-force warheads (p.147).
years, Congress debated both ICBM programs in an increasingly competitive context of multiple issues: arms control subject to U.S.-Soviet summits, U.S. adherence to the un-ratified SALT II treaty, and whether two new ICBMs were affordable within a declining defense budget.

Reagan’s decision at Reykjavik to resist SDI research constraints when offered opportunities for a grand bargain was cheered by Hawks, but severely criticized by Doves and many Owls. In its February 1987 Reykjavik post-mortem, HASC’s Defense Policy Panel accused the administration of frittering away the Scowcroft consensus and argued that Reagan’s failure to lock in the 50 percent offensive reductions at Reykjavik would delay or prevent an arms control agreement conducive to SICBM survivability (HASC Print 99-26, p.1). The Panel’s report provided strong evidence of a growing competition between the MX/Rail Garrison and SICBM programs. Each successive summit after Reykjavik brought a START agreement closer; yet with greater START progress saw greater erosion in Congress for the Scowcroft consensus as the fragile Owl-Hawk coalition broke down over competing mobile systems. The congressional defense budget squeeze after 1987 gave the Pentagon opportunities to de-emphasize SICBM, encouraging Hawk criticism of SICBM’s high cost estimates.47 This eventually emboldened Doves on the House floor to delete all MX/Rail-Garrison R&D funds in the FY90 Authorization bill. Surprised, Hawks (who had supported SICBM in the HASC bill), then moved to delete SICBM funds as well, supported by Doves, but condemned by Owls. In the ensuing fratricide created by an unusual Hawk-Dove alliance, support for MX/RG and Small ICBM development was forever crippled; both programs limped along for two more years, but neither system was ever deployed.

47 In Reagan’s final budget, the Pentagon sought to kill SICBM but Congress kept the program alive until the incoming Bush Administration could sort out its strategic priorities. In early 1989, Defense Secretary Richard Cheney recommended SICBM termination in favor of the rail-based MX. But Bush struck a compromise with Congress that included continuing Small ICBM R&D and eventually transferring the 50 silo-based MX to railroad cars (LGM-118A Peacekeeper).
Within-Case Manifestations of Congressional Influence on START. Four manifestations of congressional influence over START negotiations were identified:

*Scowcroft Commission ‘Compromise’ and ‘Consensus’ (1983-1991).* It took a ‘presidential’ commission to build a centrist legislative coalition of Hawks and Owls that finally resolved the political impasse over MX, a consensus that enjoyed modest success and saved the MX program from outright cancellation in 1983. Yet this resolution was only temporary; subsequent congressional and FPE actions soon undermined the fragile bipartisan consensus. The 100-missile consensus was never strong, to which other Owls (Gore and Dicks) were only partially committed. The most significant aspect of Nunn’s action to cap MX in silos was the subtle shift in alliances within the defense committees and in the respective chambers from a Hawk-Owl alliance to, at the Owls’ initiation, a Dove-Owl coalition not fully committed to the Scowcroft compromise. This left Hawks to favor the Administration’s rail-mobile basing mode directly competing with the road-mobile SICBM/HML for funds within a tighter defense budget; complicating matters, after 1985, Reagan also included in his START proposal a mobile ICBM ban. Efforts for a “second 50” MX in rail garrison meant re-fighting the MX procurement battle twice each year in both chambers; MX-SICBM tradeoffs eventually destroyed the consensus. By pursuing separate paths, Hawks, Owls and Doves effectively killed both mobile ICBM programs.

*Negotiation of “The Treaty of Pennsylvania Avenue” (September 1983).* Using initial leverage of the Scowcroft consensus, Congress actively participated in both the design and negotiation of the prospective START arms control regime. This activity constituted intense Level II negotiations to incorporate the Scowcroft (legislative) recommendations into both force modernization plans and FPE arms control proposals. This included extensive inter-branch

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48 The proposed mobile ICBM ban was a tactical bargaining move, intended to limit the Soviet mobile SS-25 (a rail-garrison-like system) and SS-25 ("Midgetman-ski") programs; it also reflected consideration of future defense spending constraints while developing two mobile ICBMs.
bargaining over what provisions would be modified, how that incorporation would occur and when, tied to conditional congressional support for MX. Congress did this by linking future arms procurement decisions to executive consideration of committee elites’ policy views and influence on arms control strategy.

While the Owls did not “write an arms control treaty,” the resulting inter-branch bargaining resulted in substantive changes in the American START negotiation position, largely incorporating Owls’ views. The most tangible examples of influence included Cohen’s insistence that the guaranteed build-down provisions be incorporated into the U.S. START position, and Owls’ insistence that continued support for MX procurement was contingent upon full implementation of the Scowcroft recommendations, including a serious SICBM development program. Most importantly, the ‘Treaty of Pennsylvania Avenue’ established what Owls saw as an ongoing inter-branch dialogue, “a conditional arrangement” where the FPE understood Congress would have at least two budgeting opportunities per year to exert its policy influence (Kennedy, 1983, p.19).

The “Treaty of Pennsylvania Avenue” achieved the short-term objectives of the Scowcroft Commission: a bipartisan front on a key element of national security policy to present to the Soviets a well-crafted proposal forcing them to abandon both the precedent of SALT and their own entrenched START position.

*Formation of HASC’s Special Panel on Arms Control and Disarmament (March 1985).*

Creation of the Panel constitutes a direct effort to have the HASC probe, justify, and attempt to influence arms control policy (*HASC Print 99-24, p.1*). This established a link between committee oversight on arms control and weapons program acquisition, assigned to the

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49 the Panel was created under Rule X, clause 3(a) of House Rules. The Panel was directed “to inquire into the status of arms control and disarmament agreements and negotiations and to make appropriate studies on technical matters.”
Procuring Swords for Plowshares

jurisdiction of HASC Subcommittee on Procurement and Military Nuclear Systems. Created by Aspin just as Reagan initiated the Nuclear and Space Talks, the Panel was thus well positioned to serve as a legislative vehicle to develop, promote and institutionalize House policy preferences on arms control matters on strategic programs subject to its authorization and oversight.

Enforcement of a SALT II Interim Restraint Policy during START (1982-1991). This issue provides an important empirical indicator of congressional policy influence over arms control (HASC Print 99-24, pp. 9-12). In 1982, Reagan began adhering to terms of the SALT I Interim Agreement (expired in 1977) and the un-ratified (and after 1985, expired) SALT II agreement so long as the Soviets showed similar restraint and actively pursued arms reduction. This meant that, as modern weapons deployed, older systems had to be scrapped. Reagan ordered this policy reviewed in 1985 and again in 1986 in light of a continuing pattern of Soviet arms control violations, well documented by both the defense committees and the administration. As existing patterns of Soviet violations continued in 1986, Reagan attempted to reverse and discontinue the SALT interim restraint policy. Congressional reaction was divided. Hawks pointed out that in fifteen years the SALT regime had done little to discourage a continued qualitative and quantitative expansion of Soviet land-based ballistic missile weapons (HASC Print 99-14, pp.12, 31).50 Owls and Doves however, doubted that U.S. security would be enhanced in a no-SALT, pre-START world, as lower defense budgets were already restraining the administration’s strategic modernization efforts. Absent SALT restraints, Soviet warhead totals could grow even higher. Collectively, Congress determined that a “continued interim restraint policy is in the U.S. interest” and used legislative means to enforce it. Beginning with the non-binding Dicks Amendment to the FY87 House Authorization bill, Congress progressively added more binding

50 The HASC’s 1986 arms control review cited JCS data showing Moscow had quadrupled strategic nuclear warheads since signing SALT I, and had doubled them again since SALT II.
means of enforcement, such as budget justifications to dismantle older systems that would breach SALT warhead sublimits (FY87 Authorization Conference Report, 1986). The Reagan Administration claimed this ‘no-SALT undercut’ language would diminish Level I bargaining leverage, yet Congress renewed the language annually in defense authorization and appropriations bills from 1986 until START I was signed in 1991.

*Observed Manifestations and Possible Causal Mechanism.* Figure 6.6 summarizes the MX/SICBM outcome according to the Dependent Variable specification, START negotiations.

**Figure 6.6**

<table>
<thead>
<tr>
<th>Level I Agreement</th>
<th>Deployed Weapons</th>
<th>Weapons Capability</th>
<th>Met Security Objective</th>
<th>Met FPE Preferences</th>
<th>Level II Ratification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Results in a signed Agreement or No Agreement</td>
<td>Weapons System fully or partially deployed, canceled, or delayed by Congress?</td>
<td>Capability unlimited or limited in range, technology or availability by statute?</td>
<td>Agreement mitigates original threat justifying weapon</td>
<td>Agreement achieved FPE preferred policy &amp; strategy objectives</td>
<td>Final Disposition of Level I agreement</td>
</tr>
<tr>
<td>Agreement</td>
<td>MX/Silos: Partial</td>
<td>Limited</td>
<td>Success</td>
<td>Partially</td>
<td>Ratified</td>
</tr>
<tr>
<td>MX/RG: Cancelled</td>
<td>SICBM: Cancelled</td>
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The START Treaty signed in 1991 largely achieved the original security objective – a significant reduction of strategic nuclear weapons, including large Soviet ICBMs threatening U.S. ICBM silos – although it only partially met Reagan’s (and Bush’s) preferred policy and strategy objectives. The U.S. ICBM force was only partially modernized (500 MX RVs in 50 silos), with the entire force remaining silo-bound because of cancellation of both mobile ICBM programs. Figure 6.7 summarizes the observable manifestations from the facts of the case.

**Figure 6.7**

**Summary: Observable Manifestations of Congress on MX/SICBM and START**

<table>
<thead>
<tr>
<th>Ideational Products of how actors interpret the global distribution of power</th>
<th>Institutional Formal/informal rules and practices with manifestations of group behavior</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerns over Soviet ICBM capabilities (“Window of Vulnerability”) (FY81-FY88)</td>
<td>MX/Peacekeeper Program: (FY81-85)</td>
</tr>
<tr>
<td>• Theoretical threat to Minuteman force survivability in “bolt out of blue” scenarios</td>
<td>• 1981-82: Rejection of alternative MX basing plans (no interim/permanent silo basing)</td>
</tr>
<tr>
<td></td>
<td>• “MX + SICBM + Arms Control = Stability”</td>
</tr>
<tr>
<td></td>
<td>• Recommends 100 MX in Minuteman silos</td>
</tr>
<tr>
<td></td>
<td>“Treaty of Pennsylvania Avenue” (1983) [inter-branch bargaining]</td>
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<tr>
<td></td>
<td>• Gang of Six and [the Group] bargain with Reagan (FY 83 MX procurement for SNDV changes and Bulldown in START)</td>
</tr>
</tbody>
</table>
After process tracing and considering these observable manifestations from the facts of the case, Figure 6.8 identified multiple components of congressional activities that suggest the existence of a causal mechanism where a series of mechanistic interlocking parts transmit causal forces between congressional activities and START treaty outcomes.

Figure 6.8
A Theory of Congressional Causality for MX/Small ICBM and START Outcome

Theoretical level

<table>
<thead>
<tr>
<th>Part 1 of CM</th>
<th>Part 2 of CM</th>
<th>Part 3 of CM</th>
<th>Part 4 of CM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ac. vity₁</td>
<td>Ac. vity₂</td>
<td>Ac. vity₃</td>
<td>Ac. vity₄</td>
</tr>
<tr>
<td>Threat Percep. on</td>
<td>Expert Commission</td>
<td>Procedural Innov. on</td>
<td>Broader Win.-Set Forma. on</td>
</tr>
<tr>
<td>Z₁ (Authoriza. on, Appropriations Committees)</td>
<td>Z₂ ('Gang of Six', NSC staff)</td>
<td>Z₃ (Authoriza. on, Appropriations Committees)</td>
<td>Z₄ (Authoriza. on, Appropriations Committees)</td>
</tr>
</tbody>
</table>

Defense Committees

InV Manifestation:
- Owls (Gang of Six)
- Hawk-Owl (alliance)
- Hawk-Dove (alliance)

Identiational Manifestation:
- FY81-FY88: Window of vulnerability concerns

Institutional Manifestation:
- Funding constraints
- Studies & Reports
- Program Mandates
- Inter-Branch Bargain
- "Treaty of Pennsylvania Avenue"

Observable Manifestation:
- Inter-Branch Conflict & Bargaining;
  Treaty "Success"

Empirical, case-specific level

"Facts of the Case" (1981-1993)
(from Committee Reports, Floor Amendments, Subject Interview Data)

Bold lines = Direct inferences; Shaded lines = Indirect (secondary) inferences; Blue shaded areas = What is being traced
Intervention by the ‘Gang of Six’ in conjunction with the NSC staff that created an expert commission (the Scowcroft Commission) created levels of opportunities for congressional influence on arms control policy not previously available, which Congress effectively used to press for greater arms control policy input and future leverage in Level I negotiations. Defense committees effectively used procedures through annual authorization and appropriations bills to condition future MX procurement to START progress and a Small ICBM development, both reflecting congressional elite preferences.

A primary function for MX deployment under the Scowcroft consensus was to provide START bargaining leverage to create a SICBM-friendly force structure. This contributed to a treaty in 1991, albeit in a far different negotiating environment, in the final year of the Cold War. Arguably, the Scowcroft ‘consensus’ demonstrated more inter-branch disagreement than consensus and MX arguably provided only marginal bargaining leverage to obtain the final result. However, one advantage of the lengthy congressional gridlock was that both ICBM programs survived and remained viable for several years during START negotiations, requiring Soviet negotiators at Geneva to consider the potential deployment of two American mobile ICBM programs. This benefitted U.S. negotiators in Geneva at a critical time when the START pact was being finalized; this also represented a manifestation of “unity of strategy and arms control” called for in arms control theory. This unity enabled the Bush Administration’s strategy in 1989 to maintain, at least initially, a two-ICBM modernization package. Such leverage was always the purpose of the Scowcroft blueprint. While the Reagan ICBM modernization program ultimately deployed only 50 MX missiles, it helped produce a START agreement that finally closed the ‘window of vulnerability.’
Case No. 4: Anti-Satellite (ASAT) in Defense & Space Talks

“There is little doubt that the Soviet Union has put a vastly greater effort than has the U.S. into providing itself with redundant and survivable C3 systems capable of enduring, if necessary, through a protracted nuclear war. It has also been developing anti-satellite and other capabilities that could deny us pre- and post-attack intelligence.”

-- House Armed Services Committee (H. Rept. 96-166, p.15, 1979)

During the Cold War the United States and the Soviet Union become increasingly dependent on space satellites for military purposes. Space assets were not ‘weapons’ themselves but performed non-destructive functions that enhanced the effectiveness of terrestrial-based military forces in wartime and provided essential peace-time intelligence and data functions (communications, navigation, meteorological surveillance, reconnaissance, etc.). Peacetime functions also supported nuclear deterrence stability and arms control verification activities.

**Threat Assessment.** Military satellites (MilSats) carry out target acquisition, tracking, and kill assessment functions, thus operating more directly as components of weapons systems. Stares (1987) notes, “For this reason, they are valued by one’s own forces and feared in the hands of an adversary” (p.72). Because MilSats enhanced the combat effectiveness of all force elements, during the Cold War both the U.S. and Soviet Union developed and deployed “anti-satellite” or ASAT weapons to deny to the other those military advantages (Office of Technology Assessment, 1985). Yet after the 1963 Limited Test Ban Treaty and other 1960s-era arms control agreements, an unwritten U.S.-Soviet tacit agreement kept space “weapons free” and ASAT weapons existing largely to deter the other side from engaging in anti-satellite attacks (Stares, 1987, pp.144-146). In 1963 Khrushchev order development of a non-nuclear “co-orbital” attack anti-satellite weapon. The Soviets declared their "Istrebitel Sputnikov" (IS) ASAT operational in February 1973 and deployed two separate non-nuclear systems through 1983. The IS threat to U.S. assets was not seen as significant enough to warrant a early response, but when a new series of Soviet ASAT tests were observed between 1976 and 1978, U.S. officials expressed concern
over future MilSats vulnerability (RussianSpaceWeb.com, 1998). The upgraded IS system became operational in 1979. On the heels of Soviet achievement of strategic nuclear parity and foreign policy activities in the mid-1970s, Soviet deployment of the world’s only fully tested, operational ASAT system caused U.S. leaders to reconsider its own ASAT development.

**Military Rationale/Need.** The ASM-135 Anti-Satellite (ASAT) was a non-nuclear system, but one that had important implications for strategic stability and nuclear deterrence. While U.S. anti-satellite weapons with nuclear-armed warheads were deployed in the late 1950s, later efforts were non-nuclear “direct descent” (launched directly from aircraft) systems targeted against low-earth orbit satellites that for many years constituted most Soviet space systems (Stares 1985). In 1978, the Air Force began a new ASAT program featuring a multi-stage missile with an infrared homing kinetic energy (KE) warhead, air-launched from an F-15 Eagle fighter. This gave the ASM-135 a dual mission of deterrence and denial (*National Space Policy* 1982). Initial R&D flight tests conducted between 1984 and 1986 indicated proof of concept. Four of five flight tests were successful; however, only one test was conducted against an actual object in space before congressional restrictions constrained further tests (*Vought ASM-135 ASAT*).

**Associated Negotiation Forum: ASAT/DST.** The incoming Carter administration in March 1977 announced a “two-track” ASAT policy of weapons development-plus-arms-control negotiations—similar to the Pershing II-GLCM and INF negotiation strategy. Carter suggested to Soviet leaders that both sides “forgo the opportunity to arm satellite bodies and also forgo the opportunity to destroy observation satellites” (*Washington Post*, 3/10/77, p. A4). Moscow accepted Carter’s proposal for ASAT negotiations; between June 1978 and June 1979 three rounds of the ASAT limitation talks were held (*SFRC Arms Control and the Militarization of* 237

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51 The concern was well founded. During 1970s, the IS doubled the altitude from where it could kill targets and introduced an interception capability in its first orbit after launch, reducing opportunities for U.S. defensive counter-measures.
Yet the different status of the U.S. and Soviet ASAT programs presented a substantial barrier to progress. While the Soviets had declared their ASAT system operational, the potentially more capable American system had yet to be developed or tested. Attempting to lock the U.S. into a position of inferiority, Moscow then pressed for a complete test ban, which the Americans refused to consider. The issue of “residual” ASAT capabilities (i.e. ASAT capabilities inherent in existing military systems) also created enormous verification and definitional issues (OTA 1984; Stares 1985). The 1978-79 talks failed to produce an agreement. Neither side formally withdrew from negotiations, but discussions never resumed after a general deterioration of U.S.-Soviet relations (OTA, 1985; Slocombe, 1984; Rusten, 1984). In 1980, the Soviets again resumed testing of anti-satellite weapons.

The incoming Reagan administration saw existing Soviet ASAT capabilities as an immediate threat that new Soviet testing would expand over time. Reagan abandoned Carter’s ‘two-track’ policy and eschewed resumption of ASAT negotiations. Eventually, ASAT negotiations were included under the 1985 Nuclear and Space Talks, within the Defense and Space (DST) component along with SDI/ballistic missiles defense systems. Like the 1978-79 talks, the DST forum did not result in an ASAT control agreement.

In July 1982, Reagan announced a national space policy for the next decade. A key element of this policy was to develop “an ASAT capability, with operational deployment as soon as possible” (National Space Policy, 1982, p.6). Reagan officials frequently noted the lack of a U.S. ASAT response could raise the potential for crisis instability (U.S. Anti-Satellite Program, 1987). Such statements—couched in crisis stability language typically persuasive to Owls—deliberately linked ASAT procurement to a larger strategy to deter unwanted Soviet behavior.

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52 As OTA noted, “Some systems not designed to be ASATs (ICBMs, manned spacecraft), nevertheless have some ASAT potential, making some de facto residual ASAT capability inevitable” (OTA, 1984, pp.1-2).
Congressional Perspectives. Such arguments were largely unpersuasive in Congress. The reasons for Congress’s ASAT test restrictions had less to do with the ASAT program itself, but more with the notion that ASAT testing on objects in space encroached upon viable arms control prospects. The ASM-135 was always perceived by nuclear Doves, and some Owls, as undermining the existing space arms control regime, a regime that stretched back to the earliest Cold War treaties and agreements designed to prevent warfare in outer space. Even though there was no explicit anti-satellite treaty or agreement, any viable ASAT development was always perceived to intrude upon, and erode, this legacy (Stares 1987, pp.144-147). Both superpowers had generally adhered to this regime, especially regarding noninterference with space communications. Space arms control advocates hoped to expand this regime by capturing explicit ASAT-type operations; hence the desire in Congress to create a firebreak between the existing regime and any demonstration of advanced ASATs. Testing weapons against targets in space – even non-nuclear systems – was “seen as breaking a de facto political taboo which would be difficult to restore” and make the world a more dangerous place (OTA, 1984, p.5).

Congressional opposition intensified as the program advanced towards developmental testing in 1983, with Doves attempting various means to prevent a space arms race by closely linking weapons development to arms control measures. While both ASAT proponents and critics agreed there was ever-greater U.S. reliance on military space assets for defense and deterrence, they disagreed over an appropriate U.S. response. Administration and congressional Hawks (and some Owls) expressed concern that an unmatched Soviet residual ASAT created crisis instability

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53 The existing regime consisted of several agreements with overlapping constraints on space warfare. These included: the 1963 Limited Test Ban Treaty; the 1967 Outer Space Treaty; the 1972 ABM Treaty; the 1979 SALT II Treaty and various other international conventions and bi-lateral agreements prohibiting interference with satellite operations. None of those agreements limited development, testing and deployment of ground or space-based non-nuclear ASATs, although some terms could be considered ambiguous with regard to deliberate interference with satellites (p.146).

54 Arms control advocates frequently returned to the MIRV precedent in SALT I where a temporary U.S. technology advantage protected in negotiations was later fully exploited by the Soviet Union, exacerbating the long-term threat.
and threatened a U.S. strategic deterrent dependent on space-based intelligence and warning; Doves (and some Owls) warned of *arms race instability* and the warfare in space.

Early legislative efforts to constrain ASAT programs used regular legislative procedure and encouraged administration diplomatic efforts, including numerous joint resolutions introduced in 1981 and 1982 that failed. Beginning in the FY84 bills, the number of introduced resolutions on space weapons rose dramatically with all but one dying in committee. Later, more successful efforts targeted either authorized ASM-135 activities or appropriations.

In August 1983, just prior to launch of the U.S. ASAT testing program, then-Premier Yuri Andropov announced a unilateral moratorium on Soviet ASAT tests and encouraged U.S. reciprocity. Andropov also met with several U.S. Senators in Moscow to tout Soviet ASAT arms control ideas (Burns, 1983; Stares, 1987; RussianSpaceWeb.com). The Reagan administration declined the Andropov offer as not in the national interest, viewing the Soviet gesture as part of an ongoing “peace offensive” against all U.S. rearmament programs. Encouraged by a Soviet unilateral test moratorium of its operational co-orbital ASAT system, after 1983, Congress imposed a series of increasingly restrictive ASAT testing prohibitions, culminating in a complete ban of ASAT development tests against objects in space. ASAT opponents realized that the most effective tool – and one most central to an arms control strategy of extending the existing space weapons control regime – was to also require positive presidential action on arms control before release of funds for testing (OTA 1985).

For example, an FY85 authorization amendment prohibited use of ASAT funds for “testing against objects in space” until the President certified to Congress that the Soviet Union had conducted an ASAT test *after* the enactment of the bill, a much higher bar than earlier restrictions. This tactic forced the FPE into *de facto* reciprocity with the 1983 Soviet testing
moratorium (H. Rpt. 98-1080). Legislation in 1984 tied relief from restrictions both to an assessment of, and progress by, the FPE to pursue ASAT arms control, progress that was not forthcoming (H. Rpt. 98-567). The FY84 DOD Appropriations and FY85 Authorization Acts tied up the obligation or expenditure of advanced procurement funds pending report submissions to Congress. After Reagan submitted a report in August 1985 on the required FY85 certifications, all in the affirmative, the arms control environment had markedly improved, and the FY85 money was released for a planned ASAT intercept test in September.\footnote{NST talks had commenced the previous May and there was a guarded optimism about the Gorbachev ascension.}

The successful September 1985 ASAT space intercept against a space target was conducted during congressional recess and as legislators were preparing to impose even stricter test limitation against actual space objects in FY86 Appropriations (Stares 1987, pp.150-151).\footnote{Moscow announced that if the September 1985 ASAT test proceeded, they would drop any unilateral commitment not to test existing or deploy new ASATs systems. Yet they did not resume ASAT testing after September. Stares notes, “Paradoxically, the subsequent test appeared to antagonize the U.S. Congress more than the Soviet Union” (p.151).} The successful interception test advanced the ASAT technological baseline, enraging Doves and jeopardizing recent hard-won arms control progress in Congress. Dissatisfied with Reagan’s ASAT arms control efforts, Congress imposed in the FY86 appropriations bills a \textit{complete} (not contingent) ban on further ASAT testing against objects in space, subject to Soviet reciprocity.

After these restrictions, a 1986 Pentagon ASAT program review found the once-modest program costs climbing rapidly. Frustration with congressional ASAT testing restrictions, the administration issued a public defense of the program in May 1987 (\textit{U.S. Anti-Satellite Program}, 1987; \textit{NSDD 258}). The 1987 report argued that restrictions on ASAT testing inhibited its development and made more difficult the FPE’s arms control negotiation task (\textit{U.S. Anti-Satellite Program}). Yet, despite the continued concern over the U.S.-Soviet ASAT imbalance, and urged on by the Air Force, the Reagan administration reluctantly cancelled the program in 1988.
Within-Case Manifestations of Congressional Influence: ASM-135 ASAT.

*Observed Manifestations and Possible Causal Mechanism.* Figure 6.9 summarizes the ASAT case outcome according to specification of the Dependent Variable.

**Figure 6.9**
ASM-135 ASAT Acquisition and DST Negotiations, 1978-1987

<table>
<thead>
<tr>
<th>Level I Agreement</th>
<th>Deployed Weapons</th>
<th>Weapons Capability</th>
<th>Met Security Objective</th>
<th>Met FPE Preferences</th>
<th>Level II Ratification</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Agreement</td>
<td>F-15 ASAT: Cancelled</td>
<td>Limited</td>
<td>Failure</td>
<td>No</td>
<td>No Agreement</td>
</tr>
</tbody>
</table>

*Testing Restrictions on the ASM-135 ASAT (1983-1988).* After Reagan’s rejection of a Soviet test moratorium, Congress restrictions so constrained ASM-135 to the point the Air Force concluded that continued development made no programmatic sense. After the program’s cancellation, Congress annually extended a complete ban on further ASAT testing against space objects (subject to Soviet reciprocity) in the FY87 and FY88 defense bills, and applied restrictions to testing in space of any ASAT technology, even the relatively low-priority, follow-on ASAT technology concepts then under Pentagon development (H. Rpt. 99-1005; H. Rpt. 100-446). This ban continued until the end of the Cold War. Although ASAT was subject to the DST negotiations after 1985, the absence of an active U.S. testing program with serious deployment prospects likely reduced American leverage overall and reduced prospects for obtaining an ASAT agreement within DST. The Kremlin’s focus on SDI also relegated all discussions on ASAT control to a secondary issue.\(^{57}\) Soviet prioritization was made easier by the fact that, under congressional language, only Soviet resumption of its own technologically inferior ASAT could re-start a superior U.S. ASAT program. While this placed the Kremlin in the ‘driver’s seat’ regarding revival of a serious U.S. ASAT program, the congressional ASAT test ban enabled

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\(^{57}\) Soviet experts, like many American experts, viewed most SDI technologies as ‘residual’, enabling some ASAT capability.
Doves to achieve their goal of further extending the arms control regime in space. Figure 6.10 summarizes the relevant observable manifestations from the facts of the case.

**Figure 6.10**

**Summary: Observable Manifestations of Congress on ASAT and DST**

<table>
<thead>
<tr>
<th>Ideational</th>
<th>Institutional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Products of how actors interpret the global distribution of power</td>
<td>From FY 84 onward, Congress imposed series of program restrictions prohibiting ASAT tests against an object in space, employing the following types of procedures:</td>
</tr>
<tr>
<td>Concerns over Soviet ASAT capabilities (FY78-FY84)</td>
<td>- Funding constraints</td>
</tr>
<tr>
<td>- Stability effects of unilateral Soviet ASAT capability</td>
<td>- Mandated reports</td>
</tr>
<tr>
<td>- Defense Authorization &amp; Appropriations elites support</td>
<td>- Program restrictions and conditions</td>
</tr>
<tr>
<td>development of ASM-135 as part of dual-track ASAT development and</td>
<td>FY 1984 DOD Appropriations Bill (Conference Report 98-567)</td>
</tr>
<tr>
<td>arms control strategy</td>
<td>- Provide $19.4 million for advance procurement for the ASAT program; but</td>
</tr>
<tr>
<td>Views shared by Hawks and some Owls</td>
<td>- Funds cannot be obligated or expended until 45 days following submission to Congress of a comprehensive report on U.S. policy on arms control.</td>
</tr>
<tr>
<td>Concerns over erosion of Arms Control Regime in Space (FY84-FY92)</td>
<td>FY 1985 DOD Authorization Bill (Conference Report 98-1080)</td>
</tr>
<tr>
<td>- Support on House/Senate floor for maintaining existing (unregulated)</td>
<td>- Warner-Tsongas amendment prohibiting funds for testing ASAT weapons against objects in space until the President certified to Congress four separate conditions:</td>
</tr>
<tr>
<td>regime prohibiting anti-satellite attacks on U.S.-Soviet space assets</td>
<td>o Good faith negotiations for a mutual and verifiable ASAT agreement;</td>
</tr>
<tr>
<td>ASAT testing on objects in space threatens viable arms control prospects</td>
<td>o Pending agreement, tests are necessary to avert irrevocable harm to the national security;</td>
</tr>
<tr>
<td>ASAT progress undermined existing space arms control regime</td>
<td>o Testing will not irreversibly impair prospects for an ASAT agreement; and</td>
</tr>
<tr>
<td>Views shared by Doves and some Owls</td>
<td>o Testing is fully consistent with U.S. obligations under the ABM Treaty.</td>
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<td></td>
<td>FY 1985 DOD Appropriations Bill (Conference Report 98-1159)</td>
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<tr>
<td></td>
<td>- Reflects DOD authorization the ASAT compromise. No more than three tests against objects in space permitted in FY85.</td>
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<tr>
<td></td>
<td>FY 1986 DOD Appropriations Bill (Conference Report 99-450, Sec. 8097)</td>
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<tr>
<td></td>
<td>- Dissatisfied with ASAT arms control efforts and September 1985 test against object in space, Congress imposed a complete ban on further similar ASAT tests, subject to Soviet reciprocity.</td>
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<tr>
<td></td>
<td>FY 1987 DOD Appropriations Bill (Conference Report 99-1005)</td>
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<tr>
<td></td>
<td>- FY 86 ASAT testing restriction extended into FY 87; White House and Congress agreed to extend the testing ban but allow it to be suspended should Soviet Union resume its ASAT tests.</td>
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<tr>
<td></td>
<td>FY 1988 DOD Authorization Bill [100-446/P.L. 100-180]</td>
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<tr>
<td></td>
<td>- After ASM-135 cancellation, Congress voted against extending the ASAT testing ban, but also rejected a $100 million request by DOD for development of a ground-based ASAT system</td>
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<tr>
<td></td>
<td>- However, ASAT test ban extended in FY88 Appropriations Act</td>
</tr>
<tr>
<td></td>
<td>FY 88-93 Authorization/Appropriations bills and amendments</td>
</tr>
<tr>
<td></td>
<td>- Dove-Owl alliance continue restrictions on ASAT developmental testing</td>
</tr>
</tbody>
</table>

Process tracing identified multiple ideational and institutional manifestations drawn from the facts of the case. Figure 6.11 suggests the existence of a casual mechanism where mechanistic interlocking parts transmit causal forces between congressional activities and the DST outcome.

While defense committees continued to promote a low level of continued ASAT development and testing as a means to avoid a scenario of unilateral Soviet ASAT capability, a cohesive and effective alliance of Doves and some Owls retained sufficient support in each chamber to sustain testing restrictions over time, which the Reagan-Bush Administrations were not able to overturn.
"Wouldn't it be better to save lives rather than avenge them?"

“That grand design—of limits on Soviet offensive forces in exchange for constraint on American defensive technologies—lies before us again, beckoning.”
- Former Defense Secretary James Schlesinger, October 1984 (Talbott 1988, p.250)

“We've got to have several sets of agreements ... a consensus in the Senate and [with the House]. During that, we hope the congressional and executive branches will form a consensus ... until we do that, I don’t think we are going to have an agreement with the Superpowers.”
- Sen. Sam Nunn (D-GA) on executive-congressional negotiations on arms control and SDI, July 1991

The ‘Star Wars’ Speech (March 23, 1983). In the final passages of a televised address discussing his FY84 defense budget and a pending decision on the embattled MX, Ronald
Reagan abruptly shifted subjects. Expressing a desire to find “the means of rendering nuclear weapons impotent and obsolete,” Reagan announced a new research program, “consistent with our obligations under the ABM Treaty,” to study the feasibility of defensive measures against ballistic missiles. The resulting program, the Strategic Defense Initiative (SDI), raised the prospect of transforming national policy, codified in the 1972 ABM Treaty, from deterring nuclear conflict based on offensive threats of nuclear retaliation to one based on a capability to defend against nuclear missile warheads; from threats of mutual nuclear annihilation in the event of a deterrence failure, to a credible strategic defense against an enemy nuclear attack. Citing technological progress by the military-scientific community, Reagan’s remarks launched a five-year, $26 billion military research effort that exacerbated an acrimonious relationship with the Congress over strategic weapons and arms control. SDI challenged the tenets of ‘Mutual Assured Destruction’ and injected an unpredictable variable into U.S.-Soviet arms control negotiations.

**Threat Assessment.** While both the United States and the Soviet Union had spent billions since the late 1950s on research to intercept and destroy incoming ballistic warheads, a cost-effective means had proven elusive. This fact, and the crisis and arms race stability concerns of combining ballistic missile defenses with evolving counter-force nuclear arsenals in the 1960s, led both superpowers to agree to the 1972 ABM Treaty of unlimited duration. While operational missile defenses were strictly limited by treaty, each side continued to conduct unlimited research, with some limitations on development and testing of ABM systems (*ABM Treaty*). However, the ABM component of a SALT regime was only intended as a first step to constrain growth in nuclear *offensive*, as well as *defensive* arsenals; this control scenario, assumed under SALT in the
1970s, had failed to materialize (NSDD 172; Cordevilla 1986; HASC Print 99-14, p.31). Reagan campaigned against SALT II for this reason and the 1981 Strategic Modernization program was meant in part to redress perceived the strategic disadvantages of this failure. Yet in late 1982, his nuclear modernization program was threatened by congressional concerns over arms control and MX basing. Faced with an MX stalemate in Congress, Soviet military gains and evidence of their non-compliance with the ABM Treaty, Reagan had reconsidered offensive-based nuclear deterrence.

**Military Rationale/Need.** Unlike other major defense acquisition programs, SDI did not emerge from the traditional military requirements process, but from Reagan’s own policy and strategic preferences to address the Soviet nuclear threat (NSDD 119). As initially established, SDI was a military-scientific research program, with no tangible procurement program. The five-year SDI research program objective was reach an informed decision on whether to later develop, procure and deploy a strategic defense system; yet arriving at such a decision generated an intense national debate because the very nature of SDI research challenged the offensive-dominant deterrence paradigm underpinning the global distribution of power. Since the 1972 treaty, Congress had funded hundreds of millions in ABM-related research funds, scattered among numerous military service programs, all justified as a hedge against a Soviet treaty breakout. But advancing a serious national missile defense (NMD) agenda was blocked by the restrictive ABM arms control regime. While Reagan officials perceived the SALT/ABM Treaty regime as, at best a failed policy and at worst, an inherent danger to the national security, Congress still perceived

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58 Because of MIRVs, SALT I was perceived as imposing no meaningful offensive constraints. SALT II ICBM fractionation rules were, at best, a minor constraint on the Soviets, who could easily fractionate to much higher RV totals under any breakout scenario. The result was, within a few years, the theoretical “window of vulnerability” problem.

59 Cordevilla argues SDI came out of a U.S. “strategic predicament” resulting from a post-parity Soviet buildup. HASC notes a “disappointment in the ABM Treaty” that “eroded the original basis of the ABM Treaty—deterrence through assured retaliation.”
the ABM Treaty as a ‘cornerstone of U.S.-Soviet arms control’ – politically impervious to a formal U.S. withdrawal necessary to a serious effort to deploy advanced missile defense capabilities (Lakoff & York 1989).

Between September 1981 and December 1982, a ‘kitchen cabinet’ of scientific advisors quietly convinced Reagan to re-open the NMD issue by initiating a Manhattan Project-type research program (Lakoff & York). Also reinforcing Reagan’s decision were his discussions with the Joint Chiefs on military requirements (Brinkley, ed. 2007). As these discussions occurred, Reagan’s Pentagon officials, pressed by congressional Hawks on progress in missile defense technology, testified that meaningful breakthroughs were perhaps decades away (SASC Testimony, 3/23/83). The Pentagon’s research chief framed the issue in the context of countermeasures: “There's no way an enemy can't overwhelm your defense if he wants to badly enough” (Government Executive). Reagan’s speech took most of his own defense and diplomatic officials by surprise. While aware of Reagan’s interest in strategic defense, even senior officials learned of the speech too late to generate major interagency reviews or discussions, nor inform U.S. allies. The lack of prior consultation was quite deliberate (Lakoff & York, p.16).

While the SDI program’s first year (FY84) budget reflected pre-SDI missile defense R&D activities, subsequent budgets vastly accelerated and expanded the SDI technology scope, including “exotic” technology based on “other physical principles,” such as non-nuclear directed energy technologies as well as nearer-term, lower-technology kinetic energy projectiles.

**Negotiation Forum: Defense & Space Talks.** In DST after 1985, the U.S. sought to discuss a transition from U.S.-Soviet deterrence based solely on the threat of nuclear retaliation to

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60 Reagan’s February 11, 1983 diary entry on his JCS meeting is strikingly similar to his March speech as it was delivered.

61 The Pentagon’s Directed Energy Program director testified on the same day as (but prior to) Reagan’s speech that laser weapons “offer promise of making major contributions” to strategic defense, but technology was at a state of “relative immaturity.”

62 The strategy, according to then-Deputy NSC Advisor McFarlane, “was to skirt Congress, the bureaucracy, and the media.”
increased reliance on defenses, either ground- or space-based, against ballistic missiles. Moscow saw SDI as a practical threat to strategic parity and feared a U.S. “competitive strategy” (also known as a ‘strategy of technology’), a calculated effort to force them into a technological and economic competition they could not win (Possony, Pournelle, & Kane, 1970). Such an effort would highlight relative Soviet backwardness and sabotage economic reforms (Lakoff & York).

Anticipating a Soviet push for a comprehensive ban on SDI research, development, testing, and deployment, the U.S. delegation was instructed to protect SDI research as consistent with the ABM Treaty (NSDD 165). However, negotiations opened in Geneva with disunity among top national security officials. McFarlane wanted to channel Reagan’s vision into a grand strategy to reverse negative strategic trends facing the U.S. and viewed SDI as a means to recover U.S. arms negotiating leverage lost due to congressional opposition to MX (Talbott 1988, p.204). Other U.S. officials perceived SDI’s strategic value differently. The main point of contention among Reagan officials was to what extent the SDI program would be used for a ‘grand bargain’ to trade for major reductions in Soviet offensive nuclear forces. The grand bargain was conceptually simple: use SDI to secure a two-part strategic arms control deal: less American research on defense for less Soviet deployed offense (p.250). Hawks such as Perle and his bureaucratic allies disparaged a ‘grand bargain’ approach, worried that limits on SDI would eliminate the best means to redress the strategic dilemma created by the SALT regime. Perle’s view was not universal among administration Hawks. Chief arms control advisor Paul Nitze remarked, “We mustn’t kid ourselves or try to kid anyone else” that the Soviets would agree to

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63. A *strategy of technology* is a doctrine where a state leverages its military and economic technology advantages to develop advanced weapons as to force its opponents to divert their limited resources into developing countermeasures.

64. For a detailed account of the disunity among Reagan officials on the NST negotiations, see Talbott (1988, pp.250-303).

65. ACDA Director Adelman argued “We already bought that cow once. In 1972 we gave up defense, in which we had an advantage, in exchange for limiting offense. But [the Soviets] never paid for what they got” (p.252).
allow SDI to “run free” (p.253). Nitze argued that absent SDI constraints Moscow would not cut its offensive warheads at all and more likely increase them. How best to use SDI’s arms control leverage was a major debate topic over the next decade. But because of Reagan’s strong attachment to his SDI vision, and efforts by some Reagan officials to resist any SDI constraints, formal negotiating instructions never envisioned using SDI as a ‘bargaining chip’ (NSDD 165).

**Congressional Perspectives.** Protecting SDI in Geneva presented difficult political challenges and required the FPE to nurture lasting congressional support for SDI for Level II bargaining. SDI generated strong support among the key congressional defense committees in 1983-1984, largely from Hawks and Owls. Yet almost immediately after Reagan’s March 1983 “Star Wars” speech, defense policy elites debated the arms control relationship between nuclear offense and missile defense. An ambitious SDI research program that lead to an informed deployment decision created a dilemma: an existing treaty already prohibited much of what might be developed and proposed for deployment. Since 1975, U.S. strategic defense had existed only in low-priority research programs. How would the re-injection of strategic defense affect the U.S.-Soviet deterrent relationship? If U.S. strategic defenses were reintroduced, when and how would this occur? What role did SDI play as leverage to secure reductions in Soviet ICBMs?

To address these questions, in early 1985 Nitze developed a brief (less than 100 words) narrative for understanding “the concept of the interrelationship of offense and defense” (Nitze 1985). Nitze’s ‘concept’ became central to the American negotiating position: a cooperative and phased transition required a period in which offensive weapons on both sides could be reduced as defenses were added, rendering over time a more defense-dominant but stable strategic relationship. Under a phased transition, even imperfect early defenses could still serve

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66 This was also the consensus of many strategic experts in and out of government and key Owls on the defense committees.
deterrence, which appealed to Hawks and Owls. Doves warmed to ‘the concept’ because, in addition to the linkage between SDI and arms control progress, it implied that both SDI’s pace and scope were “on the negotiation table” and under the influence of congressional actions.

Nitze’s strategic concept established SDI program legitimacy on Capitol Hill but did not end debate over the $26 billion program. Policy debate focused not only how any future strategic defense might be deployed but also whether such a defense should be deployed and the conditions of future deployment. Along with his concept, Nitze also articulated ‘demanding criteria’ (military effectiveness, adequate survivability and cost-effectiveness at the margin) for U.S. strategic defense deployment in the transition phase (Nitze 1985). Designed to avoid both crisis and arms race instability, the criteria appealed to both Owls and Doves. Hawks and many Owls also supported a robust SDI both for future deployment options and for arms control leverage. The ‘Nitze criteria’ became the yardstick for Congress to determine contributions of SDI technologies to stability and U.S. arms control goals.

Yet Hawks soon perceived the Nitze criteria as a Dove-Owl effort to restrain SDI’s more revolutionary aspects that might lead to a more defense-dominant (and possibly a non-nuclear) world; they rejected the oft-repeated characterization that there was no near-term alternative to the MAD regime. Hawks especially feared the Nitze criteria would be used to promote a grand bargain prohibiting any near-term defense deployment (Talbott 1988). Hawks believed that evaluation criteria should not focus on ‘military effectiveness, survivability and cost-effectiveness’ but less demanding criteria based on the military and doctrinal value of defense.

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67 The concept had the advantage of disarming an early congressional criticism of SDI – the implication that any strategic defense must be 100 percent “leak-proof” to meet the president’s visionary criteria for a defense of the American population.

68 For example, Hawks believed that if defenses eroded “attacker confidence” (a far easier deployment threshold than Nitze’s), deterrence overall could be enhanced; under these conditions, even if defenses were not cheaper ‘than the incremental addition of offensive weapons’, strategic defense would be worthwhile.
Skeptical of SDI’s idealistic goals, congressional Owls’ support was contingent on three conditions: first, SDI remained within ABM Treaty constraints; second, SDI would only be deployed under a cooperative transition that maintained strategic stability; finally, deployment must meet Nitze’s criteria. Owls viewed the criteria as a prudent means to maintain crisis and arms race stability during a transition, while maintaining SDI’s bargaining leverage in arms talks. But because Owls and most Doves doubted a defensive shield could meet the criteria in the near future, both factions wanted to trade concessions on SDI for substantive offensive reductions in START. Owls, however, wanted to insure that reduced funding for SDI research did not undermine the bargaining value of the ‘chip’ before it could be played (Lakoff & York, Talbott 1988, p.203). Thus Owls were willing to invest in SDI research at higher levels than Doves.

Doves perceived the SDI program in two lights, both negative. Under the first, SDI was a resource-consuming project with a limited and questionable utility for American security; second, SDI was a Trojan horse designed by Reagan Hawks to undermine the ABM Treaty regime. For Doves, the second conception was more dangerous; they suspected the administration’s lack of program coherence in public masked a desire to expand SDI towards a near-term deployment. Doves scrutinized the SDI program for signs of possible expansion into areas banned under ABM Treaty and for efforts by Hawks to accelerate SDI towards a near-term deployment. Thus Congress focused on ways in which SDI programs would, or would not, conform to the ABM Treaty. Increasingly, Reagan officials viewed a credible near-term deployment option (a ‘Phase I Strategic Defense System,’ or SDS) as central to advance its arms control strategy, since creating an impression of inevitability for future SDI deployment would

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69 Nitze’s criteria, Henry Kissinger concluded, “kills defense. The criteria are not meetable. And if you put the transitional phase ten years into the future, Congress will kill it long before deployment. I’d move the transitional phase to the present” (p.218).
Procuring Swords for Plowshares

secure Soviet cooperation on a phased transition (Generous 1991). Yet any deployable Phase I SDS option required development and testing of ‘exotic’ technologies and/or space-based technologies, activities blocked by the ABM Treaty’s Article V as practiced by the U.S. government after 1972. Article V defined strategic defense research, testing and development in different ways:

- Strategic defense research on both sides was allowed within fairly broad parameters;
- Weapons system advanced testing and development activities were more proscribed, and, in some aspects, remained gray areas, open to interpretation:
  - Fixed, land-based ABMs (including ‘exotics’) testing and development was permitted; however,
  - Space-based and mobile ABM systems testing, development, or deployment, including those using ‘exotic’ technologies, was prohibited (ABM Treaty).

Congressional oversight of SDI activities was guided by Article V restrictions as explained by the Nixon Administration in 1972 during Senate ratification debate. This restrictive view of testing, development and deployment of mobile/space-based ABMs became known as the ‘narrow’ interpretation. SDI’s near-term conformity to the Treaty was not questioned in the early years of the SDI’s five-year program. Yet as work quickly progressed towards actual weapons concepts, senior Reagan officials questioned the validity of the ‘narrow’ interpretation, as this blocked testing and development of the SDI components most likely to ‘incentivize’ Moscow towards a defense transition (Lakoff & York). Defense committees therefore closely monitored the effects of SDI programs on the ABM Treaty (S. Rpt. 98-174; H. Rpt. 98-1080). Doves especially argued that projected SDI experiments would soon violate the Treaty as traditionally

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70 The means to incentivize Moscow towards a cooperative defensive transition required a “a carrot and stick approach ... in short, the U.S. must constantly, and credibly, threaten a unilateral transition to induce a cooperative one” (p.38).
71 ‘Exotics’ such as directed-energy technologies, used ‘other physical principles’. Kinetic-energy (KE) technologies that used intercepting projectiles were not ‘exotic’ and their testing was unconstrained unless based either in space or a mobile mode.
72 SASC’s FY84 report recognized “complexities of developing and employing a strategic defensive system, not just the scientific complexity but also the political and arms control issue, must be considered” (p.359, emphasis added). The FY85 Authorization Conference required OSD to “provide a statement of any anticipated impact of strategic defense programs on the ABM Treaty” (p.311).
interpreted (Longstreth, Pike & Rhinelander 1986; Clausen 1986; Lakoff & York p.41; Cordevilla 1986).

Lingering questions over the SDI legality led to separate Pentagon and State Department analyses in 1985 of both treaty language and the original (still classified) negotiating record. State’s legal analysis concluded, “systems based on future [‘exotic’] technologies are dealt with exclusively in Agreed Statement D, which bans only their deployment” (Statement of Abraham D. Sofaer, 1985). This view, known as the ‘broad’ interpretation, permitted exotic SDI technologies to be researched, tested and developed without any constraints short of actual deployment. This would allow maturation of weapons concepts much sooner and greatly increased SDI’s potential negotiation leverage in Geneva. The White House quickly embraced the more permissive ‘broad’ interpretation as U.S. policy, but within a week, negative reaction in Congress forced the Reagan Administration to caveat its policy: a ‘broad’ interpretation was accepted as a matter of law, but a ‘narrow’ interpretation remained official administration policy (Arms Control Reporter 1985; Talbott 1988; NSDD 192). However, Pentagon Hawks publicly promoted a broad interpretation not merely for legal argumentation, but for structuring SDI program activities (Talbott 1988).

Debate over the ‘broad’ interpretation resulted in a shift of congressional factions; what had originally been a loose Hawk-Owl alliance in support of robust SDI activities became an Owl-Dove alliance committed to restricting the broad interpretation on SDI R&D (S. Rpt. 99-41). Over the next several years, Owls and Doves cooperated to reduce, stretch out or otherwise constrain SDI programs they perceived might threaten Soviet cooperation in achieving a grand bargain (Lakoff & York). Committee justification of these tactics was at times explicit; at other

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73 Both the Pentagon’s and State Department’s (Sofaer) analyses concluded that Agreed Statement D gave no indication U.S. or Soviet negotiators in 1972 had intended to rule out testing and development of ‘exotic’ mobile or space-based technologies.
times, a shifting of funds or refocusing program elements was rationalized on either technical or threat grounds, although these changes had larger policy and strategy implications.

The net effect of Congress’s embrace of a narrow interpretation significantly altered SDI’s Level I bargaining leverage, much to the FPE’s ongoing frustration. Reagan and Gorbachev came close at the 1986 Reykjavik summit to realizing a grand bargain envisioned by Doves and Owls to cash in the SDI ‘chip.’ Reagan’s refusal to accept the Soviet terms to restrict SDI to only laboratory research led to a scathing criticism in Congress on the need to “show flexibility on SDI restraints in negotiations” (HASC Print 99-26, p.4). After Reykjavik, it became apparent to Doves and Owls that Reagan was not interested in a ‘grand bargain’, but remained firmly committed to a ‘strategy of technology’ to leverage Moscow’s fear of SDI, and to deploy SDI as soon as technologically possible.

Thereafter, Doves and Owls sought to impose their own policy preferences and force the FPE into using its SDI ‘bargaining chip.’ Reagan officials ignored FY86 non-binding language directing the FPE to consult with Congress before adopting a ‘broad’ interpretation (H. Rpt. 99-235, p.34). After May 1987, when the administration tried to claim that the testing of space-based weapons was ‘ABM Treaty compliant’ under the permissive interpretation, Congress increasingly tightened SDI program constraints (Talbott, 1988). A Nunn-Levin amendment to the FY88 Defense Authorization Act (Section 225) then proposed statutory language that prohibited funds for any SDI tests violating the ‘narrow’ interpretation of the ABM Treaty. Section 225 blocked any administration effort to implement a broad interpretation or accelerate SDI testing of advanced systems (S. Rpt. 100-57).

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74 For Reagan, Gorbachev’s efforts to kill SDI only raised its value to securing a mutual defense transition away from MAD.
Nunn-Levin language spurred extensive White House lobbying, including personal efforts on Capitol Hill by Reagan’s top START and DST negotiators, to overturn it (SDI Congressional Compromise, 3/17/87). Ultimately unsuccessful, the best the White House could achieve was a deal that the FY88 Nunn-Levin constraints would apply only for a single year (H. Rpt. 100-446). The FY88 Appropriations bill went further, also prohibiting development funds for Space Based Interceptor (SBI) testing – activities that were unrestricted under a narrow interpretation (H. Rpt. 100-415).

By 1989, after INF ratification and with START in its final stages, there was a sense in Congress that Reagan-era weapons programs could be curtailed. Yet, incoming President George H.W. Bush, announced he would “vigorously pursue” SDI, requesting more for SDI in FY90 than had Reagan’s final FY89 budget. In a major concession that same year Moscow de-linked START and DST. The following June, the U.S. and the U.S.S.R. issued a Joint Statement on Future Negotiations on Nuclear and Space Arms, suggesting actual progress towards the U.S. goal of a managed transition, and a possible warming by Moscow to the Nitze concept (S. Rpt. 101-384). Yet Congress inserted additional SDI testing restrictions in the FY90 and FY91 bills.

The 1990-1991 Gulf War briefly altered congressional perspectives on the value of near-term missile defense. In January 1991, Bush changed the SDI mission and baseline to a proposed GPALS (Global Protection Against Limited Strikes) concept, improving prospects for inter-branch cooperation on a limited national missile defense. The U.S. also tabled a new DST proposal to discuss the scope and timing of a joint GPALS system that also retained confidence in the Joint Statement both sides agreed to pursue new talks on the relationship between strategic offensive and defensive arms, with the objective of ensuring strategic stability, and emphasized the need for “development of new technology” (p.357).

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75 This concession meant little; authorizing committees simply extended the FY88 language annually through FY94 into the Clinton Administration. While Sec. 225 contained a presidential ‘escape’ clause from restrictions, requests for activities outside the narrow understanding would still have to be explicitly approved by Congress (pp.594-595).

76 In the Joint Statement both sides agreed to pursue new talks on the relationship between strategic offensive and defensive arms, with the objective of ensuring strategic stability, and emphasized the need for “development of new technology” (p.357).
in each side's deterrent offensive forces. Congress perceived GPALS as an appropriate response to changes in threat; it was a signal to Owls that Bush was abandoning the Reagan-era comprehensive defense against a massive Soviet attack, embracing a more limited system that Owls could support on grounds of crisis stability and compatibility with START-constrained force structures. Congress passed the Missile Defense Act of 1991 (MDA) that established an NMD deployment date in the mid-1990s and indicated a need for serious renegotiation of ABM Treaty terms. Bush signed the MDA on December 5, 1991, days before the three largest Soviet republics formed a commonwealth and declared Gorbachev's government “dead.” Gorbachev’s resignation soon after marked the end of the Soviet Union.

On January 1, 1992, the Cold War was over. Russian President Boris Yeltsin reaffirmed Russia's “allegiance” to the ABM Treaty, calling it “an important factor in maintaining strategic stability in the world” but also called for the United States and Russia “to jointly devise a global system for protection from space” (ABM Treaty Chronology). Yet as the Bush Administration pursued GPALS with Russia, the Owl-Hawk alliance on the 1991 MDA gave way to significant MDA revisions from Owls and Doves in the FY93 budget cycle, with both authorization bills emphasizing strict ABM Treaty adherence. Most importantly, the 1992 MDA revisions eliminated the 1996 statutory deployment date for a limited NMD capability (pp.11-12). After the 1992 elections, the incoming Clinton Administration re-affirmed the ‘narrow’ interpretation of ABM Treaty, ending the Reagan/Bush-era dual interpretation policy for SDI acquisition activities and any talk of a managed transition to a defense-dominant future. All future

\footnote{GPALS as the Bush Administration envisioned it would protect against limited attacks without threatening Soviet retaliatory capabilities. This revised U.S. proposal was made in the wake of an aborted, short-lived coup against Gorbachev, and in the context of the ongoing dissolution of the USSR, with heightened U.S. concern over ‘accidental’ missiles launches.}

\footnote{Yeltsin did not explain the obvious contradiction between his call for a “global system for protection from space” with Russian insistence on strict observance of the ABM Treaty as signed.}

\footnote{The MDA requirement to deploy advanced TMD by the mid-1990s was eliminated and replaced with a requirement to develop advanced TMD systems for deployment. Statutory NMD and TMD deployment dates were pushed past the year 2000.}
negotiations with Russia focused on clarification within the ABM Treaty of distinctions between theater and national missile defenses, effectively ending any prospect of deploying the latter.

Within-Case Manifestations of Congressional Influence on SDI and DST.

Observed Manifestations and Possible Causal Mechanism. Figure 6.12 summarizes the SDI and DST case outcome according to specification of the Dependent Variable.

Figure 6.12
SDI R&D Programs and DST Negotiations, 1983-1993

<table>
<thead>
<tr>
<th>Level I Agreement</th>
<th>Deployed Weapons</th>
<th>Weapons Capability</th>
<th>Met Security Objective</th>
<th>Met FPE Preferences</th>
<th>Level II Ratification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Results in a signed Agreement or No Agreement</td>
<td>Weapons System fully or partially deployed, cancelled, or delayed by Congress?</td>
<td>Capability unlimited or limited in range, technology or availability by Congress?</td>
<td>Agreement mitigates original threat justifying weapon(s)</td>
<td>Agreement achieved FPE preferred policy &amp; strategy objectives</td>
<td>Final Disposition of Level I agreement</td>
</tr>
<tr>
<td>No Agreement</td>
<td>All SDI/BMD Programs: Delayed/R&amp;D only</td>
<td>Limited</td>
<td>Failure</td>
<td>No</td>
<td>No Agreement</td>
</tr>
</tbody>
</table>

Six observed manifestations of congressional actions on SDI program are relevant to the research question:

- Establishing Arms Control Value of SDI under ‘the Nitze Concept’ (1984-88).

Figure 6.13 summarizes these relevant observable manifestations from the facts of the SDI case.

Figure 6.13
Summary: Observable Manifestations of Congress on SDI and DST Negotiations

<table>
<thead>
<tr>
<th>Ideational</th>
<th>Institutional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Products of how actors interpret the global distribution of power</td>
<td>Formal/informal rules and practices with manifestations of group behavior</td>
</tr>
<tr>
<td>ABM Treaty as ‘the crown jewel’ of SALT control regime (FY73-FY93)</td>
<td>Establishing Arms Control Value of SDI under “the Nitze Concept” (1984-88)</td>
</tr>
<tr>
<td>SDI progress undermined existing ABM arms control regime and risks arms race instability</td>
<td>• Debate over two paths: Pursue SDI to promote a managed transition or serve as a bargaining chip?</td>
</tr>
<tr>
<td>Unchecked SDI R&amp;D development threatens viable arms control prospects</td>
<td>Conceptualizing Arms Control Leverage: Funding versus Program Activities</td>
</tr>
<tr>
<td>Soviet concern over SDI offered a major opportunity for a ‘grand bargain’</td>
<td>• Doves and Owls ➔ Progressive SDI funding growth = arms control bargaining leverage</td>
</tr>
<tr>
<td>Views shared by Doves, some Owls</td>
<td>• Hawks ➔ Funding specific SDI activities for managed transition = bargaining leverage</td>
</tr>
<tr>
<td>Concerns over Soviet ballistic missile threats (FY78-FY90)</td>
<td>Institutionalization of ‘Nitze Criteria’ (1985)</td>
</tr>
<tr>
<td>Perceived failure of SALT regime to</td>
<td>• FY86 Authorization Act, Section 222: FPE must certify that any future deployment conforms to the Nitze criteria prior to deployment (S. Rpt. 100-57).</td>
</tr>
<tr>
<td></td>
<td>• FY87-93: Extension of Section 222 in future authorization acts.</td>
</tr>
<tr>
<td></td>
<td>Institutionalization of ‘Narrow’ ABM Treaty Interpretation (1985-94)</td>
</tr>
<tr>
<td></td>
<td>• FY86 Authorization: “Senate of the Congress” non-binding language recommends FPE consult with Congress prior to adopting a ‘broad’ ABM Treaty interpretation</td>
</tr>
<tr>
<td></td>
<td>• FY88 Authorization: Nunn-Levin amendment statutory restrictions: prohibited funds for SDI tests violating a ‘narrow’ ABM Treaty interpretation</td>
</tr>
</tbody>
</table>
These manifestations on congressional attitudes and actions on SDI suggest significant causal effects for the DST negotiation outcome. These are theorized below and in Figure 6.14.

Institutionalizing the Nitze criteria in statute had direct implications for the U.S. stance at DST, as the criteria implied there could be no substantial SDI deployment without a Soviet ‘buy-in’ to a managed transition under Nitze’s concept. This created a ‘catch-22’ dilemma: Soviet cooperation could bring about a defense-dominant deterrence posture that abandoned the morally repugnant MAD; yet an uncooperative Soviet Union could defeat defenses vulnerable to less expensive offensive counter-measures. Under U.S. policy, the former could not be obtained without first satisfying the Nitze criteria; failure to do so would result in the latter. Yet Soviet cooperation could not be secured until Kremlin leaders first became convinced Washington had embarked on an irreversible path to deploy strategic defenses that would render the massive Soviet ICBM force a wasting asset. With Congress strictly applying the Nitze criteria, the Soviets would likely perceive any SDI deployment in the distant future, diminishing cooperation incentives and encouraging them to instead retain their ICBM fractionation advantages. As Kissinger accurately noted, Nitze’s criteria “kills defense” if the extended time period for negotiations and transition allowed Congress opportunities to either kill or modify the program (Talbott 1988, p.218). This is essentially what occurred. For Owls and Doves, the Nitze criteria

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80 As long as Nitze’s ‘criteria’ remained U.S. policy, Moscow’s option to hyper-MIRV in response to early SDI deployment gave them the initiative on missile defense in Level I, allowing them to remain non-cooperative and resist accepting Nitze’s ‘concept’. 
created opportunities better suited to a near-term ‘grand bargain’ rather than Nitze’s concept of a long-term phased transition.

The fight over the FY88 Nunn-Levin language institutionalizing a ‘narrow’ treaty definition also demonstrates a powerful linkage of congressional weapons acquisition and oversight on arms control policy and strategy. By employing a stricter interpretation to guide its SDI actions, Congress deliberately limited promising SDI technologies and leverage that technology exploitation could have provided U.S. negotiators (SDI Congressional Compromise, 3/17/87).\(^8^1\) This was done because of fundamentally different perspectives of the ABM Treaty regime’s value. Congressional technology constraints would eventually extend not only to restrictions on ‘exotic’ technologies in subsequent years, but also on more conventional technologies unconstrained by Treaty terms (H. Rpt. 100-415, pp. 23-24; H. Rpt. 101-665).\(^8^2\) Congress did this not only out of a desire to preserve the ABM regime, but its expectation of executive branch deference in exercising congressional prerogatives. In its FY89 report, SASC reminded the FPE, the decision to authorize expenditure of funds for the armed forces is one of the most significant constitutional responsibilities assigned to the Congress ... [and] it is imperative that Congress in general—and this committee in particular—examine in detail any proposed expenditures that would involve such a substantial change in policy (S. Rpt. 100-57, p.122).\(^8^3\)

The Reagan Administration viewed adverse SDI outcomes from Congress, in Schultz’s words, as “limiting our freedom to conduct a vigorous SDI program now and in the future,” complicating the FPE’s negotiation strategy to achieve “greater predictability on strategic defenses” (Schultz, 1987).

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\(^8^1\) Rowny’s memo, as well as latter comments by Kampelman, indicates that START and DST negotiators perceived the Nunn-Levin language would negatively affect talks in both forums. Kampelman and Rowny asserted that NST negotiations were at a critical stage and needed to avoid the statutory language “for remainder of calendar year 1987 (through 31 December 1987).”

\(^8^2\) Doves and Owls on Appropriations also targeted SDIO’s planned tests of the Space Based Interceptor (SBI) because they viewed testing SBI in space as tantamount to a SBI deployment decision, which would violate the Treaty under any interpretation.

\(^8^3\) This is the psychological manifestation of a causal mechanism, exercised as a group tries to establish the mental rules leading to behavioral regularity. See Parson (2007, p.90) and Janis (1972, 1982).
Congress, anticipating a negative presidential reaction to the FY89 Authorization Act, included a ‘Sense of Congress’ provision that defended its constitutional prerogatives for its activities on arms control and defense policy (H. Rpt. 100-753). But the report added, “Congress, in exercising that authority, should not usurp, undermine, or interfere with the authority of the President … to negotiate and implement treaties … which affect arms control and defense policies of the United States” (“Sec. 903. Sense Of Congress Concerning Role Of Congress In Arms Control And Defense Policies”, pp.118-119).

Regardless, Reagan vetoed the bill and took issue with the ‘Sense of the Congress’ declaration:
The bill's provisions on strategic defense and arms control undercut the very foundation of our Nation's security and our successful arms reduction efforts ... The bill would restrict, reorient, and limit funding for our Strategic Defense Initiative ... Congress must stop tying the hands of our negotiators in Geneva" (Reagan 1988, emphasis added).

The extent to which congressional actions on SDI affected the Soviet concession in 1989 to finally de-link START and DST is difficult to ascertain. For six years the Kremlin had successfully resisted Reagan’s SDI-DST strategy by adopting a wait-and-see approach on SDI. As Moscow observed declining congressional support for SDI, Gorbachev possibly adjusted his arms control strategy to address his own Level II political bargaining. It is also possible that by 1989 he valued a completed START treaty more than continued START linkage with SDI, perceiving that he was no longer negotiating under a threat of politically credible SDI program along the original lines proposed in 1983 (Lambeth & Lewis, 1988). Without bargaining leverage sufficiently persuasive to induce a reluctant Soviet Union towards a cooperative transition by threatening a unilateral American one, the FPE’s preferred negotiation strategy would (and did) fail to produce a DST agreement that met the FPE’s DST objectives.

The inter-branch implicit and explicit arguments on SDI funding and arms control demonstrated the defense committees’ acute awareness of their influence on the Administration’s arms control strategy and Level I negotiation outcomes. For example, Doves argued that significant SDI funding growth over consecutive years should have provided sufficient Level I bargaining leverage if the Administration had wanted to secure a ‘grand bargain’ in arms

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84 While Reagan’s veto message focuses on provisions impacting SDI, related strategic forces programs, and arms control efforts, the revised bill Congress sent to him did not eliminate his strongest objections over constraints on SDI. Reagan’s reference to “our successful arms reduction efforts” is a reference to the signing of the INF Treaty the previous year.

85 Assessing Soviet internal political and strategic motivations is beyond the scope of this study. These issues are discussed extensively by Generous (1991).

86 Such a U.S. bargaining strategy ultimately implied a credible U.S. threat to unilaterally withdraw from, or to knowingly violate, the ABM Treaty absent a cooperative agreement. It was unlikely the Kremlin viewed this threat as politically credible.
control (S. Rpt. 99-41, pp.419, 423; H. Rpt. 99-81; H. Rpt. 99-332, p.345). A year later, SASC argued it was supporting robust (albeit reduced) funding for SDI programs “for the leverage it provides to our negotiators in Geneva … [however] it is not necessary to fund the President's entire request for SDI to maintain our negotiating leverage in Geneva” (S. Rpt. 99-331). The report noted, “leverage for arms control negotiations comes only from real defense programs which are aimed at realistic objectives, adequately funded, and broadly supported by a bipartisan consensus” (p.182). SASC criticized the Administration’s refusal to play the SDI ‘bargaining chip’, noting:

… negotiating leverage is sometimes a perishable commodity … If we are to capitalize on the historic opportunities in arms control created in part by SDI, we should be prepared to consider adjustments to the pace and scope of SDI if the Soviet Union agrees to significant, stabilizing and verifiable reductions in strategic offensive forces (p.182). (emphasis added)

Alternatively, Hawks argued that since 1986 declining congressional support for SDI program goals had slowed its progress, weakened U.S. bargaining leverage and thwarted a successful DST agreement.

In the post-Reagan era, GPALS and the MDA appeared to shift the previous five years of endless debate over Soviet offensive countermeasures, the Nitze criteria and competing ABM Treaty interpretations, in a more positive inter-branch dialogue. For the first time since 1983, an apparent inter-branch consensus existed over the use of SDI for arms control purposes, representing a theoretical ideal unity of strategy and arms control. The original (1991) MDA formulation reconstituted a renewed Owl-Hawk coalition more favorable to limited national missile defenses and broke up the alliance between Owls and Doves. To Owls and Hawks, proliferation of Scud-type missiles represented a more urgent threat. (S. Rpt. 102-113). MDA

87 HASC emphasized in the FY86 Authorization bill its belief that “$2.47 billion for SDI, an increase of 75% over FY 1985 levels, provides for a very significant program, one that will fully support the U.S. negotiating position at Geneva” (H. Rpt. 99-81, p.16).
88 Doves dissented strenuously to the original MDA, seeing it as leading to revision and ultimate abandonment of the 1972 Treaty, a door they thought had been securely closed by the FY88 Nunn-Levin language and its extensions.
passage in 1991 also presented a final opportunity to maximize SDI’s leverage for the DST talks, then still ongoing. The conditions appeared highly favorable. Given MDA passage, breakup of the Soviet Union and Yeltsin’s declared support for a “jointly devised global system,” there was clear movement in the direction of the U.S. DST position and a jointly managed transition.

Briefly, with the original MDA language of 1991, Congress did essentially endorse a SDI-driven negotiation strategy (similar to Nitze’s 1985 concept) that defined a specific (if limited) NMD deployment track and a negotiating strategy promoting a managed transition in the DST. Failure to achieve agreement in these negotiations, the 1991 MDA’s language contended, could provide legal justification for ABM Treaty withdrawal and lead the U.S. to proceed with NMD deployment without Soviet agreement.89

This brief demonstration of inter-branch unity of strategy and arms control disappeared the following year with the 1992 MDA revisions.90 Congress’s reversal effectively ended any prospects for a DST agreement as outlined by Nitze in the 1985 (H. Rpt. 102-966). Congress opted, once again, to preserve the ABM regime and ‘protect’ it from American technological advancements. The Clinton Administration fully embraced this policy after 1993. While the “Star Wars” initiative outlived the Soviet Union and the Cold War, politically, strategically and diplomatically, SDI had run its course, producing no Defense and Space Agreement.

In the next chapter these five cases will be compared using a cross-case methodology, allowing for additional inferences and assessments for theory building on the research question.

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89 MDA language made clear that if the new negotiating objectives were not achieved, “the President and the Congress should at that time consider the options available to the United States as now exist under the ABM Treaty” (i.e. treaty withdrawal).

90 “Revision of the Missile Defense Act of 1991 (sec. 234)” involved a retreat from both the policy goals of the 1991 MDA and the specific system deployment dates contained within the Act (p.12).
Chapter Seven
Across Case Data Analysis and Observations

“...The Soviets are well-informed regarding congressional support for our modernization programs. If they detect a collapse of American resolve, we will see no movement in the negotiations because the Soviets will know they are better off by letting the Congress reduce our programs unilaterally ... We can strengthen the hand of our negotiators to achieve deep, equitable, and verifiable reductions or, by unilaterally reducing our forces, we can make a mockery of the only process that leads us toward meaningful arms control.”

– President Ronald Reagan, National Security Message to the Congress, June 3, 1986

“The nation's plans for our strategic forces are in disarray—from ASAT, to SDI, to the Small ICBM. We do not know how these programs relate to each other nor do we understand how they relate to the Administration's efforts at arms control.”

– Sen. Carl Levin (D-MI), on strategic force acquisition and arms control talks, July 1986

“We've got to have several sets of agreements ... a consensus in the Senate and a congressional consensus [with the House]. During that, we hope the congressional and executive branches will form a consensus ... until we do that, I don’t think we are going to have an agreement with the Superpowers.”

– Sen. Sam Nunn (D-GA), on executive-legislative talks on weapons acquisition and arms control, July 1991

Employing a Method of Structured, Focused Comparisons. The above comments from President Reagan (a nuclear Hawk), and two key legislative policy elites (one Dove, one Owl) illustrate the problems of inter- and intra-branch coordination and consensus building on strategic weapons acquisition and related arms control cases examined in this study. The previous chapter established case study analytical narratives and used a process tracing method to use observed manifestations within cases to identify possible causal mechanisms of congressional influence on arms control efforts. This chapter compares patterns across these cases within the sub-class, the influence of Congressional weapons procurement actions on U.S. nuclear strategy and arms control stances, where making authorization and appropriations for strategic weapons may be linked causally to specific foreign policy outcomes.

As addressed in Chapter Three, the case analysis approach uses a method by George (2004) of structured, focused comparisons to convert descriptive case explanations into analytic explanations comprised of variables that make use of an inductive approach for theory building.


Across-Case Analysis on Strategic Weapons and Arms Control Negotiations. Across case analysis allows specific observations to be made regarding congressional threat perceptions, support for strategic nuclear weapons acquisition and linkage to the preferred congressional arms control policy and strategy influences on U.S. policy and strategy. Figure 7.1 below summarizes the outcomes across cases of both congressional actions on strategic weapons acquisition and related arms control negotiations at the end of the Cold War.

**Figure 7.1**
Strategic Weapon Acquisition, Arms Control Negotiation Outcomes, 1973-1993

<table>
<thead>
<tr>
<th>Forum</th>
<th>Level I Agreement</th>
<th>Deployed Weapons</th>
<th>Weapons Capability</th>
<th>Met Security Objectives</th>
<th>Met FPE Preferences</th>
<th>Level II Ratification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bi-Lateral Negotiation Forum</td>
<td>Results in a signed Agreement or No Agreement</td>
<td>Weapons System fully or partially deployed, cancelled, or delayed by Congress?</td>
<td>Capability unlimited or limited in range, technology or availability by Congress?</td>
<td>Outcome mitigated original threat justifying weapon(s)</td>
<td>Outcome achieved FPE preferred policy &amp; strategy objectives</td>
<td>Final Disposition of Level I agreement</td>
</tr>
<tr>
<td>SALT II</td>
<td>Agreement</td>
<td>B-1: Cancelled MX/MPS: Cancelled</td>
<td>Unlimited</td>
<td>Failure</td>
<td>No</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>INF</td>
<td>Agreement</td>
<td>P-II/GLCM: Full Deployment</td>
<td>Unlimited</td>
<td>Success</td>
<td>Yes</td>
<td>Ratified</td>
</tr>
<tr>
<td>START I</td>
<td>Agreement</td>
<td>MX/PIMS: Partial MX RG: Cancelled SICBM: Cancelled</td>
<td>Limited</td>
<td>Success</td>
<td>Partially</td>
<td>Ratified</td>
</tr>
<tr>
<td>ASAT</td>
<td>No Agreement</td>
<td>F-15 ASAT: Cancelled</td>
<td>Limited</td>
<td>Failure</td>
<td>No</td>
<td>No Agreement</td>
</tr>
<tr>
<td>DST</td>
<td>No Agreement</td>
<td>All SDI/BMD Programs: Delayed/R&amp;D only</td>
<td>Limited</td>
<td>Failure</td>
<td>No</td>
<td>No Agreement</td>
</tr>
</tbody>
</table>

Figure 7.1 shows mixed results across the cases of arms control agreements, weapons acquisition, threat mitigation and successful FPE grand strategy; it identifies across-cases results where arms control agreements were negotiated at Level I, subject to Level II inter-branch negotiation of win-sets. Of five cases, only one outcome (INF) is observed where actual weapon systems subject to control were fully acquired as planned, where security threats mitigated and treaties ratified and implemented at the domestic level. In other instances (ASAT/DST, SDI/DST), no Level I agreements occurred, no weapon system was ultimately deployed, original
threats were not mitigated, original FPE preferences satisfied, and no opportunity for Level II treaty ratification was even possible. Another outcome (SALT II) saw an agreement signed, but soon withdrawn, with weapons systems cancelled and limited, and national security goals and FPE preferences unsatisfied. Finally, one outcome (START I) reflects a completed and ratified treaty and security objectives achieved, with only limited and partial capabilities deployed and FPE preferences partially satisfied.

What observations and inferences can be made across these cases that suggests possible causal patterns of behavior and the existence and influence of congressional Intervening Variable(s)? The observations made in this chapter are based on content analysis of the data sets and assessment of the perspectives of professional congressional and executive branch staff drawn from subject interviews conducted.

Research data from the cases is organized using a common coding scheme to establish reliable indicators for conceptual validity across all cases of possible Intervening Variables towards U.S. foreign policy and grand strategy. Data analysis across all cases – based on the coding scheme discussed in Chapter Three – suggests general patterns of behavior of the Intervening Variables, including the relative influence of Nuclear Hawks, Doves and Owls on weapons decisions made in the defense authorization and appropriations committees and on the floors of the respective chambers, and on subsequent arms control outcomes. Empirical data is organized and coded based on a three-level code scheme with weighted valuation at each level (primary/secondary/tertiary, see Appendices A-8 Data Set Coding Tree).

The primary level characterizes the main areas of congressional behavior to be measured and observed:

- Elite perceptions of External Threat;
- Degrees of Nuclear Weapons Acquisition (AQ) Support in Congress;
• Degrees to which Congress perceives these weapons systems *Support Arms Control Goals*;
• The symbiotic relationship between *Weapons Acquisition and Arms Control* outcomes.

The secondary and tertiary codes allow further refinement that characterizes elite perceptions and activities, such as the level of acquisition support and value (to detect the philosophical influence of Hawk/Dove/Owl perspectives), whether weapons acquisition advanced arms control progress or vice versa, and the types of innovative procedures employed to advance congressional preferences.

**Content Analysis:** Content analysis was conducted on the three data sets compiled in the research phase of the study. Each data set was used to analyze congressional behavior and the strength of defense committee views across cases on strategic weapons procurement and arms control policy.

*Congressional Bills/Reports Analysis.* Figure 7.4 shows a code-weighted statistics table based on the coding of all 143 reports and 2,206 excerpts from those reports, covering the 1973-1993 timeframe, and of the specific weapons systems within the five cases examined. Filtering the data set by weapons system allows each weapon to be isolated and code-weighted statistics to be generated. Code-weighting differs across individual weapons system excerpts because each weapons system is addressed separately in the annual authorization and appropriation bills in terms of how it addresses the perceived external threat, its level of committee support for R&D or procurement and the weapon’s perceived relationship to ongoing arms control talks. Included in the *Bills/Reports* data set are not only majority views reflected in official committee reports and bill language, but also the ‘dissenting and additional views’ of individual members contained in those reports. Individual views are often addressed in a threat and program specific manner. In
this way the Bills/Reports data contains an assessment of all committee members and factions expressing views on weapons acquisition and related arms control issues.

**Figure 7.4**

**Code-Weighted Statistics by Case and Individual Weapons Systems**

<table>
<thead>
<tr>
<th>DESCRIPTORS</th>
<th>ALL CASES</th>
<th>B-1-SALT II</th>
<th>MX/MP-SALT II</th>
<th>P-II/GLCM-INF</th>
<th>ASAT - DST</th>
<th>MX/SICBM-START</th>
<th>SDD-DST</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Count</td>
<td>Min Mean</td>
<td>Min Max Mean</td>
<td>Min Max Mean</td>
<td>Min Max Mean</td>
<td>Min Max Mean</td>
<td>Min Max Mean</td>
</tr>
<tr>
<td>Soviet Threat</td>
<td>340</td>
<td>1 5 3.6</td>
<td>2 5 3.5</td>
<td>1 5 3.8</td>
<td>3 5 3.8</td>
<td>1 4 3.2</td>
<td>2 5 3.6</td>
</tr>
<tr>
<td>Rising</td>
<td>194</td>
<td>1 5 4</td>
<td>3 5 4.1</td>
<td>1 5 4.1</td>
<td>3 5 4.1</td>
<td>3 5 4</td>
<td>3 5 4.2</td>
</tr>
<tr>
<td>Falling</td>
<td>34</td>
<td>2 5 3.2</td>
<td>3 5 3.8</td>
<td>5 5 5</td>
<td>5 5 5</td>
<td>5 5 5</td>
<td>2 5 3.2</td>
</tr>
<tr>
<td>Parity with U.S.</td>
<td>103</td>
<td>1 5 3.4</td>
<td>3 5 3.6</td>
<td>1 5 3.3</td>
<td>2 5 3.3</td>
<td>3 4 3.5</td>
<td>2 5 3.5</td>
</tr>
<tr>
<td>Weapons AQ Support</td>
<td>986</td>
<td>1 5 3.1</td>
<td>1 5 3.3</td>
<td>1 5 3.1</td>
<td>1 5 3.2</td>
<td>1 5 2.8</td>
<td>1 5 3.1</td>
</tr>
<tr>
<td>Program Concerns</td>
<td>137</td>
<td>1 5 3.6</td>
<td>1 5 3.6</td>
<td>3 5 3.8</td>
<td>3 4 3.6</td>
<td>3 5 3.6</td>
<td>2 5 3.8</td>
</tr>
<tr>
<td>Cost</td>
<td>86</td>
<td>1 5 3.6</td>
<td>1 5 3.5</td>
<td>3 5 3.6</td>
<td>5 5 5</td>
<td>4 5 4.5</td>
<td>2 5 3.7</td>
</tr>
<tr>
<td>Schedule</td>
<td>37</td>
<td>1 5 3.5</td>
<td>1 5 3.3</td>
<td>3 5 4</td>
<td>3 4 3.3</td>
<td>3 4 3.7</td>
<td>4 4 4</td>
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<tr>
<td>Performance</td>
<td>42</td>
<td>1 5 3.5</td>
<td>1 5 3.6</td>
<td>3 4 3.7</td>
<td>3 3 3</td>
<td>3 4 3.6</td>
<td>3 4 3.3</td>
</tr>
<tr>
<td>Overall NuWeap Support</td>
<td>74</td>
<td>1 5 3.2</td>
<td>1 5 3.1</td>
<td>1 5 3</td>
<td>3 4 3.7</td>
<td>1 1   1</td>
<td>1 5 3.4</td>
</tr>
<tr>
<td>Counterforce/Damage Limitation</td>
<td>100</td>
<td>1 5 3.1</td>
<td>1 5 3.5</td>
<td>1 5 3</td>
<td>1 4 1.6</td>
<td>1 4 3</td>
<td>1 5 3</td>
</tr>
<tr>
<td>Cost/Arms Race Stability</td>
<td>75</td>
<td>2 5 4.7</td>
<td>4 5 4.8</td>
<td>3 5 4.8</td>
<td>5 5 5</td>
<td>2 5 4</td>
<td>4 5 4.8</td>
</tr>
<tr>
<td>Vulnerability/Crisis Stability</td>
<td>101</td>
<td>1 5 3.6</td>
<td>1 5 3.9</td>
<td>1 5 3.7</td>
<td>1 4 2.5</td>
<td>3 4 3.8</td>
<td>1 5 3.5</td>
</tr>
<tr>
<td>R&amp;D Support</td>
<td>451</td>
<td>1 5 3.4</td>
<td>1 5 3.5</td>
<td>1 5 3.5</td>
<td>1 5 3.4</td>
<td>1 5 3.1</td>
<td>1 5 3.3</td>
</tr>
<tr>
<td>Proc Support</td>
<td>241</td>
<td>1 5 3.2</td>
<td>1 5 3.5</td>
<td>1 5 2.6</td>
<td>1 5 3.6</td>
<td>1 4 2.8</td>
<td>1 5 2.9</td>
</tr>
<tr>
<td>Proc Value</td>
<td>200</td>
<td>1 5 3.5</td>
<td>1 5 3.7</td>
<td>1 5 3.6</td>
<td>3 4 3.7</td>
<td>1 5 3.1</td>
<td>1 5 3.3</td>
</tr>
<tr>
<td>Military Capability</td>
<td>138</td>
<td>1 5 3.6</td>
<td>1 5 3.8</td>
<td>1 5 3.7</td>
<td>3 5 3.8</td>
<td>1 4 3.1</td>
<td>1 5 3.4</td>
</tr>
<tr>
<td>Bargaining Chip</td>
<td>16</td>
<td>1 4 3.4</td>
<td>3 3 3</td>
<td>3 3 3</td>
<td>4 4 4</td>
<td>3 4 3.5</td>
<td>4 4 4</td>
</tr>
<tr>
<td>Enhanced Stability</td>
<td>96</td>
<td>1 5 3.8</td>
<td>4 5 4.4</td>
<td>4 5 4.1</td>
<td>3 4 3.5</td>
<td>1 5 3.6</td>
<td>1 5 3.5</td>
</tr>
<tr>
<td>Arms Control Support</td>
<td>108</td>
<td>1 5 3.8</td>
<td>4 5 4.3</td>
<td>1 5 3.4</td>
<td>1 5 3.5</td>
<td>3 5 3.8</td>
<td>1 5 3.8</td>
</tr>
<tr>
<td>AQ-Arms Control Linkage</td>
<td>62</td>
<td>1 5 3.8</td>
<td>1 5 3.1</td>
<td>1 5 3.9</td>
<td>1 5 3.5</td>
<td>2 5 3.8</td>
<td>1 5 3.8</td>
</tr>
<tr>
<td>Promote Policy Preferences</td>
<td>37</td>
<td>1 5 4.7</td>
<td>3 5 4.7</td>
<td>3 5 4.4</td>
<td>3 5 4.3</td>
<td>3 5 4.7</td>
<td>3 5 4.6</td>
</tr>
<tr>
<td>Links AQ to A/C progress</td>
<td>68</td>
<td>1 5 3.8</td>
<td>2 4 3</td>
<td>4 5 4.4</td>
<td>1 4 3</td>
<td>2 5 3.8</td>
<td>3 5 3.9</td>
</tr>
<tr>
<td>AQ progress promotes A/C goal</td>
<td>120</td>
<td>1 5 3.7</td>
<td>3 5 3.7</td>
<td>1 5 2.4</td>
<td>1 5 3.2</td>
<td>1 4 2.8</td>
<td>1 5 3.7</td>
</tr>
<tr>
<td>Use Innovative Procedure</td>
<td>32</td>
<td>1 5 4</td>
<td>3 5 3.9</td>
<td>3 4 3.4</td>
<td>3 4 3.5</td>
<td>2 5 4.1</td>
<td>3 5 4</td>
</tr>
<tr>
<td>Weapons Funding</td>
<td>111</td>
<td>1 5 3.8</td>
<td>3 5 3.8</td>
<td>3 4 3.3</td>
<td>3 3 3</td>
<td>3 5 4.3</td>
<td>3 5 4.1</td>
</tr>
<tr>
<td>Expert Commissions</td>
<td>16</td>
<td>3 5 3.9</td>
<td>4 4 4</td>
<td>4 4 4</td>
<td>3 5 3.9</td>
<td>3 4 3.8</td>
<td>1 5 4.7</td>
</tr>
<tr>
<td>Legislative Vetoes</td>
<td>20</td>
<td>1 5 4</td>
<td>1 4 3</td>
<td>1 4 3.3</td>
<td>1 4 4</td>
<td>3 5 4.5</td>
<td>3 5 4.5</td>
</tr>
<tr>
<td>New Group Franchises</td>
<td>16</td>
<td>1 5 4.4</td>
<td>3 5 3</td>
<td>3 4 3.4</td>
<td>3 5 4</td>
<td>4 5 4.5</td>
<td>3 5 4</td>
</tr>
<tr>
<td>Mandates &amp; Conditions</td>
<td>21</td>
<td>1 5 4.1</td>
<td>3 5 3</td>
<td>3 4 3.4</td>
<td>3 5 4</td>
<td>4 5 4.5</td>
<td>3 5 4</td>
</tr>
<tr>
<td>Studies &amp; Report Rpts</td>
<td>182</td>
<td>3 5 4.1</td>
<td>3 5 4</td>
<td>3 4 3.2</td>
<td>3 4 3.5</td>
<td>1 5 4.3</td>
<td>3 5 3.9</td>
</tr>
</tbody>
</table>

- **Soviet Threat.** This descriptor provides characterization of congressional defense elite perceptions of the external threat environment and allows a determination of elite perceptions of a ‘rising’ or ‘falling’ threat level, or alternatively whether the Soviet nuclear threat reflected a condition of ‘nuclear parity’ with the United States. Threat perceptions generally served as a basis for committee activities on annual presidential budget requests for weapons programs.\

3 Mean scores are used here for this analysis. Median code-weighted scores are also included in Appendices.

4 Defense Committee threat analysis—based on member and professional staff assessment of global threats, as informed by Intelligence Community and Pentagon leaders in threat/posture hearings—is typically articulated in the front sections of the
Observations on Soviet Threat: Overall threat perception across cases reflects a relatively high level of committee concern over the Soviet threat, which generally concurs with FPE perceptions throughout the late Cold War period. These measures indicate that defense committee support for most weapons systems were, however, conditioned by concerns over systems cost and arms race instability, even as they collectively contributed to crisis stability and force survivability.

This is especially evident regarding counterforce military capability, where acquisition support was conditional. There was a recognized need for enhanced military capability (to support evolving U.S. nuclear employment policy and doctrine), but support was conditioned by other concerns, often viewed as amenable through arms negotiations (e.g. force survivability). Content analysis of the Soviet threat-related data indicates that defense committee majorities generally reflected a Hawk-Owl orientation towards external threats, with Doves typically in the minority.

Analysis: Perception across cases reflects a relatively high Soviet threat (3.6 mean/3 median on a 1-5 weighted scale) that parallels FPE perceptions, although the variance differed within this period (generally along the lines of the three phases of the late Cold War era).\(^5\) The high level is an acknowledgment that continued U.S. nuclear weapons modernization was based on a perceived Soviet military threat that had grown rapidly in the 1970s, despite SALT I arms control agreements. Statistics on a perceived threat indicate that the defense committees were more inclined in this period to see the United States facing either a rising Soviet threat, or one in committee reports, usually prior to detailing of the committee’s programmatic actions. Threat overview sections from committee reports form the basis of coding of committee and member views. The sequential ordering of ‘threat’ + ‘program responses’ in the reports strongly implies that these threat assessments are reflected in a committee’s programmatic actions.

\(^5\) The first phase (‘détente) of the late Cold War (1973-76) saw generally lower elite concerns over Soviet threat; the second phase (1977-86) saw concern over implications of Soviet parity evident in Soviet foreign policy behavior and continued growth of its heavy ICBM capabilities. The final phase of 1987-93 (the Gorbachev period) saw a slight reduction in threat concerns, as elites perceived greater opportunities for arms control and greater US-Soviet cooperation. The milestones for this phase would be post-Reykjavik Soviet arms control concessions and signing of the INF Treaty in 1987.
which the Soviet Union had achieved nuclear parity; The dominant perception was of a ‘Rising’ Soviet threat (4.0 mean), followed by ‘Parity’ (3.4) and ‘Falling’ threat (3.2). Perceptions of a ‘falling’ Soviet threat generally are found in three areas: excerpts from either the détente phase of the late Cold War (from 1973-1977) and the final phase (the ‘Gorbomania’ phase from 1986-1993), when reduced tensions reflected increased summity and arms control progress, or from dissenting Doves on the defense committees. Doves generally dominated the ‘dissenting views’ excerpts as well as generating the largest share of floor amendments.

- **Weapons AQ Support/Overall NuWep Support.** This is an indicator of overall defense committee support for nuclear weapons in the President’s Budget (PB). This can be measured by report and program language as well as by willing to support the requested PB funding levels.

  **Observations on Weapons Acquisition Support:** Support for nuclearategic weapons requests varied widely across the five cases. The highest-to-lowest program acquisitions (mean) were:

<table>
<thead>
<tr>
<th>Priority for Support</th>
<th>Mean</th>
<th>Acquisition/Agreement Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pershing/GLCM</td>
<td>(3.7)</td>
<td>Deployed/successful agreement</td>
</tr>
<tr>
<td>MX/SICBM</td>
<td>(3.4)</td>
<td>Partially deployed/successful agreement</td>
</tr>
<tr>
<td>B-1 bomber</td>
<td>(3.1)</td>
<td>Cancelled/agreement (withdrawn)</td>
</tr>
<tr>
<td>MX/MPS</td>
<td>(3.0)</td>
<td>Cancelled/agreement (withdrawn)</td>
</tr>
<tr>
<td>SDI</td>
<td>(2.0)</td>
<td>No deployment/no agreement</td>
</tr>
<tr>
<td>ASAT</td>
<td>(1.0)</td>
<td>Cancelled/no agreement</td>
</tr>
</tbody>
</table>

This indicates a high correlation between levels of congressional support, eventual system deployment and successful arms agreements. Levels of weapons support were also conditioned by committee perceptions of the weapon’s possible effect on arms race dynamics and crisis stability. This is also illustrated in committee’s prioritized support based on secondary-level indicators, *Counterforce/Damage Limitation, Cost/Arms Race Stability, Force Vulnerability/Crisis Stability:*
Defense committee acquisition support, this suggests, was perhaps more affected by cost and stability concerns than for advanced counterforce capabilities. This is somewhat counter-intuitive to the stereotype of defense committees always defaulting to the most hawkish position. This also has possible implications as well for likely arms control preferences by congressional defense elites.

**Analysis:** For general weapons acquisition support, the mean for all cases is 3.1, somewhat above the ‘moderate’ support range and the ‘overall support’ figure for strategic/nuclear weapons is in the “conditional-to-high” range, with SDI R&D support extremely low and ASAT procurement having virtually no support. Comparative support by weapons system shows that across all weapons, only the B-1 bomber’s counterforce capability scored very high (3.5) in the **Counterforce/Damage Limitation** category, while measures for **Cost/Arms Race Stability** are high for all programs, indicating defense committees’ concern for either procurement cost containment (always a major congressional concern) or the prospect that procurement could lead to a classic ‘action-reaction’ (arms race) phenomena absent a negotiated arms control constraint. The **Vulnerability/Crisis Stability** criteria reflect higher numbers for all weapons systems as well, indicating a strong interest in weapons systems seen as reducing the vulnerability of U.S. nuclear retaliatory systems in a crisis or war, thereby improving overall deterrence.

Lower weights assigned to the MX missile, both in its MPS basing and in existing silos, could also reflect the mid-1970s counterforce debate in public venues, which accompanied the announcement of a counterforce doctrine in U.S. declaratory policy, with the MX representing
the capability needed to implement that new policy. While the committees generally endorsed the doctrine and weapons acquisition implied by doctrine, Doves strongly dissented to it.

- **R&D Support versus Procurement Support.** These two indicators compare the relative support for weapons programs in their research and development and procurement stages, which traditionally varies in strength as programs advances through the acquisition milestones.

  **Observations on R&D vs. Procurement Support:** Generally, support in the case studies for weapons research and development is much stronger relative to support for procurement. The higher support for R&D over procurement for all weapons also reflects a strong intent to support early R&D at a more vigorous pace in the hopes (held by many Doves and some Owls) that early demonstration of commitment translates into bargaining leverage for the state in Level I negotiations and later avoidance of actual production and deployment. In essence this is a ‘bargaining chip’ rationale, and indicates that Congress, even defense committees, tends to value strategic weapons systems subject to arms control higher in the R&D phase than in procurement for that reason.

  **Analysis:** This R&D-to-Procurement relationship in the case studies is counter-intuitive to an “iron triangle” or “pork-barrel” theory of weapons development, and perhaps reflects an important difference between strategic weapons (as symbols as well as tangible instruments of national power) that are subject to arms control and “ordinary” non-strategic, non-controlled military programs. In defense programs not subject to international arms control (this includes non-strategic weapons), the inverse is normally true, since legislators value these weapons higher in the procurement phase (because of the economic impact related domestic defense industry jobs) than in the R&D phase.

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6 The sole case exception was the Pershing II/GLCM case (3.4:3.6 mean), where there was also strong, unified support for the FPE’s procurement request and INF arms control strategy, which had important foreign policy implications.
However, rejecting a pork-barrel explanation, higher support for R&D over procurement is more typical of a tendency for legislative bodies to support strategic weapons in the earlier (and less expensive) R&D phase, but to balk when decisions require either greater outlays for procurement and deployment phases, or when such programs force difficult tradeoffs in arms negotiations and force structure. Overall the difference for cases is not large (3.4:3.2), but is higher for certain weapons systems such as MX/MPS (3.5:2.6), MX/SICBM (3.3:2.9) and greatest for SDI (3.2:2.4). These are systems that saw no or limited (MX in silos) deployment. These systems also saw diminished support among Doves and some Owls as these programs moved from the early R&D phases and approached actual procurement and deployment decisions.

- **Procurement Value.** Procurement value measures the degree to which defense committees perceive the weapon system contributes to overall nuclear deterrence as opposed to a program that exists primarily for its value as a ‘bargaining chip’; the higher the perceived procurement value, the higher the perceived contribution to deterrence.

Observations on Procurement Value: Defense committees generally valued weapons across the cases more for their military capability and stability enhancement value than as arms control bargaining chips. Strategic weapons valuation more generally reflected a Hawk-Owl alignment. Consistently, dissenting Doves perceived weapons more for their value as bargaining chips.

Analysis: The spread of defense committee valuation across all cases is more evenly distributed, with the highest level reserved for Enhance Stability (3.8) followed by Military Capability (3.6) and Bargaining Chip (3.4). These reflect the perspectives of Owls, Hawks and

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7 For example, legislatures may be less willing to support procurement when (a) they have concerns about the stability implications of proceeding towards deployment, or (b) when numerical constraints force choices between different triad elements (this is where a bureaucratic politics or iron triangle scenario may become relevant), or (c) there is reluctance to procure an expensive weapon system that may soon be scrapped in a future arms agreement.
Doves, respectively. The valuation of enhanced stability was greater in each weapons system relative to military capability except for higher levels for Pershing II/GLCM (4.0) and MX/SICBM (4.0) as ‘bargaining chips.’ In the case of Pershing II/GLCM, because Procurement Support was so high and full deployment occurred as scheduled, this reflects the high level of support for both the 1979 NATO ‘dual track’ strategy and support for the Reagan Zero INF proposal, despite great skepticism by Doves. Both implied that a successful arms agreement would obviate the need to deploy these weapons, or at least for an extended period. For the MX and Small ICBM, neither system was ever fully deployed (SICBM not at all) and some in the Scowcroft Commission camp hoped that the initial 50 MX missiles-in-silos, coupled with a mandated and vigorous SICBM R&D program, would provide sufficient leverage for a START breakthrough without deployment of either a full 100 MX missiles or an expensive mobile Small ICBM. ASAT was valued more for its use as a bargaining chip than for its military capability (3.5 versus 3.1), but was also valued (albeit as an R&D program only and hedge against a renewed Soviet ASAT effort) as a contribution to crisis stability (3.6). Low valuation for B-1 and MX/MPS may reflect the fact that Carter canceled B-1 procurement early in his term (although it continued as a R&D test bed), and the relatively low value assigned to the expensive and complex (and arguably, easily defeated) MPS concept for MX.

- **Arms Control Support.** This descriptor charts the perception by defense committees that on-going weapons acquisition of a weapon system supports U.S. arms control negotiation objectives.

  **Observation on Arms Control Support:** For all cases, code-weighted analysis indicates a tendency to see weapons systems acquisition as conditionally supporting U.S. arms control
negotiations (a 3.8 mean, between ‘marginal’ and ‘conditional’). The determination of what the conditions might be is further examined in the AQ-Arms Control Linkage section below.

- **AQ-Arms Control Linkage.** This descriptor addresses defense committee beliefs that strategic acquisition decisions are linked to progress in negotiations and stated arms control goals. This essentially represents a self-assessment of their ability to influence the latter by adjusting the former.

  Observation on Acquisition and Arms Control Linkage: Congressional elites strongly believed in a conditional linkage between weapons acquisition and arms negotiation outcomes. The data supporting this observation (3.8 mean) is consistently strong across all programs. Secondary level data suggests that defense committees view their adjustments to strategic acquisition programs as a pathway to inject its institutional preferences on arms control policy and strategy.

  Analysis: The descriptor mean for Promote Policy Preferences, which measures elites view that committee adjustments to weapons programs further congressional influence and policy preferences on arms control, is very high (4.7 mean overall, with a 4.3 or higher across all programs). A second descriptor, Links AQ to Arms Control Progress, indicates the degree to which defense committees tended to link weapons acquisition decisions to either future progress on arms control negotiations or – as most clearly seen in the MX/MPS (4.4), ASAT (3.8), MX/SICBM (3.9) and SDI (4.0) decisions – the FPE’s willingness to consider or incorporate legislative preferences in U.S. arms control stances. This is strongest in the ICBM, SDI and ASAT programs, all programs seen as injecting military-technological innovations that could radically change the strategic status quo and perhaps provoke an unchecked arms race with the
Soviet Union. This tendency is found less in the B-1 Bomber and Euromissile programs, where congressional and defense committee support for deploying those modernization programs was consistently strong; thus their advancement to procurement (B-1 in its reincarnation under Reagan) was not impeded by either progress, or its absence, in arms control negotiations.

- **AQ Progress Promotes Arms Control Goals.** This descriptor indicates how defense committees perceive that progress towards procurement and/or actual deployment of an ongoing weapons program provides real bargaining leverage in Level I negotiation forums. The lower the weighted measure, the less arms control leverage the weapon is perceived to possess.

  **Observations on Acquisition Progress Promotes Arms Control:** Intuitively, low levels of bargaining leverage for a weapons system would unlikely result in strong congressional support for procurement of that system. For example, programs with low or only some perceived leverage such as MX/MPS (2.4) and ASAT (2.8) were cancelled long before their deployment and not viewed as vitally important to achieving a successful agreement in their respective forums. Yet the overall weight in this category (3.7) represents a moderate-to-high degree of congressional belief in potential Level I arms control leverage across weapons in the case studies.

  **Analysis:** The lower levels of perceived leverage for MX/MPS and ASAT are perhaps related to the higher levels of technical **Program Concerns** (3.8 for both), low **Procurement Support** (2.6 and 2.8, respectively) and the tendency for these programs to receive a high degree of congressionally-imposed program restrictions. These factors contributed to lackluster legislative confidence in these programs, which may also affect congressional perceptions of arms control leverage.

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8 These innovations are highly accurate counterforce capability (ICBMs), a revolutionary impact on the existing deterrence regimes (SDI), or a controversial capability affecting existing control regimes (ASAT).
The relatively high degree of perception of arms control leverage (3.7) for the MX and Small ICBM programs indicates the high degree of consensus within the defense committees (at least in the early years) on the Scowcroft Commission findings; particularly the value given to a near-term MX deployment (its bargaining leverage being its placing Soviet silos at risk) and Small ICBM (a bold effort to force-design future strategic force structures). Not surprisingly, given the value the Soviets exerted to stopping it, the perception of SDI bargaining leverage is relatively high (3.6). The Pershing/GLCM case is an anomaly. Its mean score (3.2) is surprisingly low given congressional perception of its high value as a Bargaining Chip (4.0, high conditional value), as well as high scores on Procurement Support and Procurement Value (where the program is also highly valued for its Military Capability and to a lesser degree, Enhanced Stability).9

- **Innovative Legislative Procedure.** This indicator looks at how the defense committees’ attempt to influence through creative legislative procedure, and their self-justification in using these tools to gain or advance congressional preferences through defense committee (or chamber floor), adjustments to the PB request. The higher the score, the greater sense that use of a specific procedural tool is a “necessary and proper” oversight mechanism.

Observations on Legislative Innovation as a Causal Factor: Expressions of legislative preference alone (through non-binding ‘sense of Congress’ resolutions, or stand-alone legislation that can get sidelined on the busy chamber floors) do not provide leverage in Level II bargaining. However the annual defense authorizing and spending bills provide considerable bargaining leverage. From the committee perspective, such usage is not only a constitutional prerogative,

9 Another possible reason is the relatively high value within all committee reports for European missiles’ military capabilities as a counter-balance to Soviet SS-20s. While arms control was inherent in NATO’s dual track bargaining strategy, the pro-defense committees were more strongly supportive of the deployment track than the arms control track; the arms control track was favored more in the committees’ dissenting views (and on the chamber floors) than in in the defense committee majority reports.
but is also highly desirable and provides necessary oversight to FPE activities. The ability of defense committees to integrate explicit procedures into these legislative vehicles combines a willingness to act on their independent perceptions of external threats and opportunities, along with their support for weapons procurement, to shape the future strategic force structures subject to Level I negotiation through concrete legislative means. The most typical leverage employed was a constraint on overall *Weapons Funding*, often applied together with other procedural means to promote legislative preferences. However, the most popular and frequently procedures across the five cases were *Mandates and Conditions* and *Studies and Reporting Requirements*.

**Analysis:** Using the budgetary process reforms of the 1970s, defense committees increasingly found creative ways to force the FPE to consider, or at least negotiate over, their policy preferences. The procedures used conditioned funding to FPE actions that required executive transfer of information, mandated certain actions, or created groups within the national security bureaucracy that could monitor or actively promote legislative preferences.

The weighted average indicator for all cases is extremely high (generally 4.0 or better) for using innovative procedure to gain or advance congressional arms control preferences through adjustments to the annual PB request and program oversight. The lowest score is on the MX/MPS program (3.4); this program, which matured in the mid-to-late 1970s, was in many ways the test vehicle for applying innovative procedures in the immediate post-Watergate/Vietnam period to major defense acquisition programs. Many of the procedures applied to the MX/MPS program were applied in greater degree and with higher frequency in later strategic programs; however, the Pershing/GLCM programs (3.5) received by far the least legislative procedural applications of all programs in the cases examined, again indicating a high
degree of satisfaction with these programs annual PB requests, and possibly the FPE negotiating strategy.

The highest application of innovative procedure is found in SDI (4.0), ASAT (4.1) and the MX and SICBM (4.0). These were all programs that experienced: (1) a low level of actual deployment (MX) or no deployment (Small ICBM, ASAT, SDI); (2) the most revised, mandated and ‘micromanaged’ programs of military capabilities by Congress; (3) a failure to meet the security objectives for which the weapon was created (ASAT, SDI) and; (4) an unsatisfied FPE’s preference for a ‘unity of strategy and arms control’ (ASAT, SDI and to some extend, the MX); and (5) no Level I treaty or agreement (ASAT, SDI).

A typical means employed to revise the PBR was overall Weapons Funding, since appropriations typically represents the most effective leverage in Level II bargaining. “The Purse” was viewed by the defense committees (and any successful action within the full chamber) as a constitutional prerogative of Congress – what Yoo (2009) terms a ‘functional veto’ to constrain executive actions. The most frequent funding adjustments came in the MX, ASAT, and SDI programs; the lowest degree of funding adjustments occurred in the Pershing/GLCM program (3.0). Yet Mandates and Conditions constituted the largest number of coded instances within the data sets (214 instances and a mean of 4.1), followed by Studies and Reporting Requirements (182 instances and mean of 4.1). These and other tools in the descriptor list were frequently employed to articulate and implement congressional preferences in authorization and appropriations bills.

A summary of the observations across all case studies based on the coded Congressional Bills/Reports data sets is found in Figure 7.5 (below).
House and Senate Floor Amendments. While allowing separation by committee, committee report coding does not reflect an assessment of weighted codes into majority and minority views. However, as most floor amendments are offered by ‘dissenting’ defense committees members (or of the same faction), the Floor Amendments data set is be used as a surrogate to assess the strength of dissenting policy views within the larger chambers. This also allows observations to be made as to the strength of the different factions within each chamber.

The Floor Amendments data set incorporates 438 amendments offered for defense authorization and appropriations bills covering FY74–FY94. The data set allows observations on the number, success or failure of amendments by typology (Hawk, Doves, Owls) as well as the tracing of tactical floor alliances within those types (Hawks-Owls and Doves-Owls, and in one instance, Hawks-Doves). The data set also allows assessment of amendments across weapons systems in the five case studies, amendments explicitly tied to arms control activities by the FPE, and those that were not explicitly tied, but had some implicit influence on U.S. bargaining leverage in Level I by virtue of whether a weapon was deployed, in what numbers and with what military capabilities.

The data set also captures the procedural means by which any given amendment would affect the program, identifying whether the amendment:

(a) affected program authority or appropriation funds;
(b) placed restrictions or mandates on program activities;
(c) levied reporting requirements; or
(d) imposed other legislative restrictions or conditions on the program.

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10 This requires establishing a separate data set of only dissenting/additional views, which could be addressed in future analyses.
### Figure 7.5
**Observations from Data Set Content Analysis**

<table>
<thead>
<tr>
<th>Committee/Conference Manifestation</th>
<th>Key Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Soviet Threat</strong></td>
<td>• Committee concern over the Soviet threat generally concurred with the FPE throughout the late Cold War; this correlation did not mean that they always supported FPE program priorities</td>
</tr>
<tr>
<td></td>
<td>• Given a condition of nuclear parity, committee support for most weapons were conditioned by concerns over arms race instability related to possible Soviet response capabilities</td>
</tr>
<tr>
<td></td>
<td>• Defense committee majorities generally reflected a Hawk-Owl orientation towards external threats, with Doves typically in the minority.</td>
</tr>
<tr>
<td><strong>Weapons Acquisition Support</strong></td>
<td>• Strong correlation between levels of congressional support, eventual system deployment and successful arms agreements</td>
</tr>
<tr>
<td></td>
<td>• Levels of support were conditioned by committee perceptions of the weapon’s possible effect on arms race dynamics and crisis stability</td>
</tr>
<tr>
<td></td>
<td>• Defense committee acquisition support was more affected by cost and stability concerns than for procuring advanced counterforce capabilities</td>
</tr>
<tr>
<td></td>
<td>• Possible implications of these concerns for arms control preferences by congressional elites.</td>
</tr>
<tr>
<td><strong>R&amp;D vs. Procurement Support</strong></td>
<td>• Defense committees tend to value strategic weapons subject to arms control higher in a R&amp;D than in a Procurement phase</td>
</tr>
<tr>
<td></td>
<td>• R&amp;D-to-Procurement relationship is counter-intuitive to an “iron triangle” or “pork-barrel” theories, reflecting the difference between strategic weapons subject to arms control and “ordinary” military procurements</td>
</tr>
<tr>
<td></td>
<td>• Legislators support such strategic weapons in earlier R&amp;D phase, and may object when:</td>
</tr>
<tr>
<td></td>
<td>(a) pending procurement decisions require greater outlay of resources, or</td>
</tr>
<tr>
<td></td>
<td>(b) there are concerns over stability implications of proceeding towards deployment, or</td>
</tr>
<tr>
<td></td>
<td>(c) when numerical constraints force choices between different triad elements, or</td>
</tr>
<tr>
<td></td>
<td>(d) there is reluctance to procure an expensive weapon system that may be scrapped in a future arms agreement</td>
</tr>
<tr>
<td><strong>Procurement Value</strong></td>
<td>• Defense committees generally valued weapons across the cases more for their military capability and stability enhancement value than as arms control bargaining chips</td>
</tr>
<tr>
<td></td>
<td>• Strategic weapons valuation more generally reflected a Hawk-Owl alignment.</td>
</tr>
<tr>
<td><strong>Arms Control Support</strong></td>
<td>• Defense committees tend to see weapons systems acquisition as conditionally supporting U.S. arms control negotiations.</td>
</tr>
<tr>
<td><strong>AQ-AC Linkage</strong></td>
<td>• Congressional defense elites tend to link strategic acquisition decisions to progress in on-going negotiations and state arms control goals</td>
</tr>
<tr>
<td><strong>AQ Supports AC Leverage</strong></td>
<td>• Defense elites strongly support a conditional linkage between weapons acquisition and arms negotiation outcomes</td>
</tr>
<tr>
<td></td>
<td>• Low levels of perceived bargaining leverage for a weapons system would unlikely result in strong congressional support for procurement of that system</td>
</tr>
<tr>
<td></td>
<td>• Disagreement exists over whether consistent funding profiles, or approved weapon activities, constitute the greatest bargaining leverage in Level I.</td>
</tr>
<tr>
<td><strong>Use of Innovative Procedure</strong></td>
<td>• Annual defense authorizing and spending bills provide considerable leverage for Level II bargaining and provides necessary oversight to FPE activities</td>
</tr>
<tr>
<td><strong>Weapons Funding</strong></td>
<td>• Defense committee and amendment activities that integrate explicit procedures into these legislative vehicles can shape future strategic force structures subject to Level I negotiation through concrete legislative means</td>
</tr>
<tr>
<td><strong>Mandate &amp; Conditions</strong></td>
<td>• The most typical leverage employed was a constraint on overall Weapons Funding, often applied together with other procedural means to promote legislative preferences</td>
</tr>
<tr>
<td><strong>Study/Report Requirements</strong></td>
<td>• Popular and frequently procedures across the five cases were Mandates and Conditions and Studies and Reporting Requirements.</td>
</tr>
</tbody>
</table>
When passed on the chamber floor and incorporated into a final conference bill signed by the FPE, specific program constraints become part of statutory law; some amendments also include ‘sense of the Congress’ amendments that, while non-binding, represent expressions of congressional preference and intentions. If the FPE routinely ignores these expressions, then future law may impose more binding constraints.

- **Amendment Success/Failure by Heuristic Group or Alliance.** Which of the three factions were most persuasive in promoting their program and policy preferences on the chamber floors? The question is relevant because it offers additional clues as to motivation for congressional policy activism and helps unravel the *under what conditions* component of the research question.

### Figure 7.6
**Distribution of Amendments by Heuristic Group or Alliance**

<table>
<thead>
<tr>
<th>Amendment Sponsor</th>
<th># OF 438</th>
<th>% OF 408</th>
<th># PASSED</th>
<th>SUCCESS RATE*</th>
</tr>
</thead>
<tbody>
<tr>
<td>HAWK</td>
<td>77</td>
<td>18.9</td>
<td>42</td>
<td>0.545</td>
</tr>
<tr>
<td>DOVE</td>
<td>213</td>
<td>52.2</td>
<td>95</td>
<td>0.446</td>
</tr>
<tr>
<td>OWL</td>
<td>58</td>
<td>14.2</td>
<td>50</td>
<td>0.862</td>
</tr>
<tr>
<td>HAWK-OWL</td>
<td>42</td>
<td>10.3</td>
<td>31</td>
<td>0.738</td>
</tr>
<tr>
<td>DOVE-OWL</td>
<td>18</td>
<td>4.4</td>
<td>14</td>
<td>0.777</td>
</tr>
<tr>
<td>Type Unknown11</td>
<td>30</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>438</strong></td>
<td><strong>100</strong></td>
<td><strong>232</strong></td>
<td><strong>0.569</strong></td>
</tr>
</tbody>
</table>

*408 known sponsors

Figure 7.6 identifies amendment sponsors by heuristic group and group success rates. Floor amendments were successful 56.9% of the time, indicating that when challenged the defense committee preferences were frequently amended by the full chamber. By far, Doves were the most prolific generator of floor amendments, offering almost half. This also correlates with the observation that Doves generated the majority of dissenting and additional views in the

11 The content and intent of these 30 amendments on weapons programs and arms control could reflect the views of any faction; Unless the sponsor(s) could be clearly identified as, and associated with, a particular type, these were not included in the analysis.
Bills/Reports data set. Because Doves were less likely to have their views prevail in the defense committees, they tended to appeal to a larger audience of their peers. The relatively small number of Hawk or Owl amendments is another indicator that the policy preferences of Hawks and Owls most often dominated the defense committees. Another explanation for the higher amount of the Doves’ amendment offerings could be attributed to the majority party’s leadership sympathy for the Dove position.\textsuperscript{12} Given the Democratic majority control of Congress during most of these years, this could be especially true in the House, where the Rules Committee, controlled by the Speaker, frequently dictates the number and type of floor amendments allowed on any bill.

However, Doves were also less successful in pressing their preferences on the chamber floor; their “batting average” in floor amendments was the lowest of the three groups (.446), even lower than all tactical alliances formed across heuristic groups. Both Hawks and Doves had greater success when allying or compromising with Owls to change committee bills.

Owls, whether alone or in a tactical alliance with either Hawks or Doves, had the best ‘batting average’ (.862) of all groups. That Owls also represented the most likely partner for tactical alliances confirms that Owls were frequently positioned to be the ‘swing’ voters in floor amendments.

- Amendment Success/Failure by Weapons Program. Which weapons programs were the most challenged on the chamber floor? Figure 7.7 summarizes the distribution of floor amendments across major weapons systems in the five cases and their success rates.

\textsuperscript{12} While Republicans held the Senate between 1981-87 (key years in this analysis), Senate rules are more flexible than in the House when allowing the minority to offer amendments on the floor. In both chambers in these years, majority leadership frequently allowed a wide range of floor amendments to be offered on defense authorization and appropriations bills.
The success rate of the 450 amendments (over 56%) categorized by weapons systems nearly mirrors that of the breakout by the factional groups. Those weapons programs that tended to be the most controversial programs, and received greater public attention and notoriety (ASAT, SDI R&D, ICBM programs) were also the most likely to be successfully amended on the chamber floors.

- **Arms Control-Related Amendments.** Many program-related amendments had direct or indirect arms control implications, even if the amendment text did not directly mention arms control. However, some floor amendments contained language that directly linked the weapons program (or at times across several programs) with arms control activities. Amendments with specific links to arms control activities generally found strong support on the House and Senate floors, in the high seventy-percent range for ICBM modernization (79%) and SDI (78%), and the F-15 ASAT (63%) programs. The Pershing II/GLCM programs, with the highest level of overall congressional support, saw the lowest passage rate (41.6%) of floor amendments with direct linkage to arms control activities. Successful INF-related arms control amendments contained language generally supportive of the official U.S. arms position in INF talks, while unsuccessful

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13 This number is greater than the total number of amendments (444) in the data set due to overlapping amendments that affected more than a single weapons program.
amendments were associated with either the nuclear freeze movement or in opposition to the U.S. INF negotiation position.

- *Procedural Means Employed in Floor Amendments.* Similar to the defense committee reports/bills, amendments on the chamber floor frequently employed innovative procedural means to force upon the FPE the program and policy preferences of the chambers. Floor amendments that deviated from the PB requests in *weapons funding* (x3) were the most frequently used tool for Level II bargaining.\(^{14}\) This indicates a routine use of changing program authorization or appropriation line items in an effort to employ a “functional veto” over FPE preferences. Other preferred procedural tools included frequent use of *mandates and conditions* (x7), often tied to *studies and report requirements* (x8). Mandates and conditions provided direct program guidance to executive agencies, often requiring that specific information (also provided by required studies and reports) on either acquisition programs or strategic analyses linking acquisition to arms control, be provided to the defense committees. Members and profession staff use this information to derive conclusions and positions that were independent of executive agents. When combined with funding constraints, procedural devices such as mandates, hooks and reporting requirements imposed considerable management control and oversight by Congress, with constraints on defense officials, especially when release of funds was tied to information requirements, which in turn, often led to additional conditions the following year. Figure 7.8 (see below) illustrates the range and numbers of procedural mechanisms, and the variety of combinations, employed across weapons programs in all cases.

\(^{14}\) Defense Department officials and program managers frequently complained of this legislative “micromanagement”, when, in fact, such oversight is clearly within the constitutional authority of Congress, as provided in Article I, Section 8. At times, mandates and restrictions would include allowances for presidential waivers or release from conditions under specified circumstances, such as a change in external threat, specific Soviet actions, or other instances where FPE was allowed to use discretion as commander in chief.
Figure 7.8
Procedural Means Employed in Floor Amendments, FY74-FY94

<table>
<thead>
<tr>
<th>PROCEDURAL MEANS</th>
<th>TOTAL</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>all amendments containing x3</td>
<td>325</td>
<td>42%</td>
</tr>
<tr>
<td>x3</td>
<td>166</td>
<td>21%</td>
</tr>
<tr>
<td>x3, x5</td>
<td>9</td>
<td>1%</td>
</tr>
<tr>
<td>x3, x7</td>
<td>69</td>
<td>9%</td>
</tr>
<tr>
<td>x3, x5, x7</td>
<td>8</td>
<td>1%</td>
</tr>
<tr>
<td>x3, x7, x8</td>
<td>21</td>
<td>3%</td>
</tr>
<tr>
<td>x3, x5, x7, x8</td>
<td>25</td>
<td>3%</td>
</tr>
<tr>
<td>x3, x4, x5, x7, x8</td>
<td>3</td>
<td>0%</td>
</tr>
<tr>
<td>x4</td>
<td>5</td>
<td>1%</td>
</tr>
<tr>
<td>x6</td>
<td>13</td>
<td>2%</td>
</tr>
<tr>
<td>all amendments containing x8</td>
<td>77</td>
<td>10%</td>
</tr>
<tr>
<td>x9</td>
<td>66</td>
<td>8%</td>
</tr>
<tr>
<td>Overt Arms Control Links</td>
<td>154</td>
<td>20%</td>
</tr>
</tbody>
</table>

KEY: PROCEDURAL MEANS EMPLOYED

x3 = Weapons Funding: Budget authority or appropriated levels

x4 = Expert Commissions: Outside panels to study/make recommendations

x5 = Legislative Vetoes: Allowing Congress latitude to allow spending

x6 = New Group Franchises: Creation of new executive bureaucratic structures

x7 = Mandates & Conditions: Imposed requirements or conditional approval

x8 = Studies & Report Requirements: Formal reporting requirements, similar to x7

x9 = Sense of Congress: Non-statutory and non-binding statements of policy intent

Although used infrequently, Expert Commissions (x4) provided an effective procedural tool whereby Congress created outside panels (or internal DOD panels using independent, outside
experts) to study specific weapons program and/or arms control issues and make recommendations to both the FPE and the Congress. Often, commissions were initiated by Congress, which could impose the rules and scope of the investigation, and frequently had a role in determining commission membership. Commission activities, both during and after deliberations would also be the subject of specific committee and subcommittee hearings, shedding even more public light on a weapons or arms control issue. The most famous of these commissions was the President’s Commission on Strategic Forces (the Scowcroft Commission), which although nominally “the President’s” commission, was largely instigated at the behest of key Owls on the Senate and House Armed Services Committees, which saw the Scowcroft Commission not only as a means to build an internal consensus within Congress, but also to force upon executive agencies congressional policy preferences on force structure, technology development and arms control. Through vehicles such as the Scowcroft Commission, Congress had a greater opportunity to play a more active and policy-influential role in shaping not only strategic weapons decision-making, but also via the weapons procurement process, strategic arms control policy as well. As Rep. Norm Dicks (D-WA) noted, the Scowcroft Commission presented “a way into the process” for direct influence on formulating U.S. arms control negotiation stances (MX Task Force, 1983, p. 50).

A frequent and effective procedural tool in use until 1984 (FY85) was the so-called ‘legislative veto’ (x5), which allowed Congress a great measure of control over program spending and management. The mechanism employed a specific appropriation made for a program activity, followed by the possibility of ‘legislative veto’ over the use of these funds if Congress later disapproved of the manner in which the executive branch attempted to spend those funds. The legislative veto provision took several forms, incorporating in statute a
legislative veto procedure that required a simple resolution passed by a majority vote of one chamber of Congress; other procedures required a concurrent resolution passed by both chambers, a procedure used in 1984-85 to successfully hold, then ultimately release, FY85 MX procurement funds. Some statutes made the veto process more difficult by requiring not just a majority vote of one or both houses, but a majority of the membership of the legislative body, present or not. Some designated neither the House nor the Senate, but authorized one or more committees to exercise the veto on behalf of Congress. The proliferation of legislative veto provisions raised a series of constitutional questions, settled by the U.S. Supreme Court in *INS v. Chadha* (1983), which declared most forms of the legislative veto unconstitutional. Its use after 1984 for weapons acquisition issues was therefore more limited.

Congress became also attached to the *New Group Franchise* procedure (x6), in which Congress could create, either by authorization and appropriations, new bureaucratic structures within the executive branch that acted to promote congressional policy and program preferences. This was used effectively in the cases dealing with the National Risk Reductions Centers, On-Site Inspection Agency (OSIA), the BTI and CDI counter-weights to SDI for R&D funding, and the Theater Missile Defense Initiative (TMDI), created out of the SDI organization.

Finally, a large number of procedural means involved *Sense of the Congress* (or House or Senate) *statements* (x9), which, although non-binding, served as indicators of congressional policy preferences, which the FPE ignored at the risk that future bills and reports would contain more binding mandates and conditions.

The tendency to use many of these procedural tools in combination – especially mandates, conditions and reporting requirements – increased dramatically in the period covering 1973 and

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15 The legislative veto and *INS v. Chadha* (1983) is discussed in detail in Chapter Four.
1993. While some tools existed prior to this period, the late Cold War period saw a more pro-active Congress apply them increasingly to weapons acquisition programs as a means to exert influence not only on defense policy (Lindsay 1991), but, as documented in the data sets, also on U.S. arms control positions and strategies in SALT, START and the DST negotiations. Many procedures were first used extensively on the MX program, especially when Congress became heavily involved in approving a survivable basing mode in the mid-1970s, and were later extensively applied to other controversial programs such as ASAT and SDI in the 1980s.

**Subject Interviews.** Interviews added another level of data to help establish evidence on manifestations of congressional elites’ intentions regarding executive branch decision making on weapons and arms control regimes. Staff members of major legislative senators and representatives, and of executive administrations involved in the original case decisions, were identified and interviewed. The selection strategy for choosing what subjects to interview was based on the notion that professional staff were close to the thought processes of key elected officials on defense committees and also most likely to have devised and written report and statutory language affecting weapons authorization and appropriations requests. Former executive staff with duties related to both the substance of weapons decisions and arms control planning were also selected on the basis of their proximity to inter-branch negotiations over congressional weapons activities. Some interview subjects served in capacities of both professional staff on the defense committees as well in national security-related positions in the executive branch, with responsibilities related to the case study investigations.¹⁶

The interviews examined the subjects’ perceptions of case details, including key elites’ contemporary views as to the distribution of international power, strategic threats framing

¹⁶ See Appendices A.10 for a list of subjects interviewed, their relevant professional positions and interview dates.
activities on weapons acquisition and key legislative player intentions in terms of selection and design of legislative procedures to operationalize their policy preferences. These would include specific program requirements and substantive policy proposals bearing on the weapons cases.

Interviews were conducted with standardized questions provided ahead of the interview dates.

These interviews provided positive, valuable background information, context and insight into elite thinking within the three factions that contributed to the dissertation’s inductive theory-building. The relevant data obtained in these interviews are summarized below.

- Subjects generally confirmed that a majority of key defense committee members shared with the FPE significant concerns over the implications of Soviet nuclear parity within the distribution of power in the bi-polar UIR system; these concerns were usually transmitted in committee reports (in an introductory ‘threat’ section’), and were manifested in elite approaches to specific weapons requests; however,

- Committee consensus in general over threats and opportunities based on elites’ net assessments of global security did not always translate into inter-branch consensus on program responses with the FPE on weapons acquisition, nor with arms control stances taken by the FPE that affected budget requests for weapons subject to control.

- Interviews provided additional confidence that congressional elites’ substantive policy and program differences with FPE often resulted in clear intentions to use the authorization and appropriations processes to influence the future shape of arms control regimes.

- Policy entrepreneurship and innovation within those processes employed creative budget and oversight procedures – as those detailed in the case study summaries – providing resource allocation and program direction/re-direction on arms control regimes via weapons acquisition. These were explored across the five case studies.
Views on executive branch perceptions as to those congressional intentions confirmed the frequent frustration by the FPE with congressional efforts to reconfigure weapons programs subject to Level I negotiations and constraints imposed on a preferred arms control strategy.

Interviews with active participants helped to confirm the observed manifestations of elite intentions and behavior on weapons program being considered for control.

Given the passage of time since the Cold War period, in many instances specific and detailed information from interview subjects was difficult to obtain in the single interview conducted. Events under investigation occurred some 30-40 years ago, although details provided by subjects varied by individual. Follow-up interviews could have provided additional exploration of details, after providing extensive read-ahead materials and documentation to refresh the subjects’ memories on key points of interest. This would be a likely strategy to pursue for theory-testing activities.

Inferences on Patterns Across Cases. Across-case analysis of the research data provides a firm basis for observing distinctive patterns regarding congressional actors’ behavior using the spending power. In conjunction with the observed manifestations within the individual cases suggesting the existence of causal mechanisms (Chapter Six), the Intervening Variables – Nuclear Hawks, Doves and Owls in Congress – did employ its institutional and constitutional prerogatives on weapons acquisition to affect U.S. arms control policy in the late Cold War, sometimes effectively.

In addition to the examples drawn from individual cases, observations can be made based on across-case comparisons, suggesting distinct patterns of behavior of congressional variables.

- **Expansive Use of the Spending and Oversight Powers.** The first pattern observed is that use of procedure in domestic policy battles was increasingly adapted to defense and foreign
policy situations to expand the role of Congress on federative policy formation. By the late
1970s, Congress effectively used institutional reforms to “push the envelope” – employing
innovative procedure to progressively advance the scope and ambition of its influence in foreign
policy.

Observing the five case studies spanning the late Cold War era from the mid-1970s through
the mid-1990s suggests an iterative and incremental progression. In each successive case study,
from the mid-1970s through 1993, congressional involvement became more extensive and
ambitious, expanding beyond routine authorization oversight and appropriations for weapons
programs to use aggressively defense spending vehicles and innovative legislative procedure to
guide specific program direction in ways that influenced U.S. negotiating positions in Level II
talks. For example, activities of the 99th through the 102nd Congress (1985-1992) on the SDI
program exhibited a much broader and ambitious use of the spending power and oversight
function towards affecting U.S. negotiation positions in DST than did the 94th-96th Congress
(1975-1981) in using the B-1 and MX/MPS programs to influence the SALT II treaty.

These efforts imposed upon the FPE extensive reporting requirements, mandates and
conditions, legislative vetoes, and even specific technology research and development
prioritization. In addition, the defense committees and the chambers created or promoted specific
vehicles within the executive branch to advance its policy and strategy preferences, through
select presidential commissions, new institutional structures and group mandates within the
national security bureaucracy. Congress even directly negotiated with the FPE arms control
proposals and constraints that significantly altered official American bargaining stances – for
example in the 1983 “Treaty of Pennsylvania Avenue” and the FY 88 Nunn-Levin language on a
“narrow” ABM Treaty interpretation. Group franchises, mandates and reporting mechanisms
also provided a constant flow of information and data back to the congressional committees, facilitating further incremental ambitions of Congress. Executive branch “pushback” included such measures as traditional presidential vetoes or veto threats, but also involved inclusion of top American diplomats and negotiators into legislative-executive bargaining, and even lobbying members on Capitol Hill. By the end of the Cold War, Congress had achieved a considerable influence, albeit still the junior partner, over the direction of American security policy, its negotiation strategy, and even in the formulation of grand strategy. While still a powerful office, the presidency at the Cold War’s end was neither as powerful nor dominant in federative affairs that it had been from the 1940s through the 1960s.

In these endeavors, Congress was not always successful in achieving its intended policy goals, yet continued to press for greater influence, often frustrating the FPE, while framing the terms of inter-branch negotiation and influencing (if not ‘making’) American policy. Arguably, these efforts suggest policy influence on American arms control policy, its negotiation strategy, and in some cases, overall Level I outcomes. In many (but not all) of the examined cases, congressional intervention likely contributed to the peaceful conclusion of the Cold War via arms negotiations.

- **Comparison of Case Studies with Historical Cases: 1920s/30s Naval Arms Control.** As noted in Chapter Four, appropriations played a significant role in creating an interwar naval arms control regime. The role was initially positive, but suggests that while strong legislative support for weapons procurement created powerful bargaining leverage leading to a landmark agreement, diminished appropriations afterward possibly helped to scuttle a lasting, effective control regime. In this case, Congress exhibited far less activism in the weapons acquisition process with no
explicit, institutional effort to affect ongoing negotiations.\textsuperscript{17} At the time, Congress did not possess the institutional means or technical expertise to challenge the executive branch, nor did it use innovative procedural means to assert policy influence; the congressional role was limited largely to supporting the Wilson and Harding administrations’ appropriation requests to continue the 1916 battleship program.\textsuperscript{18} The active U.S. construction program provided bargaining leverage for a successful 1922 Washington Conference highly favorable to American security interests. However, during follow-on naval conferences in Geneva (1927), London (1930) and later, reduced naval appropriations consequently diminished U.S. negotiating leverage. As a result, the United States failed to enjoy the security benefits derived from the Washington agreement and subsequent conferences failed to either exploit terms of the 1922 agreement to maximum advantage, or reap the promise of post-World War I arms control stability heavily promoted by newly organized transnational peace groups. Failure of the naval arms control regime was a contributing factor to Japanese breakout of the treaties and aggression leading to a second world war.\textsuperscript{19} The building and demise of this control regime, and the possible causal role of congressional appropriations in the outcome, represents an important historical data point for building a theory of congressional causality on arms control addressing the why, how and under what condition questions.

- \textit{Comparison of Case Studies with Historical Cases: 1960s/70s Safeguard ABM}. The Safeguard/ABM Treaty case also closely resembles the interwar naval case in terms of

\textsuperscript{17} This observation is based on the interwar naval arms control literature and not primary source research of congressional activities. Individual legislators such as Sen. William Borah worked through disarmament group to reduce naval appropriations.

\textsuperscript{18} A major procedural innovation during this period, the Budget and Accounting Act of 1921, expanded the presidency’s role in the legislative budget process. The 1921 Act gave the president new powers over the prioritization, shaping and approval of the federal budget in Congress and is considered one of the key building blocks of a more powerful presidency in the 20th century. Evidence that Harding exploited this new leverage to promote completion of the 1916 naval program could support this notion.

\textsuperscript{19} The failure to sustain U.S. naval construction to achieve the levels allowed within the Washington Five-Power Treaty was deemed a factor in the failure to extend great power cooperation in the 1930 London talks and contributed to the unraveling of the Washington Conference regime and Japanese aggression in 1930s.
establishing a historical pattern. The close congressional vote to authorize deployment of the Safeguard national missile defense system in 1969 has been credited with generating the bargaining leverage to achieve the 1972 ABM Treaty (Johnson 2006; Hyland 1982). However, subsequent arms control developments failed capitalize on the initial SALT agreements, in part due to congressional reluctance to demonstrate support for follow-on appropriations for ABM systems allowed under the 1972 Treaty, and for offensive modernization that might have led to an earlier and stronger SALT II treaty. The Safeguard case is significant to this study because Presidents Johnson and Nixon both were forced to employ a “bargaining chip” argument to persuade Congress to provide sufficient appropriations to acquire the authorized Safeguard ABM system, a Level II bargaining situation their Cold War predecessors never had to face. This decision corresponded with an increasing assertive Congress in security policy, with Safeguard being the first time in the Cold War that Congress threatened to cancel a major weapons program during ongoing arms control talks. Doves and some Owls later pursued this bargaining chip argument repeatedly in the cases studied here.

Congress then lacked the budgetary tools and innovative procedures it would employ within a few years; yet its greater activism and refusal in the ABM Treaty’s aftermath to support procurement of even the two ABM sites allowed in the 1972 treaty forced President Ford’s hand to negotiate a 1974 protocol that limited each side to a single site, which was deployed in 1975 (and which Congress later mothballed in 1976). As in the interwar naval arms control case, the

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20 This led a Washington newspaper to call the Safeguard vote “the beginning rather than the end of a great debate [in Congress] over American defense policy” (Johnson, 2006, p.158).

21 Counter-factual analysis could be employed to support this assertion; for example, an early and significant MX or B-2 deployment may have provided powerful leverage to alter Soviet calculations and negotiation strategy leading to a SALT II Treaty in 1974.

22 The Budget Control and Impoundment Act of 1974 provided the most significant tools. The 1974 law was an institutional response designed to counter the affects of the 1921 Budget and Accounting Act and seize the budget writing initiative from the president.
Safeguard case represents a threshold that frames the significance of congressional activism in the five selected cases studies for theory-building purposes.

- **Unilateral Weapons Program Cancellations and Arms Control.** In cases where there was a major weapons cancellation (B-1A) or extended inter-branch conflict over a weapon system during ongoing negotiations (MX/MPS, ALCM platforms, ASAT, SDI concepts, MX/RG and Small ICBM), these actions may have significantly complicated in Level I bargaining towards reaching an arms agreement (SALT II, START I) or suggests a causal role in a ‘no agreement’ outcome (DST). Periodic threats of weapon cancellations (MX, ASAT, Small ICBM) in Congress during negotiations arguably diminished U.S leverage and/or delayed arms control progress towards U.S. objectives. This indicates a real possibility that diminished weapons R&D activity and/or deployment uncertainty can reduce U.S. negotiation leverage in Level I bargaining.

- **De-Stabilizing Weapons.** The most pronounced inter-branch conflicts were over weapons that presented new technologically sophisticated and innovative capabilities, which also had the potential to disrupt the strategic parity or stability status quo (ASAT, SDI). In the case of ASAT and SDI programs, these technologies were not fully developed nor ever deployed, and no DST agreement resulted. Doves and Owls combined to successfully prevented development and testing of other types of new capabilities as well, such as MaRVs and EPWs, on the grounds that these were de-stabilizing weapons, designed for nuclear “war-fighting” or encouraged arm race instability. Denial of funds to develop these U.S. capabilities, it was argued, both discouraged

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23 “Greater difficulty” is defined here as an extended negotiation period; the reason for the lengthy negotiation may have been directly or indirectly related to the weapon system in question, but could also be complicated by other variables or issues.

24 Maneuvering Reentry Vehicles (MaRVs) could evade missile defenses and severely complicated development of defenses that were ‘cost-effective at the margin’ (the Nitze Criteria) and arguably created an ‘action-reaction’ cycle; Earth-Penetrating Weapons (EPWs) were low-yield nuclear warheads designed to burrow deep into hardened underground facilities before detonating. EPWs would ‘hold at risk’ leadership and C3I facilities, thereby convincing Soviet leaders they could find no
similar Soviet developments (justified to maintain pace with U.S. technology), and avoided lengthy bi-lateral negotiations, thereby thwarting those technologies that threatened strategic parity or stability.

- **Congressionally Mandated Program Restrictions.** In cases where congressional revisions to executive budget requests for weapons acquisition occurred or actions were *most restrictive* (ASAT, SDI), no Level I agreement or treaty resulted. In the case of programs where the *least restrictive* terms of congressional weapons restrictions occurred (Pershing II/GLCMs), a Level I arms agreement was reached and fully implemented (INF, considered a revolutionary breakthrough in US-Soviet arms control). This suggests a theory that diminished weapons development activity or deployment uncertainty due to Level II inter-branch bargaining translates into (causes) a loss of negotiation leverage in Level I; alternatively, a strong and sustained weapons development activity with deployment certainty may strengthen U.S. negotiation leverage in Level I bargaining.

- **Strategic Weapons Acquisition as ‘Bargaining Chips.’** While ongoing weapons procurement can provide incentives to advance arms control negotiations, some congressional actors viewed strategic weapons programs as ‘bargaining chips’ whose main purpose was to extract concessions from Soviets at Level I rather than to be deployed to fulfill a perceived military requirement or deficiency. The perception of weapons as primarily bargaining chips can be seen as violating classic arms control theory based on the concept of a unity of strategy and arms control, whereby meaningful arms control could only be achieved through recognition of the need for force modernization even under the most optimistic disarmament scenarios (Hyland, pp.98-99). A unity of strategy and arms control was intended to institutionalize arms control

sanctuary to fight and survive a nuclear war. Advocates argued that MaRVs and EPWs strengthened deterrence and were consistent with nuclear policy and doctrine in successive presidential administrations such as NSDD 242 (Nixon-Ford), PD-59 (Carter) and NSDD-13 (Reagan).
within strategic planning for national security. This failed to occur in most of the case studies, as a breakdown of the integrating mechanism occurred when arms control considerations competed with, rather than supplemented, national and military strategy. Critics argue that a ‘bargaining chip’ rationale – in the minds of decision-makers in either political branch – progressively undermines any rationale for the weapon’s existence outside of the negotiation context. Across several cases, when this breakdown occurred, sustaining political support in Congress for complex weapons (given an acquisition cycle lasting a decade or more) became increasingly problematic, especially in a constrained defense budget environment. There rarely existed a consensus where a bargaining chip could positively support national security interest (e.g. as occurred in the INF Treaty when the trade results in the elimination of the original threat to which the ‘chip’ was a response).

The FPE (or more accurately, the professional security establishment) is less likely to view the bargaining chip as the main purpose for weapons procurement. Inter-branch conflict over bargaining chips is explained in part because executive branch actors are by law required to fulfill security needs established by an institutionalized process; legislative institutions however are subject to greater pluralistic pressures and more diverse perspectives on security threats. During the Cold War, in only one instance did the FPE tout a weapons system primarily for its value as a ‘bargaining chip’ (the historical case of Safeguard ABM,) in order to gain congressional support for its deployment, and the success of this case established a precedent that later affected all strategic weapons subject to arms control.

Moreover, congressional Doves and Owls frequently equated bargaining chips with negotiation leverage, which was defined as the existence of any R&D program that might see future deployment unless traded for a Soviet concession. In their view, a consistent funding
profile at incrementally higher annual levels provided the FPE with sufficient levels to trade these programs – if the FPE was inclined to do so. Whenever they suspected otherwise (e.g. the elusive SDI ‘grand bargain’ never seriously considered by Reagan), congressional actors then sought to promote their own arms control strategies through adjustments to acquisition programs that rarely made programmatic or strategic sense, but fulfilled a political or policy purpose. In this situation, arms control became a diversion from strategy that distorted the “unity” advocated in classic arms control theory.

As noted in the SDI case study, Hawks usually saw congressional support for tangible program activities, rather than merely consistent appropriation levels, as providing Level I leverage. In this view, frequent funding cuts, program mandates, testing restrictions, restructuring and missions changes only served to undermine bargaining leverage and the unity of strategy and arms control.

- Legislative Procedural Innovation. Areas where there was the greatest level of executive-legislative conflict over weapons procurement and force structures saw the highest level of congressional legislative process innovation as a means of restricting or re-shaping executive branch weapons programs (e.g. ALCM-equipped bombers, MX basing modes, MX deployment numbers, ASAT, SDI). These programs also experienced the highest degree of mandated requirements for studies and reports, program mandates and conditions imposed, new group franchises created, and legislative vetoes levied. In some cases a Level I agreement resulted (SALT II, START) after prolonged negotiations; in other cases there was no agreement (DST/ASAT and DST/SDI).

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25 In the specific case of SDI, this was critical to the FPE’s negotiation strategy that relied upon creating in the Soviet mindset the inevitability of future missile defense deployment to advance the defense transition concept;
• **Projected Force Deployment.** In the five case studies, of those strategic weapons eventually deployed, all were in numbers close to those originally planned (B-1) or were deployed (or nearly so) when a completed arms control agreement eliminated them by agreement (P-II/GLCM). In instances where weapons programs were reduced below planned deployment levels (MX/Silos) or not deployed at all (MX/MPS, ASAT, MX/RG, SICBM, in some cases SDI concepts), the reduction in number of units contemplated for deployment was determined by explicit congressional action, not through negotiations. See Figure 7.14 for an overview of all cases.

![Figure 7.14](image-url)

**Strategic Arms Acquisition and Arms Talks**

- **Weapons Program**
  - = start negotiations;
  - = treaty signed;
  - = no treaty

1. **B-1, MX/MPS**
   - B-1A cancelled
   - SALT II start
   - MPS cancelled / 100 B-1B approved
   - SALT II Treaty (not ratified)

2. **Pershing II / GLCM**
   - NATO LRNF
   - 12/83: Deployed
   - Eliminated
   - INF start
   - INF Treaty (1987)

3. **ASAT**
   - Cancelled (1988)
   - D&T start (1985)
   - (No Treaty)

4. **MX/Silos, SICBM, MX/RG**
   - Scowcroft Rpt 50 MX/Silos
   - START I Treaty/ START II Treaty
   - MX/G, SICBM cancelled
   - 3/83 speech, R&D & E → → GPALS cancelled
   - 50 MX/Silos
   - START I Treaty
   - START II Treaty

5. **SDI**
   - 3/83 speech
   - D&T start (1985)
   - (No Treaty)

- **Implications of ‘Peace Psychology’ and ‘Strategic Parity’ Effects on Inter-Branch Negotiations.** The research question asks in part under what conditions Congress will attempt to use its ‘functional veto’ to challenge a FPE over foreign policy and grand strategy.
Circumstances in which Congress is motivated to take action contrary to the preferences of the FPE are not well understood. The ‘short’ answer to this question – when inter-branch policy differences becomes sufficient divergent – is insufficient for a greater understanding of the sub-class IR phenomena and requires greater clarification, and if possible, generalization for theory building purposes.

In the examination of the case studies patterns, as well as the two historical arms control cases discussed above, there appeared to be two general conditions that motivate Congress to wield a functional veto to challenge the FPE. The first condition is when Congress disagrees with the FPE over the nature of the threat environment, where the legislative body perceives the FPE has over-estimated external threats and over-reacted in response by requesting appropriations to procure additional increments of national power (or to modernize existing force structures). Typically this condition might occur when Congress collectively perceives that security threats have receded, or are receding, and there exists unrealized opportunities for conflict resolution through negotiations.

Under a condition characterized as a Peace Psychology Effect (SPE), Congress may therefore act on its perceptions to use its spending and oversight authority over weapons acquisition to assert policy or strategy influence, employing a functional veto upon the FPE’s preferred security policy or strategy. While the U.S. may be already engaged in arms control talks, Congress may perceive that the FPE ‘over-programs’ weapons and ‘under-utilizes’ opportunities for peace through negotiations to restrict these weapons. The resulting peace psychology, where Congress – reflecting its own institutional threat assessments as well as public and interest group opinion –
uses the power of the purse to redirect or reframe U.S. foreign policy or strategy to de-emphasize weapons activities and rely more on arms negotiations to achieve national security goals.\footnote{26}

An opposite effect can be characterized as a \textit{Strategic Parity Effect (SPE)}. This occurs when Congress perceives the FPE is \textit{under-}estimating external threats and is \textit{over-reliant} on arms control negotiations (via a weak weapons acquisition program or an over willingness to trade-off weapons in development in Level I negotiations). The central congressional concern here is a \textit{loss of strategic parity} in the key indices of military power making up the relative distribution of power in the IR system; depending on the global circumstances, other motivations could be seizing opportunities to gain either strategic parity or to gain or prevent the loss of superiority, in the global distribution of power. Under such conditions, Congress will promote certain strategic adjustments to U.S. policy and strategy by expanding or modifying weapon roadmaps using its defense acquisition and oversight authority. The strength of congressional support or willingness to modify certain strategic programs that measure national power in the IR system can indicate the condition of SPE; Congress therefore urges the FPE to protect such weapons in negotiations, at the risk of a Level II rejection of a Level I agreement, and deploy them to maintain parity and national security.

Existence of possible conditions reflecting PPE and SPE can also explain negotiation outcomes in both historical cases – the inter-war naval arms control treaties and the Safeguard/ABM Treaty. In the naval example, SPE supports a theory that congressional efforts to complete the 1916 naval program reflected the desire to achieve naval parity.\footnote{27} The PPE can

\footnote{26} Fanning (1994, p.26) employs the term \textit{peace psychology} to describe a transnational movement encouraging interwar naval arms control. This resulted in a significant reduction in congressional naval appropriations that affected ongoing arms control forums.

\footnote{27} The SPE strategy was reaching naval parity with Great Britain and superiority over other great powers through both robust naval construction and creating leverage to establish favorable capital ship ratios negotiated in the 1922 Washington Conference.
also explain the post-Washington Conference decline of support in Congress to finish the 1916 program, exploit strategic advantages that agreement allowed, possibly creating the causal conditions for the decline of the naval control regime. In the Safeguard example, the decision to acquire ABM systems and an offensive arms control framework to constrain Soviet offensive nuclear capabilities reflected a concern over the loss of U.S. nuclear superiority and the consequences of Soviet nuclear parity, evidence of a SPE condition. The subsequent hedging and cutbacks in following through with the program after the ABM Treaty/SALT Interim Agreement reflects the condition of PPE. Conditions of PPE and SPE are also likely cyclical, with periods of PPE coinciding with congressional weapons cutbacks and periods of SPE reflecting a resurgence of aggressive weapons procurement.

The patterns observed in the two historical cases can be found as well in the five case studies. For examples, resurgence of congressional efforts in shaping strategic weapons procurement after the collapse of détente and rising concerns over the SALT regime suggests evidence of a SPE condition. Another example reflecting the cycles of SPE/PPE can be found in support for Pershing II/GLCM leading to the landmark INF treaty, and subsequent fate, after the signing of INF in 1987, of all strategic programs in Level I negotiation forums.

The positing of PPE and SPE suggests that both conditions can alter win-set negotiation and Level I outcomes, as well as encourage tactical legislative coalitions within the Hawk-Dove-Owl typology. It is possible that, even within tactical coalitions, partners can be motivated by both PPE and SPE simultaneously.28

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28 This scenario may be rare, but in at least one instance was observed, in the House FY90 Authorization floor debate, where a tactical Hawk-Dove coalition formed to kill the Small ICBM after the House approved, with Dove support, a Spratt Amendment to deny FY90 MX/Rail Garrison procurement funds. Hawks were motivated by the SPE to deploy as much counter-force capability at the least cost within a resource-constrained environment and supported MX/RG as opposed to the more expense Small ICBM, while Doves saw an opportunity to cancel SICBM, a program that they had previously championed but, under a condition of PPE, perceived was no longer required and provided an opportunity for an early ‘peace dividend’ as the Cold War was ending.
Summary. In the final chapter, based on analysis of research data and observations made from Chapter Six and Seven, tentative hypotheses can be posited and causal conditions and mechanisms further assessed for future theory-testing. Tentative hypotheses in the final chapter suggest possibilities for theory building both in the subclass and general class of phenomena on the question of why, how and under what conditions Congress seeks to influence U.S. national security policy outcomes.
Chapter Eight
Tentative Hypotheses and Theory Development

“The cost of cooperation and coordination between Congress and the President for the sake of strategic policies comes high. They must be paid for in the hard currency of compromise and bargaining, in continual and often painful consultation and negotiation.” — Edward A. Kolodziej (1966, p.9)

Research Question:
Why, how, and under what conditions did Congress, through the acquisition of strategic nuclear weapons, actively influence strategic arms negotiations, American foreign policy and grand strategy during the Cold War?

The research question begs a greater understanding of the sub-class phenomenon, the effect of Congressional weapons procurement actions on U.S. nuclear strategy and arms control stances, where the routine legislative responsibility for acquiring weapons is linked causally to specific foreign policy outcomes. It has been noted that while Congress has the power over funding, the creation of the military and the authority to pass laws for the ‘regulation of the land and naval forces’, the legislative branch has never prevented a president in wartime from making critical national security decisions for the nation to prevail (Yoo, 2009, p.421). But is the same institutional restraint exercised to prevent the president from making critical decisions on national security at the negotiating table? To date, this question has not received the attention it deserves.

Examining cases of strategic weapons acquisition simultaneously subject to arms control negotiations, this study has observed that, under certain circumstances, Congress has used its constitutional powers to revise and sometimes override the Foreign Policy Executive’s preferred policy or strategy in Level I arms negotiations. Congress does this largely through its ability to bargain with the FPE over acquiring the instruments of national power. Previous chapters have observed both instances within selected cases and patterns across cases where Congress serves as a domestic intervening variable and exerted influence on American foreign policy outcomes. An inductive approach to the research question now requires moving from specific observations to
assert broad generalizations on both the sub-class and general class of IR phenomena, and posit tentative hypotheses and causal mechanisms to explain congressional influence.

**Addressing General Theoretical Questions**

**Assessment and Response to the General Research Questions.** Specific case observations and detection of patterns and regularities identified in the two previous chapters now allow for a broader, informed assessment of the general research questions raised in Chapter One. This is informative prior to postulating specific hypotheses for further testing.

**WHY: General Questions of Threat Assessment:**

<table>
<thead>
<tr>
<th>Research Focus</th>
<th>General Theoretical and Philosophical Questions For Investigation</th>
</tr>
</thead>
</table>
| 1. Threat Assessment: WHY? | - How do decision makers, including the foreign policy executive (FPE) and key institutions, assess international threats and opportunities to the state?  
- Who are the relevant actors within the state regarding threat assessments?  
- How are disagreements within the state over the nature of international threats and appropriate remedies ultimately resolved?  
- Why would legislative actors attempt to counter threats or grasp opportunities to influence a state’s grand strategy? |

- How do decision makers, including the foreign policy executive (FPE) and key institutions, assess international threats and opportunities to the state? Who are the relevant actors?

The U.S. Constitution created a dynamic and flexible process for making foreign policy and national security strategy where the executive and legislative branches each have the means to coordinate, or obstruct, inter-branch decision-making in federative affairs while allowing the FPE to maintain the capability to respond quickly to imminent external threats. It is the constitutional responsibility of the executive branch to assess international threats to U.S. national security. The president as FPE employs all national assets of the intelligence and military communities to devise an appropriate strategic response and initiate a validated military program, with weapons characteristics and capabilities consistent with existing national policy, strategy and doctrine established by the commander-in-chief. The FPE may also seek an opportunity to mitigate the national threat through diplomatic negotiations, using strategic
weapons acquisition (or other leverage, addressing general IR phenomena) for bargaining in negotiations. Presidential expenditure of national resources also requires inter-branch cooperation, yet the clear constitutional authority to acquire national power – to authorize and acquire validated military weapons – belongs to Congress and its defense authorization and appropriations committees.¹ These committees use their responsibilities to stay engaged with the executive’s military-intelligence threat, military requirements and weapons acquisition processes (see below).

<table>
<thead>
<tr>
<th>Congressional Committee Engagement with Executive Branch</th>
<th>Ideational/Institutional Influences on Congressional Weapons Acquisition Decisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>External Threat Assessments provided by the Executive Branch:</td>
<td>Defense Committee Knowledge and Perceptions on External Threats and Opportunities:</td>
</tr>
<tr>
<td>• Intelligence Community</td>
<td>• Global Threat Assessment Hearings</td>
</tr>
<tr>
<td>• Civilian/Military Leadership</td>
<td>• Strategic Force Posture Hearings</td>
</tr>
<tr>
<td>• System Program Managers</td>
<td>• Weapons-specific Reviews &amp; Assessments</td>
</tr>
<tr>
<td></td>
<td>• Outside Expert views</td>
</tr>
</tbody>
</table>

Executive branch representatives routinely testify before the congressional defense committees to address and review the threat environment and justify weapon requirements and annual funding requests. The defense committees’ oversight and engagement provides not only information but also situational awareness, leading to opportunities to review and question threat assessments and assumptions underlying weapons acquisition. As a result, members or factions within the defense committees often form threat perceptions and perspectives on weapons that differ from the FPE. Even when defense elites disagreed with the executive’s program response, there is generally a consensus across all cases that high levels of external threats (or strategic opportunities) required *some* U.S. response, either through weapons acquisition or negotiated arms constraint, or some combination. Bargaining then focuses on how to respond and what

¹ U.S. Constitution, Article I Sections 8 and 9.
character this response will take. Support in Congress for Pentagon weapon programs are frequently and critically characterized as ‘pork-barrel’ spending; however, congressional defense committees appear to treat strategic nuclear weapons threats and programmed responses to those threats as serious matters and address them through a policy, rather than parochial, lens.

- **Do legislative actors attempt to counter threats or grasp opportunities to influence grand strategy?**

Inferences across all cases indicate that individual members or factions within Congress held views on national threats and policy preferences that often challenged long-held and existing U.S. foreign policy and grand strategy established by FPEs. For example, post-Vietnam/Watergate era resurgence and budget reforms made the institution both more vocal and empowered to promote its policy and strategy preferences than exhibited earlier in the Cold War. Empowerment manifested itself by institutional means through annual defense authorization and appropriations bills; these are also the forums most likely to influence FPE activities on arms control.

_HOW: General Questions of Strategic Adjustment, Resource Extraction, Grand Strategy Formation:_

<table>
<thead>
<tr>
<th>Research Focus</th>
<th>General Theoretical and Philosophical Questions For Investigation</th>
</tr>
</thead>
</table>
| 2. Strategic Adjustment, Resource Extraction, Grand Strategy Formation | - Who decides how to respond in international threats?  
- To what extent can legislative actors bargain with the FPE and influence foreign and security policies in different state settings?  
- Do legislative actors determine the content of foreign and security policy or merely its style?  
- Which legislative actors and factions have the greatest influence on security policy?  
- What bargains do FPEs need to strike with legislative actors in order to respond to international threats and opportunities?  
- How do legislative actors attempt to shape a state’s grand strategy via the acquisition of elements of state power? |

Beyond the immediate arms control valuation of each faction, adjustments to weapons capabilities or strategies of technology often reveal alternative conceptions of what U.S. grand strategy is acceptable to defense committees. Elites’ perceptions of threat, coupled with
disagreement with the FPE on how responses should be programmed, provide sufficient motivation to act to adjust grand strategy to conform to elite preferences.

- **Who decides how to respond in international threats?**

The executive branch defines military capabilities and diplomatic responses to address threats challenging national power. Since Congress cannot directly challenge the FPE’s constitutional authority to make these decisions and is infrequently consulted on policy and strategy formulation by the FPE, congressional influence on these decisions largely occurs indirectly, typically through their power of the purse and oversight of weapons development and acquisition. Influence generally manifests itself after program responses are initiated (through funding approval or denial) and after a FPE negotiation strategy is already established. Negative effects of congressional actions on the FPE’s Level I bargaining strategy are almost always unwelcome, requiring Level II bargaining with Congress. The main legislative vehicle for transmitting policy influence and bargaining is the annual defense budget process:

<table>
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<tr>
<th>Congressional Committee Actions on Resource Allocation</th>
<th>Institutional Causal Mechanisms on Congressional Weapons Acquisition Decisions</th>
</tr>
</thead>
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<td><strong>Annual Defense Budget</strong></td>
<td><strong>Consideration of President’s FY Defense Budget Request</strong></td>
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<tr>
<td>- Assess ‘Upstream’ Threats and Military Force Posture Testimony</td>
<td>- House/Senate Armed Services Committees; House/Senate Appropriations Subcommittees</td>
</tr>
<tr>
<td>- Make Strategic Adjustments and Authorize Programs</td>
<td>- House/Senate Armed Services Committees</td>
</tr>
<tr>
<td>- Allocate Resources and Make Appropriations</td>
<td>- House/Senate Appropriations Subcommittees</td>
</tr>
<tr>
<td>- Initiate &amp; Guide Weapons Procurement/Deployments</td>
<td>- House/Senate Floor Action on Authorization and Appropriations Bills and Reports</td>
</tr>
</tbody>
</table>

- **To what extent can legislative actors bargain with the FPE and influence foreign and security policies in different state settings?**

While the treaty power represents considerable constitutional leverage and a high bar for presidential persuasion, historically Congress’ policy influence under this power is mostly back-
loaded, with limited opportunity for influencing Level I negotiation outcomes. The better avenue to influence strategic adjustment and grand strategy formulation is by indirect means of resource allocation and extraction via appropriations, program authorization and associated Level II inter-branch bargaining. The most effective leverage Congress possesses in inter-branch bargaining is the ‘functional veto’ over executive branch spending (Yoo 2009). Respecting this power, the FPE must take into account legislative preferences, and the FPE must be prepared to bargain with the legislative branch over legislative outcomes affecting ongoing negotiations.

Pathways for diverging from the FPE’s strategic plans and strategy can be many. Congressional elites may perceive a weapons request as: an inadequate response, an over-response to the threat, or misaligned with goals of either official policy or national strategy. In addition, some members may promote alternative capabilities or strategies. Congress may also conclude that a specific FPE arms control position is hostile to a preferred congressional path for either a weapons capability and/or an associated strategy objective for which a weapon is programmed. Under any of these scenarios, defense committees could then be motivated to modify the program request, or seek to influence the formal negotiating stance through weapons program adjustments in the defense bills; or, as documented in several of the cases, they may condition authorization or appropriations to FPE modification of arms control positions or demonstrated progress in Level I negotiations.

Further, any adjustments and actions adopted by the defense committees in authorization or appropriations bills can also be amended on the House or Senate floors. Since amendment

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2 Despite back loading under the treaty power (‘consent’), the FPE must consider in Level I negotiations the supermajorities required for Senate treaty consent and approval in both chambers for executive agreements, as both Nixon and Carter did with the ABM Treaty/SALT I Interim Agreements, and the SALT II treaty, respectively. This may constitute ‘advice’ although presidents rarely request congressional advice on formal U.S. policy or negotiation strategy.

3 While congressional preferences are often expressed in non-binding House, Senate or joint resolutions (‘sense of the Congress’), only statutory guidance and mandates attached to program authorization and spending in a statute’s report language are binding. However a common FPE strategy is to try to change statutory into non-binding language at various points in the legislative process.
content is generally well telegraphed in advance, the FPE may attempt to bargain for withdrawal or modification of amending language or its affects; failing this, the FPE’s congressional allies in House-Senate conference committees can renew lobbying in a less public setting to eliminate or water down the effects of a successful floor amendment. Legislative elites must also take into account the possibility of a presidential veto, which requires supermajorities in both chambers to over-ride, if Level II bargaining results are not to the president’s liking. In this process, both branches will engage in deliberate and sometimes intense bargaining over authorizing and spending bills before formal bill passage into statute.

- **Do legislative actors determine the content of foreign and security policy or merely its style?**

To influence foreign policy content, Congress must combine policy *declaration and intent* with *substance*, back by specific legislative *procedure*. Declaration without specific policy substance results in little more than non-binding ‘sense of the Congress’ type actions; real action must be binding, backed by procedural means and possess the force of law. This requires that Congress incorporate their policy perspectives into statute, renewable annually if necessary through annual authorization and spending bills. For example, as seen in the earliest instances of congressional influence in arms control, the 1972 Jackson Amendment forced President Ford and all subsequent presidents to negotiate arms agreements enforcing equal aggregate force levels. The Senate also acknowledged in 1977 their constitutional responsibilities extended beyond tinkering at the margins with funding requests and program management details, but required tending to matters of broader policy substance (S. Rpt. 99-129, p.76). Creative use of the 1974 Budget and Impoundment Act can facilitate individual members’ ability to bypass committee chairs and also promote substantive challenges to U.S. security policies on the chamber floors (Johnson 2006, p.206). These institutional dynamics facilitated more substantive Level II bargaining, as seen in
the 1983 “Treaty of Pennsylvania Avenue” on MX-SICBM that required specific changes to Reagan’s stances in the START talks.

Congressional influence on policy content through exercising its spending power can create both intended and unintended (sometimes negative) foreign policy outcomes. For example, congressional policies forcing a reluctant Reagan into a ‘no-SALT undercut’ policy and later the ‘narrow’ ABM Treaty interpretation for SDI development represent clear instances of Congress determination to adjust the content of foreign and security policies. These policies also forced adjustments to Reagan’s grand strategy to end the Cold War through a strategy of technology. Similarly, ASAT testing prohibitions diminished U.S. negotiation leverage to achieve a DST agreement permitting each side an anti-satellite capability, which may have been a net positive development for superpower strategic stability as perceived by majority factions in Congress.\(^4\)

Alternatively, consistent congressional support for the Pershing II/GLCM programs from 1979-1983 allowed full deployment of these programs in the face of Soviet bluster and intimidation of NATO, strengthened the FPE’s hand in resisting public pressure and reinforced Level I bargaining strategy that resulted in a landmark agreement banning an entire class of nuclear weapons. This unity of strategy and arms control greatly contributed to the Cold War’s end-game (*HASC Print 99-26, 1987*).

- **Which legislative actors and factions have the greatest influence on security policy?**

An activist Congress may emphasize substance over style in federative affairs, but policy activism alone accomplishes little unless it is backed up with coalition building to drive policy consensus on the chamber floors. The case studies demonstrate that the distinct ‘types’ of legislative elites on the defense committees (nuclear Hawks, Doves and Owls) regularly exerted

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\(^4\) While there was no ASAT agreement within the DST negotiations, one result was a tacit agreement on each side not to aggressively pursue advanced testing or deployment of ASAT weapons. The net effect was to extend the space arms control regime in the area of space weapons, the ultimate policy goal of congressional ASAT opponents.
influence on U.S. security policy via weapons acquisition activities. Based on different perceptions of the prevailing threat or determined to seize perceived opportunities ignored or unrealized by the FPE, each of these factions were motivated by strongly held perceptions to change or adjust U.S. policies and grand strategy, transmitting causal force through innovative procedural means.

Successful pursuit of their agendas, however, usually was determined by the appeal of their policy argument and efforts to build coalitions across the factions on defense committees and among the larger chambers in passing floor amendments. Each faction had greater or lesser influence in exerting influence. Content analysis across cases of Committee Reports/Bill data supports the conclusion that the views of Hawks and Owls dominated the defense committees (where these heuristic types would be expected to naturally ‘gather’). This conclusion is reinforced by the observation that Doves offered the largest majority of “dissenting views” in committee reports, as well as proposing over fifty percent of all floor amendments offered from FY74 – FY94. See Figure 8.1 below.

Figure 8.1:

Floor Amendments, FY 74 - FY 94

<table>
<thead>
<tr>
<th>Year</th>
<th>HAWK - Passed</th>
<th>HAWK - Failed</th>
<th>DOVE - Passed</th>
<th>DOVE - Failed</th>
<th>OWL - Passed</th>
<th>OWL - Failed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1974</td>
<td>20</td>
<td>10</td>
<td>15</td>
<td>5</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>1975</td>
<td>25</td>
<td>20</td>
<td>20</td>
<td>10</td>
<td>15</td>
<td>5</td>
</tr>
<tr>
<td>1976</td>
<td>30</td>
<td>25</td>
<td>25</td>
<td>15</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>1977</td>
<td>35</td>
<td>30</td>
<td>30</td>
<td>20</td>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>1978</td>
<td>40</td>
<td>35</td>
<td>40</td>
<td>25</td>
<td>30</td>
<td>20</td>
</tr>
<tr>
<td>1979</td>
<td>45</td>
<td>40</td>
<td>45</td>
<td>30</td>
<td>35</td>
<td>25</td>
</tr>
<tr>
<td>1980</td>
<td>50</td>
<td>45</td>
<td>50</td>
<td>35</td>
<td>40</td>
<td>30</td>
</tr>
</tbody>
</table>
In many instances, as in the formation of the Scowcroft Commission and subsequent FY83 MX votes in both the House and Senate, Owls were also better politically organized, both in committee and on the chamber floors, even though their positions were contrary to the majority party leadership. Owls were also able to apply these same skills of organization and persuasion towards the FPE, as in the SALT II interim restraint issue, and institutionalization of both the Nitze criteria and narrow ABM Treaty interpretation, by mobilizing sufficient support to dissuade the FPE from vetoes or veto threats in most policy showdowns.

*Floor Amendments* data similarly supports the notion of Owl dominance. While offering the fewest amendments, Owls’ success rate on the chamber floor was the highest across all cases. Analysis suggests that Owls represented the ‘swing’ faction between nuclear Hawks and Doves, holding the balance of power and often sought after as coalition partners, which tended to also boost their ability to shape the content of floor amendments in their favor and wielded greater policy influence in floor fights and in Level II bargaining with the FPE. See Figure 8.2 below.

![Figure 8.2](image)

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5 During this period, Doves were certain that they had dealt the MX program a ‘death blow’ through various legislative vehicles and restrictions, but they underestimated the political skills and appeal of the Owls. By forging an effective coalition with Hawks, and working closely with the executive branch, Owls were able to save the program on several occasions.
• **How do legislative actors attempt to shape a state’s grand strategy via the acquisition of elements of state power?**

Defense committees may accomplish their desire to impede or influence FPE activities either directly or indirectly. As a means to shape and influence overall grand strategy, of which strategic arms control was a key component in the late Cold War period, congressional defense elites generally use their power directly to influence FPE strategy. The character of this influence in terms of Level I bargaining leverage was frequently negative (i.e. an attempt to deny a specific FPE action). For example, despite the Reagan Administration’s effort to develop a ‘strategy of technology’ using SDI and other potentially revolutionary weapons, Congress acted to deny the FPE the full exploitation of U.S. technological superiority in Level I negotiations by limiting the pace and scope of technology development. The divergence was the direct result of differing measures of what constituted ‘bargaining leverage.’ While Congress felt it had provided a robust funding profile sufficient for SDI to be used as a bargaining chip, it was insufficient for the preferred administration strategy of using the threat of *unilateral* SDI deployment to induce Soviet acceptance of a *cooperative* managed transition to an offense-defense deterrent regime. This required a more ambitious SDI development and testing program than allowed by Congress. Congressional limitations crippled a key component of Reagan’s grand strategy; with no credible threat of SDI deployment, there was no Defense and Space Treaty.

Figure 8.3 indicates how, after the initial strong support, SDI R&D requests diverged widely from funding authority and actual appropriations, which affected the success of the FPE’s intended strategy to convince Moscow to join in a jointly managed transition.⁶ With the exception of a temporary increase in SDI authority as a result of the FY92 Missile Defense Act,

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⁶ The inter-branch struggle over the ABM Treaty interpretation after 1985 and the prospect of improved U.S.-Soviet relations after 1986 contributed to an increasing gap between SDI requests and actual authorized funding, with report language indicting a widening divergence in policy and negotiation goals between Congress and the FPE.
Congress and the FPE perceived a completely different arms control strategy for the SDI program.\(^7\) These inter-branch disagreements resulted in a diminished U.S. bargaining leverage in the unsuccessful DST forum and arguably delayed a final START agreement.

\begin{figure}
\centering
\includegraphics[width=\textwidth]{sdiprogramrequests.png}
\caption{SDI Program Requests vs. Actual Authorization/Appropriations Funding, FY 84 - FY 94}
\end{figure}

This example illustrates the important relationship that congressional weapons acquisition decisions may have on grand strategy as well as arms control agreements. Congress may exert positive influence on grand strategy, but this occurs only when congressional policy elites are \textit{invited} into the formulation process by the FPE. The more positive approach is rare; it was briefly demonstrated in the 1983 “Treaty of Pennsylvania Avenue,” but later abandoned.

Defense committees also can use \textit{indirect} legislative approaches, by justifying their actions on grounds such as budgetary reasons or program risk reduction. In such instances, struggles over policy or strategy differences with the FPE can be resolved indirectly by procedural means, justified on budgetary or other (often legitimate) grounds, but achieving the same net policy or

\footnotesize\textsuperscript{7} The ‘bump’ in FY 92 program authorization, reflects funding shifts and a research focus on theater missile defenses funded out of SDI program elements and away from any near-term national strategic defense deployment, contrary to the FPE preferred strategy.
strategy effect, without direct confrontation with the FPE. As Aspin once noted, congressional actors often “prefer to deal with issues indirectly and procedurally” (Johnson 2006, p.195).

**UNDER WHAT CONDITIONS: Domestic Mobilization and Grand Strategy Implementation:**

<table>
<thead>
<tr>
<th>Research Focus</th>
<th>General Theoretical and Philosophical Questions For Investigation</th>
</tr>
</thead>
</table>
| 3. Domestic Mobilization, Grand Strategy Implementation | • How do states’ legislative actors mobilize the resources **necessary to pursue their chosen security policies**?  
• How much power do legislative actors have to obstruct the state when it seeks to mobilize resources in different settings?  
• What determines who is more successful in bargaining games between the FPE and the elected legislature societal groups?  
• Should domestic actors oppose the state’s leader involved in critical international negotiations, or deny the FPE needed resources and programs for bargaining and concluding an agreement that enhances overall national security?  
• Under what conditions will legislative actors attempt to shape a state’s grand strategy via the acquisition of elements of state power? |

• How do states mobilize the resources necessary to pursue their chosen security policies?  
How much power do domestic actors have to obstruct the state when it seeks to mobilize resources in different settings?

Because of its constitutional spending power in military acquisition, force structure, organization and rulemaking, in theory Congress holds considerable, although not absolute, sway over security policy through its functional veto. In Level II bargaining, each branch seeks to maximize its constitutional power to promote its policy preferences. When there are inter-branch policy differences, bargaining occurs to resolve policy or political differences, either through building consensus or compromise, where each branch seeks to persuade or accommodate the other. As a bargaining tactic, the FPE can threaten to veto an offending bill, setting a higher bar for internal legislative cohesion to successfully challenge FPE preferences. Another FPE bargaining tool is to “go public” by seeking to apply pressure on Congress through public opinion.8

As Koh (2006) notes, the executive “almost always wins” in inter-branch disputes over federative policy and strategy. Because use of the spending power to restrict flexibility of

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8 “Going public” (Kernell, 1987) is a strategy whereby a president promotes his policies by appealing over the heads of legislators and directly to the American public for support, creating pressures on legislators to accommodate presidential preferences. The strategy is sometimes effective, but carries considerable risks if the strategy fails, and even if it succeeds leaves residual bad feelings between the branches affecting future bargaining scenarios.
presidential action is not a routine exercise in security and foreign affairs (as it is often in domestic contexts), the functional veto is infrequently employed, even in instances where there is strong pressure from the public and organized interest groups on Congress to do so.

Congress can and, at times does, exert strong policy influence over the FPE’s arms control preferences. This occurs when defense committees and the entire Congress are highly motivated to use institutional power to exercise a functional veto. Thus the power of Congress to obstruct the FPE over policy and strategy by its functional veto can be characterized as highly theoretical, but also highly conditional.

- **What determines who is more successful in bargaining between the FPE and the elected legislature societal groups?**

While the separation of powers provides each branch some latitude, differences between the FPE and the Congress, and within various factions of Congress, are both policy-based and inherently political. On nuclear issues especially, as Lindsay notes, defense elites are generally motivated by ideology, not parochialism. Foreign policy-oriented committees and legislative entrepreneurs focus their attention on federative affairs, but the defense committees, with their responsibility to draft and defend defense authorization and appropriations bills on the floor, possess the chief responsibility to negotiate with the FPE on the acquisition of weapons, the tangible instruments of national power.

The more successful faction is generally the one that not only can successfully argue their case to hundreds of colleagues, but also can better leverage the myriad of institutional power, rules and norms to their strategic advantage. In many of the subject cases examined – over many years and across many committee and floor votes – Owls more frequently succeeded in these tasks. This was not because theirs was always the ‘better’ policy, but because of their greater ability to generate consensus and compromise in both committee and chamber, and to form
strategic (albeit temporary) coalitions with Hawks or Doves across the aisle and across Capitol Hill. The institutional tendency to encourage and reward such maneuvering underscores that a dedicated policy faction can always fashion compromises within Congress on most of the key security issues, and then impose their policy preferences onto the FPE to influence U.S. negotiation stances.

As Les Aspin, a vocal and active Owl, once noted, “Rational arguments in Congress carry very little weight unless they are politically organized” (Aspin 1975, p.173).

- **Should domestic actors oppose the state’s leader involved in critical international negotiations, or deny the FPE needed resources and programs for bargaining and concluding an agreement that enhances overall national security?**

It has been observed, “When it comes to foreign affairs, Congress and the president both can claim ample constitutional authority” (Lindsay 2011, p.395). The Constitution’s designers always intended to involve both ‘political’ branches in federative policy formation. As the institutions evolve overtime, if the FPE does not actively seek ‘advice’ from the legislative branch, with no other avenues of transmitting ‘advice’ available, Congress inserts itself into the policy formulation process, as noted above, given sufficient motivation and sharp differences with the FPE over policy and strategy.

There is an old adage in American politics, “politics stops at the water’s edge.” This has never really been true in American history, although norms and protocols have been created over time that generally respect presidential prerogatives in foreign policy. Congressional leaders usually make an effort, since the president is presumed to negotiate in the national interest, to ensure its actions do not appear to undercut an FPE in Level I negotiations, at times requiring

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9 The phrase was first used by Senator Arthur Vandenberg (R-CA) in 1947 and was widely adopted in Congress at the start of the Cold War to mean U.S. politicians should always present a united front abroad, despite political disagreements at home. It does not imply that the president’s foreign policy and grand strategy is exempt from criticism or challenges by Congress. See Wisegeek.com (2015).
leaders to suppressing the activism of back-benchers.\textsuperscript{10} As evident in the cases studied, legislators frequently are at pains to point out that their actions are not \textit{intended} to impede the FPE in their constitutional duties to conduct the nation’s foreign policy (H. Rpt. 100-782).\textsuperscript{11} Yet as seen in the cases, when the institution collectively disagreed with the president, Congress does not hesitate to act on its own perceptions of strategic threat, or promote policy preferences via causal mechanisms through constitutional prerogatives.

These actions constitute inter-branch negotiation of the win-set that drive American negotiation stances. Some specific examples of these actions inferred from the case studies are identified below:

<table>
<thead>
<tr>
<th>Integrating Weapons, Arms Control Activities “Downstream” (Level I)</th>
<th>Causal Mechanisms/Conditions under which Legislative Actors shape Grand Strategy via Weapons Acquisition</th>
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<tr>
<td>• Possible/Required Changes:</td>
<td>• Level II Bargaining Defines Level I “Win Sets”</td>
</tr>
<tr>
<td>o U.S. Arms Control Positions</td>
<td>o Scowcroft Commission recommendations</td>
</tr>
<tr>
<td>o Discretion granted to FPE</td>
<td>o ‘Treaty of Pennsylvania Avenue’</td>
</tr>
<tr>
<td>o FPE Level I Strategy</td>
<td>o Nunn-Levin Amendment on ABM Treaty interpretation</td>
</tr>
<tr>
<td>o Possible Level I Outcomes</td>
<td>• DOD Authorization/Appropriations Public Law codifies policy preferences as ‘Conditional Functional Vetoes’:</td>
</tr>
<tr>
<td></td>
<td>o MX basing restrictions/directives</td>
</tr>
<tr>
<td></td>
<td>o SALT II ‘No undercut’ policy</td>
</tr>
<tr>
<td></td>
<td>o ASAT testing restrictions</td>
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<td></td>
<td>o Nitze Criteria on strategic defense deployment</td>
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<tr>
<td></td>
<td>o Nunn-Levin Amendment on ABM Treaty interpretation</td>
</tr>
</tbody>
</table>

• Under what conditions will legislative actors attempt to shape a state’s grand strategy via the acquisition of elements of state power?

Under rare political circumstances and contexts – when legislative-executive policy preferences diverge widely and the FPE make no effort to seek ‘advice’– Congress will employ a functional

\textsuperscript{10} While flying to Reykjavik, Reagan phoned House Speaker Tip O’Neill to request some ‘breathing space’ for the summit. O’Neil complied by withholding key arms control-related amendments from the FY87 Authorization and Appropriations bills (Schultz, 1993).

\textsuperscript{11} The most explicit example is found in the FY89 Authorization Act, “Sec. 903. Sense of Congress concerning role of Congress in arms control and defense policies” (pp.118-119).
veto.\textsuperscript{12} Also, FPE policy or strategy does not have to “fail” for Congress to promote alternatives; Congress may simply assert its own preferences. While the American constitutional system lacks a formal “vote of no confidence” procedure against the executive typical in parliamentary systems, it does possess a separation of powers mechanism in which confidence and support of executive leadership in Congress does matter, and certain conditions may trigger efforts by legislators to assert its preferences.

Because the composition of military forces is central to its constitutional authority, Congress will reduce or re-direct resources to acquire instruments of national power, under the condition of a \textit{peace psychology effect} (PPE), when it perceives peace is at hand, or pursues a peace dividend after periods of successful negotiations with potential rivals and adversaries. Historically, this occurred at the conclusion of wars, but also occurs after major arms control agreements are signed. Regarding procurement of weapons after major agreements, three historical cases are relevant: the 1922 Washington Naval Conference (and subsequent follow-on negotiations), the ABM Treaty/SALT IA and 1970s Détente, and the period following the INF Treaty and late Cold War summitry. Each historical instance was followed by congressionally initiated reductions or major adjustments in weapons acquisition programs, often while the original or follow-on negotiations continued towards an uncertain conclusion.

This PPE scenario also occurred in the case of the Small ICBM. An unintended effect of the 1991 cancellation of the Small ICBM was to undermine the primary objective of a START regime as articulated by the 1983 Scowcroft Commission: de-MIRVing U.S.-Soviet ICBM forces in the interest of stability. Although it did somewhat reduce overall MIRVed ballistic

\textsuperscript{12} Lindsay (2011) argues that historically Congress generally defers to the FPE unless it perceives a policy or strategy to have failed; yet a failed (or failing) foreign policy or strategy does not always evoke these legislative efforts and a FPE policy or strategy does not have to “fail” for Congress to promote its own preferences. Thus Lindsay’s explanation is insufficient to define the conditions posed in the research question.
missile capabilities, the 1991 START treaty did not fulfill this goal, which was postponed until the follow-on START II treaty.\footnote{The START II treaty as signed in 1993 would have eliminated all MIRVed land based ICBMs but never went into force. The U.S. never deployed a mobile ICBM force based on the SICBM. Such a force could have rendered a continued Russian MIRVed ICBM force a declining strategic asset; thus the U.S. was unable to take full advantage of START II’s favorable terms. Russia’s Duma originally ratified START II in 2000, contingent on U.S. adherence to the ABM Treaty, from which the U.S. withdrew in 2002. Russia retains its MIRVed ICBM force to this day. This ended the ambitious U.S. project of 1983 to reverse the MIRV revolution through arms control.}

Alternatively, when defense elites in Congress perceive rising security threats – threats that appear to threaten American strategic superiority, create an adverse shift in global power affecting American strategic interests, or undermines strategic parity that enables defense of those interests – it will more aggressively support the FPE plans for rearmament and weapons acquisition. This condition reflects a \textit{strategic parity effect} (SPE). If necessary, again acting on its global worldviews, Congress may exceed the FPE’s plans and requests to inject \textit{its own} program and policy preferences that address their threat perceptions. Historical examples of Congress acting under the SPE condition include: after Japan’s breakout of the Five-Power Treaty (the Washington Naval Conference) of 1922, following the collapse of détente in mid-1970s, efforts to address the (theoretical) Minuteman ‘window of vulnerability’, reversal of Carter’s strategic bomber/cruise missile carrier and MX basing schemes in the late 1970s. In the 1980s, Congress also sought to act because of growing concerns over crisis stability effects created by Reagan’s ‘peace through strength’ policies and Reagan’s perceived disinterest in arms control, after the Soviet Union attained strategic parity in nuclear weapons.

Congress can either work in support, or defiance, of the FPE’s policy preferences. Where Congress finds itself in agreement as to the threat and the adequacy of the FPE response, the two political branches can work in harmony and tandem. But where congressional elites perceive the FPE is failing to adequately address a power shift or rising threats, or if elites hold divergent
perceptions over the programmed responses to threats, conditions such as PPE and SPE provide greater incentive to challenge the FPE. Emergence of the conditions characterized by PPE and SPE is both rare and varied, but patterns identified in the Cold War’s final years parallel those of similar strategic circumstances in the 20th century and thus provide grounds for positing this generalization.

Theoretically, the functional veto can be issued at any time. Congress has not frequently or vigorously employed the functional veto in federative affairs since the end of the Cold War. This strongly suggests that exercise of the function veto is highly conditional. So what are these rare and varied conditions? Conditions of the peace psychology effect (PPE) and the strategic parity effect (SPE) suggest promising avenues of further investigation.

Support for Existing Theory

Findings: Support for NCR and APD Theories. This study has used the theories of Neoclassical Realism (NCR) and American Political Development (APD), respectively, to explore the proposition that the policy influence on strategic arms negotiation processes by congressional elites could be accomplished through legislative weapons procurement activities. NCR and APD offer considerable explanatory power in investigation of the research question, both within and across the five cases and are useful and valid theoretical frameworks to understand the role and contribution of Congress in the final stages of the Cold War.

Neoclassical Realist IR Theory. Inspired by NCR theory, the study concludes that congressional factions can act as key unit-level intervening variables to advance preferred policy and strategy alternatives at the expense of executive preferences. While approaching policy from different domestic and geopolitical perspectives than the FPE, these congressional actors share a strong desire to shape American power and policy and, under certain conditions, acts on these impulses.
NCR theory explains foreign policy outcomes through possible motivations of intervening variables (congressional actors) based on their assessments of systemic-level conditions in international relations. Through process tracing, the study uncovered such ideational motivation in the observed behavior of defense committee elites, endorsed within both chambers of Congress, which guided subsequent actions on national program responses to global conditions. This indicates a strong potential for causal relationships and behavior in a manner similar to the “transmission belt” phenomena posited by Rose (1998). While perceptions of the Independent Variables may or may not have reflected the actual systemic realities of external power, observed manifestations in the five cases suggest an ideational motivation and justification (addressing the ‘why’ question) for legislative activities that adjusted strategic weapons programs also subject to Level I negotiations. At least in the realm of strategic/nuclear weapons, program adjustments made by defense elites appeared to be transmitted on the basis of their strategic worldview and their desire to shape relative power balances.

*American Political Development Theory*. While NCR theory helps explain motivations of legislative variables, this alone did not provide complete insights into the intricate procedures by which Congress forges nuclear ‘swords’ into ‘plowshares.’ Addressing the ‘how’ question, APD theory focuses on the critical development of intermediate-level American political institutions, analyzing recurrent patterns of order and stability while seeking sources of change (Orren & Skowronek, 2004). APD theory suggests a greater understanding of the means by which Congress transmits its worldviews into binding actions on the executive branch. Research findings indicate the state’s legislative governing processes were central to channeling substantive policy influence and strategic adjustments in U.S. foreign policy. Cases examined in the late Cold War period provided ample evidence of legislative patterns that “exposes sources of
disorder, introduces incongruity and fragmentation into depictions of the political norm, and pushes into the foreground an essentially dynamic view of the polity as a whole,” (p.14). The existence of both order and disorder in political institutions analyzed in the case research – manifested in Lindsay’s theory of a “swinging pendulum” of inter-branch dominance in federative affairs and the historical struggles over budgetary control – serves as a baseline for further measuring analytically and empirically the political change Congress brought to weapons acquisition and arms control in the Cold War’s final years.

As posited by APD and suggested through actual process tracing, examination across all cases exposed recurrent patterns where Congress influenced national policy outcomes by challenging the FPE with alternative policies and at times forced the executive branch to accept its preferences by means of innovative legislative procedure. As posited by APD theory, the study’s observations suggest that through mandated legislative structures and procedures, Congress inserted its arms control preferences into routine defense authorization and appropriations using innovative means. Institutional behavior manifested in these activities introduced measurable change in the political norms characteristic of inter-branch relations on foreign policy during most of the 20th century.

Based on the findings, there is a pattern evidence across the cases to suggest that Congress intended to use its constitutional spending power and oversight over the armed forces to influence U.S. arms control stances and thus outcomes in Level I negotiations, and by extension, influence U.S. foreign policy and grand strategy.
Procuring Swords for Plowshares

**Tentative Hypotheses for Theory-Building on the Research Question**

Using an inductive approach, tentative hypotheses are offered below for purposes of theory building. These hypotheses will help further the investigation of the motivations of Intervening Variables to influence Level I foreign policy outcomes (“Why”) and the means Congress employs to do so (“How”), as well as a more general understanding the conditions and circumstances under which specified outcomes occur, and the causal mechanisms through which they occur. Tentative hypotheses on the research question are identified in Figure 8.4. These are divided into “General Hypotheses” “Why”, “How” and “Under What Conditions” components.

**Figure 8.4**

**Tentative Hypotheses for Theory-Building on the Research Question**

<table>
<thead>
<tr>
<th><strong>GENERAL HYPOTHESES</strong> – Linkage of Weapons Acquisition activity to Arms Control Bargaining by degrees of congressional support/non-support for weapons subject to control.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strength of Congressional Support for Weapons Acquisition</strong></td>
</tr>
<tr>
<td>• Unqualified support in Congress for <em>deployment</em> of a weapons system provides greater likelihood of a Level I agreement or treaty.</td>
</tr>
<tr>
<td>• Conversely, highly qualified support in Congress for the same weapon system <em>deployment</em>, reduces the likelihood of a Level I agreement or treaty.</td>
</tr>
<tr>
<td>• Congress uses its oversight power over defense programs to extract information from the FPE on policy areas beyond immediate acquisition issues to extend its knowledge base and policy reach into federative policy.</td>
</tr>
<tr>
<td>• Congressional support can be specified into three intervening variables – the heuristics “Hawks”, “Doves” and “Owls.” Each holds distinct views and influence on the defense acquisition and oversight process that guide their support for weapons acquisition;</td>
</tr>
<tr>
<td>• Requirements for temporary coalitions among Hawks, Doves and Owls to maximize congressional influence on FPE policy and strategy implementation will increase the interaction effects of the three InVs.</td>
</tr>
<tr>
<td><strong>Bargaining Leverage and Weapons Acquisition</strong></td>
</tr>
<tr>
<td>• Greater levels of Level II inter-branch bargaining on a weapons acquisition subject to arms control reduces that weapons system leverage in Level I.</td>
</tr>
<tr>
<td>• The less congressional support for weapons systems <em>development</em>, the less its bargaining leverage in Level I;</td>
</tr>
<tr>
<td>o Conversely, the stronger congressional support is for systems <em>development</em>, the greater its bargaining leverage in Level I.</td>
</tr>
<tr>
<td>• The less congressional support for weapons systems <em>deployment</em>, the less its bargaining leverage in Level I; Conversely, the stronger congressional support is for systems <em>deployment</em>, the greater its bargaining leverage in Level I.</td>
</tr>
<tr>
<td>• Unilateral cancellation of a major weapons system (by either Congress or FPE) reduces leverage within that class of weapon due to a loss of Level I credibility.</td>
</tr>
<tr>
<td>• Unilateral limits on advanced weapons concepts perceived by Congress as de-stabilizing diminishes negotiation leverage, lowering prospects of Level I agreement in the forum these technologies are to be controlled.</td>
</tr>
<tr>
<td>• Unilateral limits on advanced weapons concepts perceived by Congress as de-stabilizing reduces prospects for an unchecked arms race in that weapon category.</td>
</tr>
</tbody>
</table>
### Congressional activism in weapons acquisition

- Congressional activism in weapons acquisition that results in extensive Level II bargaining increases the prospects of reaching a Level I agreement.
- Congressional activism in weapons acquisition that results in extensive Level II bargaining diminishes prospects of reaching a Level I agreement.
- Adoption of a dual-track ‘develop and negotiate’ strategy increases the likelihood of concluding a successful Level I agreement, but generates higher levels of Level II bargaining that may broaden the win-set for Level I agreement.
- Higher congressional support for a weapons acquisition under a dual-track ‘develop and negotiate’ strategy increases likelihood of concluding a successful Level I agreement.

### Threat Assessment:

- As Congressional threat perceptions diverge from the FPE, Congress will support its own program response to address the threat, even at the expense of Level I bargaining leverage.
- As the number/degree of arms control agreements made with a peer competitor increases, congressional support for weapons acquisition overall decreases due to a ‘Peace Psychology Effect’ (PPE).
- The more a peer competitor maximizes its allowable limits in (or undermines) an existing weapons control regime, the more Congress perceives a threat to the relative distribution of strategic power, due to a ‘Strategic Parity Effect’ (SPE).

### HOW? Legislative means by which Congress seeks to act upon its assessments of perceived threat and pursue policy preferences on weapons acquisition and arms control contrary to those of the FPE.

### Strategic Adjustment

- Once the FPE commits to observe an expired agreement or interim framework while negotiating a follow-on agreement, later attempts to reverse this policy will be opposed in Congress and ultimately will be unsuccessful.
- Congressional establishment of firm weapons development/deployment criteria increases its Level II leverage with an FPE seeking relief from those criteria for purposes of negotiation flexibility in Level I.
- For every internal executive branch policy dispute, there exists a complementary congressional faction to reinforce the bureaucratic positions through proposed legislative procedures.
- Congress responds to perceived internal executive bureaucratic dissension by asserting its policy and strategy preferences through defense authorization and appropriations vehicles.

### Resource Extraction

- Whenever possible, Congressional defense elites seeking to influence FPE arms control policy/strategy will avoid direct conflict with the FPE through use of indirect, non-arms control language and procedure for purposes of either coalition building or deferring a presidential veto.
- The more likely the period of budget austerity, the more likely erosion of congressional support for weapons acquisition and force modernization.

### UNDER WHAT CONDITIONS? Conditions under which Congress mobilizes resources to shape foreign policy and grand strategy through a ‘Conditional Functional Veto’ (CFV).

### Domestic Mobilization

- Divided government that increases legislative-executive conflicts in federative affairs also increases likelihood of a functional veto over weapons acquisition subject to arms control.
- Unified government increase the prospects of a ‘unity of strategy and arms control’ in federative policy and decreases likelihood of a functional veto over weapons subject to arms control.
- The aggregate effect of the Intervening Variables (heuristic Hawks, Does and Owls) creates a policy synergy that restrains the State/FPE through control over the resources for acquiring instruments of State power.
- The greater the congressional motivation to challenge or influence FPE arms control policy and strategy, the more Congress votes prospectively to influence or neutralize FPE
initiatives and US arms negotiation strategies.

- The greater the congressional motivation to challenge or influence FPE arms control policy and strategy, the more Congress employs complex legislative procedures and tactics as means of restraint.

- The more successful the InV coalition building within/across defense committees and legislative chambers, the more likely a functional veto will successfully challenge FPE preferences in acquisition and arms control.

Grand Strategy Formulation, Implementation

- Strategy-driven acquisition decision-making in Congress reflects the condition of a ‘Strategic Parity Effect’ (SPE),

- Budget-driven decision-making reflects the condition of a ‘Peace Psychology Effect’ (PPE).

- Increased congressional activism in weapons acquisition that results in a functional veto over FPE preferences reduces the effectiveness, coherence and sustainment of the state’s grand strategy.

- The more ‘unified’ is the partisan composition of government, the greater the prospect for the unity of strategy and arms control in the State’s grand strategy.

A Theory of Congressional Causality:

Building Strategic Arms Control Regimes via Weapons Acquisition

The product of this case research – analysis of empirical case data, drawing of inferences and observations, and positing of hypotheses for further testing – is a theory of congressional causality in building strategic arms control regimes by way of weapons acquisition activities. In positing this theory, the following components are discussed below and include:

- Identification of new intervening variables (InV);

- Potential causal relationships between the InVs and the Dependent Variable (U.S. arms negotiation stances and negotiation outcomes);

- Identification of causal mechanisms based on ideational, institutional and psychological conditions;

- The concept of a “conditional functional veto” (CFV) as high-leverage institutional causal mechanism(s) for Congress to act upon its ideational perceptions and transmit its institutional policy preferences on American foreign policy and grand strategy;

- Identification of causal conditions, including Strategic Parity and Peace Psychology Effects (SPE and PPE, respectively) under which a CFV is exercised.

These components of the theory are explained below, followed by a discussion of how they fit into a proposed causal model of the theory.

New Intervening Variables. Observations on congressional activities strongly suggest and validate the existence of new intervening variables, identified in the study through a heuristic
typology of *Nuclear Hawks, Doves and Owls*. These variables suggest the operation of distinct congressional factions with diverse and strongly held viewpoints on strategic nuclear policy and strategy derived from independent net assessments of the global distribution of power. At times these factions differ with, and may deliberately act to influence (or reverse), FPE policy and strategy by means of employing a functional veto over weapons activities subject to international negotiation. Research has observed and validated specific contributions of these intervening variables as distinct, enduring types and, at times, through inter-factional coalitions. Collectively, the interaction effects of these intervening variables play an important role in creating a policy synergy in the legislative branch that checked the FPEs’ constitutional powers in foreign policy via its control over acquiring the instruments of national power. This had not been routine congressional practice during earlier periods of the Cold War, where the FPE generally proposed and received the strategic weapons it requested with minimum congressional resistance or substantive policy input. Interaction effects and policy synergy created by the Intervening Variables requires further investigation and measurement through improved understanding of the causal conditions and mechanisms influencing these variables.

**Casual Relationships.** Possible causality between the intervening and the dependent variables constitutes the causal relationship. Analysis of the case studies suggest a notional, theorized causal relationship between Congress and Level I outcomes, as illustrated in Figure 8.5 (see below).\(^4\) The figure posits a causal relationship between the InV and the DV. Any number of causal mechanisms may be observed, depending on the legislative procedural paths chosen, which constitutes a casual chain by which InVs transmit causal forces to the DV.

\(^{14}\) The notional causal chain is adapted from Beach & Pedersen (2013), p.50.
A causal relationship exists between the InV and the DV; Any number of causal mechanisms constitutes a casual chain by which InVs transmit causal forces to the DV

**Casual Conditions and Mechanisms.** Case analysis using a theory-building process tracing method also suggests possible casual conditions and mechanisms that may help better explain specific foreign policy outcomes. Process tracing method in the study identified the likely presence (or absence) of causal *relationships, mechanisms* and *conditions* within a single case. Conceptualization of the causal condition states that:

Weapons acquisition activity is a necessary and/or sufficient condition for Congress to influence U.S. arms control strategy that results in (or alters) the outcomes of U.S.-Soviet arms control negotiations in a manner contrary to the FPE’s preferences and goals.

In this congressional theory, casual mechanisms are a series of parts than can be characterized as “entities” engaged in specific “activities.” The intervening variables (the heuristic *Hawks, Doves* and *Owls*) constitute the entities or agents of causal activities that can be persons, groups,
institutions or tactical coalitions. As shown in Figure 8.5, causal mechanisms are also characterized as ideational, institutional and psychological.

- **Ideational Causal Conditions** *(addressing the ‘Why’ question).* Ideational mechanisms are products of the actors’ interpretation of the world through ideational elements (Khong 1992), and represent congressional elites’ subjective perceptions of external threats and opportunities. Congressional elite concerns will guide and frame its actions in how key elements of national power are acquired through weapons acquisition activities. Ideational mechanisms represent motivational justification for the agency of InVs between weapons modernization and arms control and transmit causal energy to the other mechanisms. Ideational mechanisms both influence and are translated into legislative activities through institutional mechanisms.

- **Institutional Mechanisms:** These constitute the legislative means to revise the FPE’s annual acquisition requests; the legislative authorization, appropriations and other legislative procedures transmit causal forces through the causal mechanisms activated by institutional agents (InVs). There may be a single or multiple institutional mechanisms in a causal chain.

- **Psychological mechanisms.** These mechanisms represent the final link in the causal chain, constituting formulation of a Level II win-set, which is the product of negotiations between legislative agents and the FPE. A psychological mechanism suggests enforcement of mental rules among elites leading to behavior regularity (Janis, 1972, 1982); in this case, the mechanisms represents the regularity of inter-branch negotiations that constitute completion of an enforceable win-set that may constrain or enable the FPE in Level I negotiation forums.

- **‘Conditional Functional Veto’** *(Addressing the ‘How’ question).* The causal mechanism(s) employed for legislative activism can become a Conditional Functional Veto. Having determined through ideational mechanisms to act upon their global view of threats and
opportunities, congressional elites face important questions such as how to influence policy and strategy at Level I negotiations, and to how devise the best legislative means to do so. Because the Spending Power (versus the War- or Treaty-Making Powers) presented the greatest way to influence the FPE in federative affairs, the primary causal mechanisms for change are found in the annual defense authorization and appropriations processes. These vehicles provide Congress with a best means to influence FPE policy preferences – in the form of the ‘functional veto’ over executive actions and behavior (Yoo, 2009).

Yet, because use of the functional veto is neither automatic nor always successful, congressional elites do not frequently employ it. So when does Congress act to challenge or attempt to influence the FPE engaged in Level I bargaining and employ the functional veto? As posited above, certain casual conditions and available causal mechanisms combine to enable defense elites to challenge FPE preferences. A *Conditional Functional Veto* (CFV) rises only when certain casual conditions occur (see below). The CFV can also be triggered by a dispute related to restrictions placed on a weapons acquisition by Congress in disagreement with the FPE; these can include a constitutional crisis or political disagreements, such as in the SDI case study over the issue of whether a FPE can *post-facto* re-interpret the meaning of earlier treaty terms approved under senatorial advice and consent.

- **Ideational/Institutional Conditions and Mechanisms: ‘Parity’ and ‘Peace’ Effects (Addressing the ‘Under What Conditions’ question).** The Conditional Functional Veto can be triggered under the influence of either a Peace Psychological Effect (PPE) or Strategic Parity Effect (SPE). However, these conditions may also exist in circumstances where there is inter-branch consensus as well.
Peace Psychological Effect (PPE). The PPE is created by domestic elites’ perception of an international atmosphere favorable to great power cooperation and a lessening of global political tensions, often created by peace treaties or arms control agreements, with subsequent actions by domestic InVs to reduce defense spending, particularly strategic weapons modernization.

Fanning (1994) writes of a “peace psychology” taking hold among American political elites as part of the 1921 Washington Naval Conference, the first modern arms control agreement. That agreement stimulated domestic peace and progressive social groups, and created pressure by their allies in Congress, to promote even greater disarmament measures after the 1921 treaty, with the intention of more complete disarmament and international peace. The resulting effect is a national security decision-making environment in which defense modernization or procurement programs are cancelled, cutback, or stretched to accommodate more ambitious follow-on arms control agreements that are being negotiated during the acquisition phase of weapons anticipated and shaped by the initial agreement. Follow-on arms agreements subsequently may become either harder to achieve, or less substantively meaningful, due to lack of bargaining leverage resulting from the restrictions on active on-going defense programs. Defense programs that continue may be justified (as ‘bargaining chips’) for the sole purpose of facilitating new arms control agreements, in which the capabilities are reduced or banned by treaty. If there is disagreement over force acquisition between legislative elites and the FPE, the legislature may use its constitutional spending power (the functional veto) to decide the matter. The FPE must accept the outcome and address Level I negotiations of follow-in arms control with reduced leverage, possibly influencing whether a subsequent agreement can be attained that further strengthens the control regime and also meets national security objectives.
**Strategic Parity Effect (SPE).** At other times, congressional Intervening Variables perceive shifts in strategic balance unfavorable to the United States and its interests, despite (and, to some, because of) a prevailing arms control regime; these perceptions produce a Strategic Parity Effect that guide the acquisition of instruments of national power (strategic nuclear modernization in the examined cases); in such instances Congress leans towards much stronger national responses, manifested in strong support for major weapons acquisition. In contrast to a Peace Psychology Effect, the Strategic Parity Effect is created by domestic elites’ perception of an international security environment where there is a potential loss of strategic parity (or superiority), usually accompanied by increased political tensions with global peer competitors, who are perceived to be creating a security dilemma, or the failure of an arms control regime that threatens international stability or precipitates a discernible shift in global power.

Subsequent actions by domestic legislative elites lead to resource allocation and mobilization actions supporting more robust defense programs beyond (or directly contrary to) the FPE request, particularly strategic efforts central to measuring relative national power, in an effort to gain (or re-gain) a condition of strategic parity (or superiority). Domestic elites seek to build a strong legislative consensus for greater armament (or re-armament) if the FPE lags or fails to conform to legislative perceptions and policy preferences. Failure to accommodate legislative elites influenced by the SPE, an executive then may face a functional veto.15

The conditions of PPE and SPE provide the causal conditions under which congressional defense elites approached the debate over proper responses in terms of U.S. strategy, doctrine and weapons as well as complementary arms control strategies. Under either set of conditions

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15 As seen in examples such as responses to the post-NSC 68/Korean War defense build-up, 1950s “bomber gap” and 1960s “missile gap”, Congress may willingly follow the FPE’s lead in vigorously expanding weapons acquisition. Thus a condition of SPE (like that of the PPE) may influence congressional behavior even in the absence of inter-branch divergence of policy/strategy preferences. Under such conditions, however, Congress is more willing to act on its own perceptions and issue a CFV when in disagreement with the FPE.
(PPE or SPE), Congress is more willing to challenge the president’s arms control policies and weapons acquisition priorities through the promotion of alternative policy and procurement strategies. Each faction is guided by its distinct approach to arms control theory and seeks to lead and draft the institutional challenge to the FPE; this may result in tactical, albeit temporary, legislative coalitions to maximize legislative preferences. Both effects may result in re-prioritization of resources through innovative legislative procedure, which can function as casual mechanisms used for Level II bargaining.

Figure 8.6
A Theory of Congressional Causality in Building Strategic Arms Control Regimes via Weapons Acquisition

Figure 8.6 summarizes a theory of congressional causality for building strategic arms control regimes by means of directing strategic weapons acquisition. The model incorporates new intervening variables and the casual relationships, conditions and mechanisms discussed above.
The Congressional Causality theory is based on both pre-1975 historical cases and observations and inferences drawn from the late Cold War case studies. Using the notional causal model in Figure 8.5 in conjunction with this figure, looking inside the ‘black box’ the model theorizes two consecutive causal chains, where in the initial phase, the InVs in Congress perceive a global threat environment that causes them to support robust force procurement and FPE efforts to devise a control regime.

The Strategic Parity Effect conditions their perceptions, where congressional elites see opportunities for gaining parity or superiority, or external threats to existing strategic parity. This creates an ideational mechanism where robust procurement activities provide sufficient leverage for a successful control agreement and lays groundwork for follow-on negotiations that attempt to preserve and extend the control regime.

In the second phase, as these negotiations proceed, the perception among elites of a more benign global environment leads to a Peace Psychology Effect, where ongoing weapons acquisitions programmed in the first phase as part of and within the original control agreement are reduced or halted; such legislative actions are frequently opposed by the FPE. The result is reduced bargaining leverage in successive Level I negotiation forums, which leads to failed agreements and/or a weakening of the overall control regime. Subsequent threat assessments by the InVs may be conditioned by the SPE, beginning a new SPE-PPE cycle.

**Modeling and assessing complex causal relations.** In addition to identification of new variables, casual conditions and mechanisms, theory building requires further modeling and hypothesis testing of these complex causal relationships. The contributions offered above, of new proposed Intervening Variables, the posited casual conditions of PPE and SPE, and the CFV causal mechanism collectively advance the understanding of the sub-class phenomenon, but will
also require additional refinement of existing research data, possible addition of new data and the expansion of cases within the same sub-class. Research also suggests there is some evidence of the following:

*Equifinality*. Because of the complexities and potential causal paths to the creation of negotiating proposals and the need to explain actual negotiation outcomes, further modeling of the congressional InVs to those outcomes is necessary. The legislative process itself is dynamic and, due to the variety of legislative tools and procedures that could be employed towards a given objective of congressional elites, the possibility exists of equifinality of legislative means to influencing the Dependent Variable. Non-congressional causal influences must also be considered. However as Beach & Pedersen observe, process tracing for theory-building provides for tracing generalizable causal mechanism(s), first through detection of observable manifestations, and then inferring the existence of a causal mechanism; theory building process tracing does not claim that the detected mechanism is *in itself* sufficient to explain the outcome, but nevertheless advances a causal theory of explanation (Beach & Pedersen, p.16).

*Complex interaction effects*. There is a high possibility of complex interaction effects between the Intervening Variables *Hawks, Doves* and *Owls*, given the dynamics of inter-faction, intra-chamber, and inter-branch negotiations. For example, what are the incentives that create temporary coalitions among Hawks, Doves and Owls observed in the cases, even as each InV in its pursuit of arms control and nuclear weapons acquisition remains ideologically committed? How do the causal mechanisms of legislative procedures that result in a Conditional Functional Veto affect the formation and dissolution of such coalitions? These and other questions could be further explored.
Path dependencies. There is also a high possibility of path dependencies created between specific legislative elites in conflict with the FPE over policy and process. As shown in the case examples, the SALT Interim Restraint and narrow ABM Treaty reinterpretation issues demonstrate that, given the intensity of these conflicts, certain paths of inter-branch cooperation were deferred or not chosen, which created later difficulties in negotiation and grand strategy, creating what Hyland (1982) calls “a diversion from strategy.” Further analysis within the cases and perhaps in additional cases, could reveal additional examples of how these dependencies were created and how future ones can be avoided.

Congress Causality Model to American Foreign Policy Theory. How does the proposed causal theory of Congress contribute to the formulation of American foreign policy with regards to the sub-class of phenomenon, the effect of Congressional weapons procurement actions on U.S. arms control policy and grand strategy?

For purposes of theory-building, research findings and modeling of the proposed theory suggest that through employing the CFV, Congress can have a causal effect on a Level I negotiation stance, with some probability to change the negotiation outcome (DV) itself. As stated above, change can be manifested in either modification of a U.S. negotiating position or strategy in Level I, or by affecting the implementation of American grand strategy (of which Level I negotiations are a part).

Congressional Contributions to Arms Control Policy and Foreign Policy. As inferred from the cases and incorporated into the posited theory of congressional causality, the contribution of Congress to arms control policy can be both positive and negative. The contribution can be positive, due to the policy synergy that exists in a diverse, pluralist institution such as Congress, where use of checks and balances (through the Conditional Functional Veto) have at times
provided an opportunity to promote a unity of strategy and arms control, a unity that in itself provides strong leverage in Level I bargaining. Congress may also block certain FPE actions that may jeopardize an existing control regime in which Congress is highly invested.

Yet the contribution can also be negative, because at times institutional diversity and shifts in tactical coalition-building can create great uncertainty for the FPE engaged in difficult Level I bargaining situations, where a successful negotiation strategy (always a key component of grand strategy) requires certainly in the minds of peer competitors of the eventual deployment of new U.S. instruments of national power into relative power calculations. Uncertainty of new capabilities, from a negotiator’s perspective, undermines American bargaining leverage, and provides opportunities for a peer competitor to delay or extend negotiations in the hopes of obtaining further unilateral U.S. “concessions” delivered by legislative means. Where strong inter-branch consensus exists to acquire and deploy a weapon system, as in the case of the Pershing II/GLCM and INF, a peer competitor has far less expectation of receiving such unilateral U.S. concessions.

Also as observed throughout the cases, congressional elite factions each viewed their own actions and preferences as addressing a perceived lack of ‘unity of strategy and arms control’ by the FPE. In the 1970s (during the Ford and Carter Administrations), a Hawk-Owl coalition perceived an over-emphasis by the FPE on arms control at the expense of strategic modernization strategy. A PPE condition had earlier prevailed, where executive policy was promoting the policy of détente with the Soviet Union in the wake of the SALT I/ABM agreements, but congressional elite motivations were trending towards a SPE condition, as post-nuclear parity concerns over Soviet foreign policy adventurism and Moscow’s continued buildup of new strategic nuclear capabilities became evident to defense committee elites. The Jackson
Amendment and other subsequent acquisition initiatives in Congress created pressure on Ford and Carter to adjust their weapons and arms control strategy accordingly; these were intentional efforts by the defense committees to forge a unity of strategy and arms control by bringing the two policy components into greater equilibrium. These Hawk-Owl challenges marked the end of the PPE condition in this period and the beginning of the SPE condition that extended into the mid-1980s.

In the 1980s (during the early Reagan administration), a combination of Doves and Hawks successfully acted kill the MX/MPS basing mode, although their motivations were dissimilar.\textsuperscript{16} When the administration appeared to be flailing in its efforts to address the MX basing mode and ICBM survivability questions, Owls (with support from Hawks) promoted a presidential commission mechanism to build a lasting bipartisan consensus and political solution to the ‘window of vulnerability’ issue as well as a design for more stable force structures on each side. This Owl-Hawk initiative also served to promote a unity of strategy and arms control that the executive branch was unable to produce alone.

In both of these cases, under alternating conditions of PPE and SPE, Congress arguably provided a basis for a balanced approach to modernization and arms control through a unity of strategy and arms control. This allowed a clear instance of congressional influence over arms control strategy through Level II bargaining and eventually, in Level I outcomes.

The mid-to-late 1980s (during the Reagan and Bush administrations) saw another shift in congressional perceptions, where a Dove-Owl coalition perceived in the Reagan Administration an overemphasis on strategy at the expense of arms control, specifically, an attempt to conduct a strategy of technology through leveraging SDI development while it was also engaged in a

\textsuperscript{16} This pattern was repeated in the early 1990s, when Doves and Hawks united to diminish the prospects of mobile ICBM deployments, each seeking to eliminate, respectively, MX Rail Garrison MX and Small ICBM programs while START was under negotiation. The only difference in these examples was the SPE condition in 1979 and the PPE effect in 1990.
Procuring Swords for Plowshares

robust nuclear offensive modernization program, perceived by Moscow (and perhaps some congressional elites) to be creating a possible security dilemma. The central, avowed purpose of Reagan’s strategy of technology was to promote a new offense-defense strategic deterrence relationship, diminishing the political-military utility of offensive nuclear weapons and existing force structures. While defense elites at first appeared attracted to the idea of a phased defense transition (as articulated in the ‘Nitze concept’), subsequent legislative actions created a widening inter-branch divergence in strategy and arms control that could not be accommodated.

Congress responded with challenges and successfully forced significant adjustments to the ambitious FPE strategy. Activities included a statutory institutionalization of the SALT II interim restraint policy that Reagan had adopted in 1981, but wanted to drop by 1985 as a means to apply greater bargaining pressure in the START portion of the Nuclear and Space Talks in Geneva. Congress also institutionalized in statute a “narrow” interpretation of the ABM Treaty, the effect of which cast doubt on any near-term deployment of a Phase I strategic defense system. This imposition under the 1987 Nunn-Levin amendment (extended annually in defense authorization bills) effectively took Reagan’s bargaining strategy based on superior technology off the table for the rest of the Cold War. This constituted a negative congressional affect on the FPE’s arms control strategy.

These instances, the latter occurring after the INF treaty was effectively completed and awaiting signature, marked the end of the SPE condition and the initiation of a new PPE phase. Thus, the actual impact of the Intervening Variables is to promote, at times, a narrow win-set for

17 A recently declassified 1988 report by the President’s Foreign Intelligence Advisory Board supports the notion that in 1983 the Kremlin perceived such as security dilemma and feared a surprise U.S. nuclear attack (Hoffman, 2015).
18 By retaining older nuclear systems while deploying new ones beyond the expired and un-ratified SALT II treaty, Reagan hoped to use a larger U.S. force structure for additional bargaining leverage – with older systems constituting “chips” to be traded for similar reductions in older Soviet systems. The intention was to increase bargaining pressure on the Kremlin.
Level I negotiations that contributed to a *unity of strategy and arms control*; at other times, the intervening variables created a broader win-set that constituted a *diversion from strategy*.

**Congressional Contributions to Grand Strategy.** The contribution of Congress on adjustments to grand strategy are harder to determine, and yet are arguably of greater consequence for national security. As observed, employment of the CFV can be triggered by either a prevailing condition of PPE or SPE, but is hard to assess or predict these effects on the broader direction of American foreign policy and grand strategy. The uncertainty of the congressional Intervening Variables’ impact on grand strategy itself creates a ‘diversion from strategy’ in areas essential to national security.

The examples cited above indicate that the congressional Intervening Variables identified in the study and incorporated in the theoretical model may contribute to answering a larger theoretical question, “when, why and how does grand strategy change?” (Dueck 2004). The theoretical literature suggests that changes in grand strategy are determined in a zero-sum manner through three separate factors – international shifts in power, domestic coalition interests, or culture and identify – but the literature does not explain how these various factors interrelate, how they combine in a causal effect, and how much each explains (p.214). Congressional Intervening Variables often grapple with each other as well as the FPE over the proper balance between *state capabilities* (measured in this study by strategic nuclear power) and *state commitments* (American pledges of support to defend its allies and interests abroad backed by the credibility of the American nuclear umbrella).

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19 Dueck (2004) poses this question in his reviews of literature by IR theorists Art (2003), Ikenberry (ed. 2002), Kupchan (2002), Nau (2002) and Nye (2002). Dueck observes also that traditional balance power theory and theories such as structural realism, liberal internationalism and constructivism do not generally explain changes in grand strategy very well. His essay, like this study, suggests that a neoclassical realist explanation may provide greater insight; however the affects of congressional InVs require further study.
Dueck argues that American grand strategy is shaped by international distribution of power calculations, as translated by domestic decision making elites infused with liberal internationalist ideas, a neoclassical realist explanation. A problem however, is the American tendency to oscillate between various forms of internationalism by which the United States promotes very ambitious goals worldwide through relatively limited means. Making such commitments requires the maintenance of American power over time and strategic parity with any peer competitors.

As observed in the case studies and implied by expectations in the theorized model, the conditions under which this situation occurs could possibly be explained by the cyclical conditions of both causal conditions identified here, the Peace Psychology Effect and Strategic Parity Effect, that frame congressional perceptions of threats, strategic adjustment, resource extraction and grand strategy formulation that strongly influences the acquisition of state capabilities.

The condition of PPE exhibits a sense of complacency in national security (and a willingness to defend far-flung American interests with a minimum of military power investment), whereas a condition of SPE exhibits a periodic realization by policy and congressional elites that peer competitors can challenge American interests in areas where its foreign commitments exceed its capabilities to deter aggression. Each condition suffers from an imbalance between ends and means. Both PPE and SPE effects guide national security decision-making in democratic pluralist political systems. Where a situation of strategic parity (i.e. a relative balance of power) exists, the condition of PPE can constitute a tendency towards under resourcing preparedness, whereas a condition of SPE can create the possibility of a destabilizing and wasteful arms race and/or a centralized ‘garrison’ state, as posited by Friedberg (2000). The founders’ constitutional
design wisely provided for a system of separation of powers that mitigates these extremes at the same time providing a check and oversight over the presidency through legislative action.

Strategic adjustment – which is expected in the congressional causality theory posited here – suggests that American grand strategy is ultimately shaped and determined by changes in the international distribution of power, but translated through the prism of domestic politics, allowing for a (high) potential for domestic variables’ to make an imperfect translation. Congress, given its role in shaping American grand strategy in the late Cold War period, a time of rapid change, experienced co-existing, alternating effects of Peace Psychology and concerns of Strategic Parity; congressional activities transmitted through causal mechanisms reflects the oscillation in policy and strategy influences noted by Dueck; such oscillation is a unfortunate by-product of this constitutional arrangement. These effects are to be expected in pluralist political systems, and arguably, in the American case, is almost guaranteed by constitutional design.20

Since congressional influence in these matters derives largely from its power of the purse – effectively from defense budgeting and oversight – there is a particular danger that Congress tends to approach strategy from a budget-driven perspective, and thus tends to be biased towards economy at the expense of grand strategy, and to view arms control primarily as a resource allocation tool. This gives congressional influence on grand strategy an unpredictable, sometimes incoherent character. It is the executive branch that must continue to insist on a strategy-driven approach, even when Congress is in the grips of a prevailing PPE condition. Since it is unlikely that there will never be sufficient national resources to “afford” what the perfect grand strategy requires, these tendencies must find equilibrium under a separation of powers system within the American political process.

20 The literature of American foreign policy history is characterized by highlighting such shifts and oscillations. For a recent example, see Mead (2001).
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Grand strategy cannot, and should not, change with shifting political coalitions, changing personalities or the vicissitudes of budget politics in Congress. Yet the Conditional Functional Veto looms large in the conduct of American foreign policy and grand strategy. To the extent Congress intentionally tries to influence grand strategy when it disagrees with the FPE, its influence – still not well understood, cannot be easily forecast, and requires further investigation – might be seen as generally negative. Congressional factions as intervening variables can thus be said to act as a “wild card” and complicate the formulation of a predictable foreign policy and consistent grand strategy.

The answer to ‘under what conditions’ in which Congress may employ a conditional functional veto to influence grand strategy requires further exploration of patterns through the testing of tentative hypotheses and the validation of causal conditions and causal mechanisms.

Generalizability/Transferability of the Research Findings.

- *Are the findings in this study generalizable (or transferable) to other instances and cases within the same sub-class?*
- *Can any generalizable (or transferable) findings within the sub-class be extended to more diverse subclasses of the general class of phenomenon?*

Generalizability is the extension of research findings and conclusions from a study conducted on a sample population to the population at large. Statistically probable, generalizability quantitative research data on large populations provides the best foundation for producing broad generalizability in a general class of IR phenomenon (e.g. “the effect of domestic politics on foreign policymaking”). However, generalizability of small n qualitative case studies of a specific sub-class of phenomenon (in this study, “the effect of Congressional weapons procurement actions on U.S. arms control policy and grand strategy”) directly to the general class

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21 This was the reason why Hamilton in *Federalist No. 70* argued for the primacy of the executive in conducting foreign policy and keeping secondary the legislature’s role in conducting federative affairs, focused on providing to the executive the necessary tools and resources for successful statecraft and warfare.
of phenomenon is more problematic. However as noted by George & Bennett (2004), smaller qualitative case studies, of which this study is an example, may also contribute to a “building block” approach to theory-building, where the body of knowledge of a general class of phenomenon transfers through a specific sub-class when joined with other cases of more diverse sub-classes of the same general phenomenon (p.78). The transferability of the results of small n case studies to similar sub-types along these lines is a more reasonable expectation. Transferability is the assumption that a property associated with cases in a specific sub-class will have similar (but not identical) properties in a variety of different circumstances and sub-classes of the same phenomenon. Generalizability of results to another context of the same phenomenon to create a “building block” approach requires a detailed and rich description of the broad policy environment surrounding the research to identify transferable knowledge.

**Are findings in this study generalizable to other instances/cases within the same sub-class?**

Yes. Despite the relatively small population size of this study, the five cases of strategic weapons procurement draw upon a relatively small (~20) population of strategic weapons in the late (post-1970) Cold War period case; expansion into other cases would capture similar weapons (procured as well as cancelled) that were in development and procurement during the period’s arms control negotiations. Generalizability may be strong for other cases within same sub-class because all key variables – the global distribution of power (Independent Variable), activists nuclear Hawks, Doves and Owls (Intervening Variables), and Cold War era arms control negotiation forums (Dependent Variable) are identical. Findings are also generalizable in historical cases of weapons and modern arms control (1920s/30s Naval Conferences, and 1969-

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22 The validity and usefulness of each block does not depend upon the existence of other studies of different subclasses, and each building block may be itself a contribution to theory. Building blocks allow also a collective advance up the ladder of generality (p.78).
69 Sentinel/ABM), except, as noted in the study, that congressional budget procedures and tools observed in the five cases did not yet exist in the historical cases. \(^{23}\) Primary source research could reveal useful empirical evidence and possible causal mechanisms through process tracing. Findings from this study are more generalizable and transferable to more recent arms control negotiations, such as the Moscow Agreement of 2004 (a follow-on to START I and START II treaties), nuclear testing limitations, and the 2011 “New START” Treaty, instances where key variables are identical and where causal conditions of PPE or SPE and causal mechanisms are similar to this study. Instances in related (not the same) subclasses of issues involving arms control issues – historical cases such as the Non-Proliferation Treaty and more recent cases such as the 2015 Iranian Nuclear Agreement – the findings would be less generalizable, because these types of arms control agreements did not directly involve acquisition of U.S. weapons systems subject to congressional approval and these agreements frequently were self-executing, not requiring Congress’s use of the purse. However, these issues were certainly addressed in defense authorization (and to a lesser extent) appropriations reports that address congressional perceptions of threats and opportunities in arms control and perhaps can and will drive future weapons requirements.

**Can any generalizable findings within the sub-class be extended to other subclasses in the general class of phenomenon?**

Generalizable findings could be extended to different sub-classes of the general class, as part of a “building block” approach, as long as certain criteria apply. Key variables must be similar:

- If the *Independent Variable* (shifts in global distribution of power) reflects measurable elements of national power (be it hard/soft/military/economic/cultural/technology) that can affect global behavior of the states;

\(^{23}\) A lack of budgetary procedural tools might affect Congress’s Level II bargaining leverage with the FPE over weapons acquisition in these historical cases.
• If *Intervening Variables* (legislative elites on relevant committees) “translate” their perceptions into concrete actions on national programs they oversee that could affect either direct ongoing diplomatic negotiations, or indirect bargaining between states where allocation of national resources might provide direct leverage in Level I outcomes. This implies:
  o a distinct government activity (or subsidy) that directly affects formulation of state foreign policy behavior;
  o a government activity that is not self-executing and relies on government programs, where a policy must be authorized and resulting programs funded by appropriations from Congress; and
  o a government activity that involves a combination of resources (to be mobilized), bi/multi-lateral interactions, and requires an application of strategy/grand strategy by the FPE.

• If the *Dependent Variable* (products of Level I outcomes) is either a direct negotiation forum or involves interactions/transactions between state actors or IGOs where material resources of the states’ power are subject negotiation and affect subsequent foreign policy behavior.

Examples of other sub-classes where these finding would be transferable would be most issues involving the international political economy, for example, a sub-class of phenomenon such as *the effect of Congressional actions on government subsidies affecting U.S. trade liberalization and promotion stances*. These issues involve relative economic power affecting the economic health and security of the state. These would include issues such as international trade policy – bi-lateral and multi-lateral trade pacts like the Trans Pacific Partnership, and IGO forum trade negotiations such as the WTO/Doha Round; the imposition of economic sanctions on other states; transactions involving strategic materials critical to economic security; and specific national programs or institutions related to international trade policy, such as the authorization and funding of the Export-Import Bank. This could also apply to technology issues measuring relative national power such as technology transfer policy, competitiveness, and international information infrastructure issues.

Transfer of findings is also less generalizable where the study’s sub-class causal criteria do not apply. The key to generalizability is the ability to replicate similar *causal conditions* and
causal mechanisms directly applicable to similar sub-classes of phenomenon. The important causal conditions in the research findings (the conditions of PPE/SPE) motivate congressional use of the purse because of shifts in the distribution of global power (broadly defined), where motivations for either “peace” (motivations for cooperation over conflict) or “parity” (where there concern over a loss of position, prestige and advantage in competitive power scenarios) may apply to other sub-classes. For types of similar phenomena that employ these causal conditions and mechanisms (legislative procedure innovations), a causal model similar to the one outlined in this study could be formulated. In this way, small qualitative case studies can contribute to a “building block” approach to theory-building, where the body of knowledge of the general class of phenomenon transfers through a specific sub-class, joining with other cases of more diverse sub-classes of the same general phenomenon, to help build theory in both the International Relations and American Political Development fields of Political Science.

Summary. Figure 8.7 identifies an overall analytic framework that summarizes the dissertation research, its methods and results. It identifies all major variables, including posited new Intervening Variables and opens the ‘black box’ to better understand causal relationships and outcomes between Independent Variables (IV), Intervening Variables (InV) and Dependent Variable (DV)

- From IV to InV: Serving as InVs, the causal agents (Hawks, Doves and Owls) conduct net assessments of systemic trends (IVs) to detect threats and opportunities for U.S. foreign policy. Net assessments provide motivation and casual conditions for InV policy activism.

- From InV to DV: InVs transfer their worldview through a series of causal mechanisms that are necessary and/or sufficient to produce the arms control outcomes in the DV. Causal mechanisms consist of legislative funding direction, procedures and requirements – tools that
reshape FPE programs and negotiating strategy and result in inter-branch bargaining over the substantive content (wins-sets) of U.S. negotiation strategy in Level I.

- **Two-Level Decision-Making**: The framework also combines how causal chains are constructed by InVs and illustrates how inter-branch bargaining occurs at Level II, with simultaneous effects on FPE negotiating at Level I. Congressional InVs transmit causal force by enabling causal conditions and mechanisms in Level II bargaining, where a key causal mechanism is formation of win-sets that frame the parameters of U.S. negotiating stances for negotiating Level I outcomes.

**Figure 8.7**

**Analytical Framework: Congressional Influence on Arms Negotiations**

**Level II Policy Formulation** ↔ **Level I Negotiations & Outcome**

**Congress + Foreign Policy Executive (FPE)**

**FPE + Soviets**

**Net Assessments**

**Independent Variable**

**Possible Level II Legislative Causal Mechanism**

**Dependent Variable**

**Systemic Threat/Power Distribution**

**Competing Policy Preferences**

**Procedural Innovations**

**Weapons Acquisition Activities**

**US Initial Bargaining Position**

**Arms Control Forums/Result**

**HAWK:**
Tough on Soviets, Force modernization
Bargain from strength
More/Better swords

**DOVE:**
Oppose new generation nuclear weapons
Bargaining “chips” only
Nuclear Freeze Plowshares

**OWL:**
Seek “middle ground”
Crisis strategic stability
Avoid nuclear war & limit damage
“Tailored” swords

**Possible Level II Legislative Causal Mechanism**

**Legislative Means**

**Inter-Branch Bargaining**

**Win-Set Formation**

**Weapons Funding Levels**

**Expert Commissions**

**Legislative Vetoes**

**New Group Franchises**

**Mandates & Conditions**

**Studies & Report Requirements**

1. MX, B-1

2. Pershing 2, GLCM

3. ASAT

4. MX/SICBM

5. SDI

SALT II

INF

ASAT

START I

ABM Reviews/DST

SALT II Talks ↔ Treaty

INF Talks ↔ Treaty

ASAT Talks ↔ No Treaty

START I Talks ↔ Treaty

ABM Reviews/DST Talks ↔ No Treaty
Major Lessons and Contributions. The following summarizes five key research lessons and possible theory contributions to academic literature in the sub-class phenomenon, *the effect of Congressional weapons procurement actions on U.S. nuclear strategy and arms control stances*:

1. *A Theory of Congressional Causality in Strategic Arms Control Regimes through Weapons Acquisition*. The theory and hypothesized model are the central products of this research, positing a theoretical explanation for congressional motivations (why), means (how), and context (under what conditions) to influence arms control policy. As posited, the theory should provide a greater understanding of the sub-class phenomenon, with utility for generalizability and ‘building blocks’ with other phenomena in the same/similar sub-classes. In positing complex causal relationships between variables, proposing specific hypotheses and identifying possible casual mechanisms, conditions and pathways, this theoretical model establishes a firm basis for rigorous hypothesis testing. The causal model also provides a theorized explanation of why Congress at times strongly supports weapons activities leading to successful arms control outcomes, and why achieving and sustaining follow-on negotiations and a lasting control regime are problematic due to the loss of bargaining leverage associated with subsequent arms procurement actions. Diminished force acquisition and follow-through necessary to maintain a credible and modernized force is a cause that also complicates the support and maintenance of a control regime still under construction.

2. *Causal Conditions: a Peace Psychology Effect (PPE)*. The research also posits two hypothesized casual conditions for further testing and explanation of observed patterns of congressional behavior both before and during construction of a control regime. The first is the Peace Psychology Effect.

3. *Causal Conditions: a Strategic Parity Effect (SPE)*. The second condition is the Strategic
Parity Effect. As posited in the theory of Congressional Causality described above, and hypothesized in the causal model, both causal conditions help answer the “under what conditions” portion of the question, possibly the most difficult component of establishing InV causality. Observable patterns suggest both effects occur cyclically through ideational influence of the Independent Variable, the systemic security environment characterized by the prevailing distribution of global power. The PPE tends to be a budget-driven effect, while SPE appears threat-driven. Each suggests different casual paths chosen by the intervening congressional agents (InVs) to influence and shape win-sets for both the initial agreement in the control regime, and follow-on negotiations. Further exploration and specification of these two conditions would be a priority for theory testing.

4. A Conditional Functional Veto. The concept of a ‘conditional’ functional veto represents a central causal condition in the Congressional Causality Theory. A functional veto by Congress is always possible under Congress’ Article I constitutional authority and is theoretically manifested in all congressional authorizing and appropriation decisions. Yet in federative affairs Congress does not routinely employ its functional veto, making its use highly conditional, with circumstances of use part of the overall Congressional Causality Theory. Under the CFV concept, Congress holds the power through the purse to veto any FPE activities that Congress strongly objects to on policy or programmatic grounds. If exercised purposeful, the CFV provides Congress with a powerful check on weapons program, arms control policy and grand strategy clashes between the branches. Using a CFV, Congress uses this power over FPE activities and strategy in foreign policy.

5. The role of Congress in creating a ‘unity of strategy and arms control.’ The ideational effects of PPE and SPE as causal conditions enable the exercise of the CFV through various causal
mechanisms. Casual mechanisms provide Congress with a powerful instrument to force a much desired – but frequently elusive – ‘unity of strategy and arms control’ essential for a successful arms control contribution to national security. Failure to provide this unity leads to a ‘diversion from strategy’ when the institutions of government work at cross-purposes. Congressional elites generally recognize this and seek to promote unity that leads to positive results. Such patterns of congressional activity in building this unity have been observed. Yet at times Congress is also capable of contributing to a diversion of strategy that manifests itself in failed arms control policy and negative grand strategy implications. Congressional agency at influencing arms control negotiations by building causal mechanisms and ‘transmissions belts’ also detracts from Congress contributing to successful grand strategy. In this realm, Congressional InVs often remain a wild card, because its institutional character is perhaps too parochial and institutional vision too focused on short-term objectives. Only through gaining consensus among key congressional elites, and the foreign policy executive, or greater inclusion of those elites by the FPE in the process of building grand strategy, can this problem be overcome. This remains a challenge for both branches in providing successful national security objectives and supporting grand strategy in American foreign policy.
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<table>
<thead>
<tr>
<th>Year of Statement</th>
<th>Original Rationale, Clarification and Refinements</th>
<th>Emphasis on:</th>
<th>Implications for U.S. Force Acquisition</th>
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| **Original:**     | • Need for “flexible response” incl. counterforce nuclear targeting;  
  1962 Ann Arbor Speech  
  • Retain “sufficient reserve striking power to destroy enemy society” (Assured Destruction, AD)  
  • Provide “a possible opponent the strongest possible incentive to refrain from striking our own cities” (Damage Limitation, DL) | • “Flexible response” other than a massive nuclear retaliation  
  • Both “Assured Destruction” and “Damage Limitation”  
  • Latter two are seen by some to be conflicting concepts of nuclear strategy | • Deliberate retreat from 1950s declaratory policy of “massive retaliation”  
  • Implications for future strategic weapons capabilities and nuclear weapons employment doctrine |
| **Clarification:** | • Distinguished between a 1st and 2nd strike capabilities.  
  1963 DOD Posture Statement  
  • A 2nd strike capability could have two flexible capabilities:  
  • “Strike back decisively at the entire Soviet target system simultaneously”, or  
  • Strike back first a Soviet counter-force targets, “then if necessary, strike back at Soviet urban and industrial complex” | • 2nd strike forces to target “all ‘soft’ and ‘semi-hard’ military targets (limits damage to US society from Soviet 1st strike)  
  • Force structure would maintain a “protected force . . . held in reserve for use against counter-value targets (assured destruction) | • US requires a 2nd strike counter-force nuclear capabilities to limit damage (a ‘slow’ bomber and ‘quick’ ICBM force)  
  • Keeps a ‘secure’ reserve capability (implied SSBN force) to retain option for counter-value  
  • Warning of future Soviet counter-force capabilities threatening US capabilities |
| **Refinement:**   | • Assured Destruction (AD) is capability to inflict ‘unacceptable’ damage after absorbing first strike  
  1964 DOD Posture Statement  
  • Damage Limitation (DL) strategy “requires a force considerable larger than needed for a limited-cities only strategy” | • Both Assured Destruction and Damage Limitation concepts for acquiring and sizing strategic forces | • Continued emphasis on limited counter-force capable strategic forces against soft, semi-hard and hard Soviet targets (Damage Limitation)  
  • Retain secure SSBN capabilities (Assured Destruction) |
| **Refinement:**   | • Defined AD as “one-quarter – one third of Soviet population and two-thirds of industrial capacity”  
  1965 DOD Posture Statement  
  • Concludes nuclear superiority is ‘unattainable’ | • Quantifying an AD capability for US strategic force | • AD is the dominant measure for sizing US strategic capabilities  
  • DL capacity is still goal for what those US forces can actually target |
| **Refinement:**   | • DL cannot be substituted for AD in the deterrent role  
  1967 DOD Posture Statement and McNamara’s “Action-Reaction” Speech  
  • Concludes nuclear superiority is ‘unattainable’  
  • “Our ability to destroy an enemy as a 20th century nation provides the deterrent, not our ability to partially limit damage to ourselves”  
  • US-Soviet decisions on weapons influence each others strategies | McNamara:  
  • US has reached sufficient strategic forces for effective deterrence  
  • US intention was/is for AD deterrent  
  • Soviets misread US intention by responding with their own strategic nuclear build-up | • US ballistic missile forces capped in 1967 after extraordinary 6-year build-up  
  • ‘Action-Reaction’ phenomenon seen as fueling nuclear arms race  
  • Opens door for mutual limitations via strategic arms negotiations: but  
  • Future strategic weapons refinements to focus on quality over quantity |

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<tr>
<td>Declaratory Policy</td>
<td>. Overwhelming US nuclear superiority&lt;br&gt;. 1st explicit policy statement after implicit Truman policy&lt;br&gt;. Dulles clarification does not alter initial impression</td>
<td>. McNamara statement and refinements to Flexible Response&lt;br&gt;. Raise credibility: AD and DL&lt;br&gt;. Seek to quantify level of Assured Destruction&lt;br&gt;. Emphasizes AD over DL</td>
<td>. NSDM-242 (Nixon-Ford)&lt;br&gt;. PD-18, PD-59 (Carter)&lt;br&gt;. NSDD-13 (Reagan)&lt;br&gt;. Refinements consistent with more flexibility (LNOs)&lt;br&gt;. Deter via ability to fight &quot;protracted nuclear war&quot;</td>
<td>. Perceived policy not as ‘city-busting’ dominant&lt;br&gt;. Constant search for more flexible policy&lt;br&gt;. Flexibility criticized as ‘war fighting’&lt;br&gt;. Congress role grows after 1980</td>
</tr>
<tr>
<td>Weapons Capability</td>
<td>. Large increase in # and miniaturization&lt;br&gt;. Bomber-dominant force&lt;br&gt;. Ballistic missiles come into force in late ’50s&lt;br&gt;. A-bombs to H-bombs</td>
<td>. Begin slow atrophy of bomber dominance&lt;br&gt;. Greater missile accuracy (CEP) makes for reduced yields and greater targeting flexibility&lt;br&gt;. True counter-force (CF) capabilities begin R&amp;D</td>
<td>. SNDV cap leads to technological arms race&lt;br&gt;. MIRVs, advanced cruise missiles, C3I for counter-force options to match Declaratory Policy&lt;br&gt;. PRM-10, NSDD-12 to deploy new CF weapons</td>
<td>. Mutual misperception of US, Soviet arms race&lt;br&gt;. Action-Reaction dynamic creates arms race&lt;br&gt;. Differing Hawk, Dove and Owl perspectives on weapons implications on mutual deterrence</td>
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<tr>
<td>Deployment Policy</td>
<td>. Early range limitation requires foreign bases</td>
<td>. Arms range increase reduces Deployment Policy criticality&lt;br&gt;. All-CONUS basing</td>
<td>. Growing concern over force vulnerability, esp. fixed-land-based ICBMs due to Soviet capabilities&lt;br&gt;. Mobility/defense options</td>
<td>. Weapons deployment, ICBM survivability becomes important to strategic stability calculus&lt;br&gt;. Congressional role grows</td>
</tr>
<tr>
<td>Employment Policy</td>
<td>. Target list grows to match # weapons with some flexibility&lt;br&gt;. Some military/CF targets added to urban-industrial/CV targets&lt;br&gt;. 1961: 1st SIOP</td>
<td>. 1962: SIOP revisions adds ‘soft/semi-hard’ military targets to limit damage&lt;br&gt;. &quot;Protected force in reserve&quot; for counter-value targets&lt;br&gt;. Static: SIOP-62 assigns newer weapons to military targets through early ’70s</td>
<td>. 1974: NUWEP-1 adds new guidelines, criteria, options&lt;br&gt;. Limited &amp; regional nuclear options (LNOs &amp; RNOs)&lt;br&gt;. SIOP-25: Destroy 70% of Soviet econ-industrial base&lt;br&gt;. 1980s: NUWEP-82, hard target sets (C3, ICBM, leadership assets) via ‘countervailing’ targeting options</td>
<td>. 1960s: Growing gap between declared policy vs. targeting policy&lt;br&gt;. 1970s: Gap closing; newer weapons and NUWEP becomes issue of deterrence stability&lt;br&gt;. 1980s: NUWEP becomes focus of Congress’ interest/scrutiny</td>
</tr>
<tr>
<td>Institutional Bias</td>
<td>. Air Force dominates via bombers; ignores ICBMs until late ’50s&lt;br&gt;. Army opposes ‘New Look’ nuclear posture&lt;br&gt;. Navy protects SSBNs</td>
<td>. Rapid ballistic missile technology progress&lt;br&gt;. All services aboard&lt;br&gt;. Army opposes decreases with Flexible Response conventional component</td>
<td>. Battles over strategic budgets create inter/intra service rivalry&lt;br&gt;. “Man-in-the-loop”, slow flyers vs. fast flyers&lt;br&gt;. SSBN invulnerability vs. ICBM vulnerability</td>
<td>. Congress again plays role of arbitrator between services&lt;br&gt;. Some in Congress question need for diverse nuclear ‘triad’</td>
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<tr>
<td>Arms Control Rules of the Road</td>
<td>N/A</td>
<td>. 1967: US unilaterally caps its SNDVs (McNamara AD criteria)&lt;br&gt;. 1969: SALT talks begin&lt;br&gt;. 1969: US declines to offer MIRV technologies constraint or ban in SALT I</td>
<td>. SALT I “control” regime constrains only total # of SNDVs &amp; ABMs&lt;br&gt;. SALT II “control” regime&lt;br&gt;. START “reduction” regime&lt;br&gt;. SDI “wild card”</td>
<td>. Control regime to restrain new Offense-Defense implications and emphasize verification&lt;br&gt;. Congress role increases&lt;br&gt;. Arm reductions occur after US-US political tensions reduced</td>
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## Case Study Summary Tables:

### A.3 - Case 1: MX ICBM/B-1 Bombers/ALCMs and SALT II

| Threat Assessment: | • Influenced by CIA’s “Team B” conclusion that official U.S. intelligence assessments understated Soviet threats and challenges to U.S. primacy in world affairs.  
|                  | • “Team B” efforts supported by Committee on the Present Danger, an influential group of former government n security experts critical of détente and the direction of SALT II terms.  
|                  | • Soviet anti-bomber defense improvements against B-52 bombers include high-altitude/high speed surface-to-air-missiles (SAMs) and “look-down/shoot-down” fighter-interceptors; steady erosion of capabilities of the manned penetrating bomber leg of U.S. strategic triad.  
|                  | • Heavy, MIRVed, more accurate Soviet ICBMs threatens a “window of vulnerability” for entire U.S. force of 1,000 silo-based Minuteman ICBMs, the most potent counter-force leg of U.S. triad, as well as land-based B-52 bomber leg of the triad when not on airborne alert status.  
| Erosion of U.S. Nuclear Deterrent Capability and Triad Vulnerability |  
| Military Rationale/Need: | • B-1 Bomber: Long-range, higher-payload and low-radar cross-section to ease penetration of Soviet airspace; deemed responsive to advanced SAM threats; fits evolving U.S. nuclear employment doctrine requiring broad range of options short of general nuclear war.  
|                  | • Air Launched Cruise Missiles: ALCMs provide lower-cost adjunct to manned bombers and can launch outside well-defended Soviet airspace; potential alternative to new manned bomber.  
|                  | • MX: improved quantity and quality of ICBM counter-force capabilities (greater accuracy, flexible targeting) against an expanded Soviet target base to meet evolving nuclear doctrine; reduces the growing Soviet-U.S. ICBM asymmetry AND provide mobile/deceptive basing options to address Minuteman’s “window of vulnerability.”  
|                  | • Carter Administration seeks “real arms control” (reductions vs. constraints on future growth as under 1974 Vladivostok Framework), but Soviets demand Vladivostok as a start point.  
|                  | • Carter’s SALT II goals: 1) Eliminate/mitigate Soviet ICBM threat to Minuteman; 2) address future ICBM mobility options via arms control; 3) preserve ALCM deployment options for U.S. bombers; 4) Negotiate with eventual Senate ratification in mind given high-level attention on SALT and related weapons acquisition in Congress.  
| SALT II |  
| Key Perceptions in Congress | • Jackson Amendment to SALT I (1972): Mandates equal SNDV ceilings for SALT II; Jackson also “suggests” SALT II must address Soviet ICBM throw-weight and preserve ICBM mobility options.  
|                  | • New Congress (Watergate class of ‘74) challenges “war-fighting” nuclear doctrine and new counter-force weapons acquisition.  
|                  | • B-1: Program cancellation by Carter resisted by Hawks, who keep B-1 viable via on-going prototype development and consideration of B-1 as candidate for new “Cruise Missile Carrier.”  
|                  | • ALCM: High degree of support for a program that Soviets want to severely constrain in SALT II.  
|                  | • MX/MPS: No missile procurement without survivable and viable mobile/deceptive basing; forces FPE to propose unpopular, expensive Multiple Protective Shelter (MPS) system and keep ICBM mobility options viable in SALT II.  
| Instances of Congressional Influence | • The Jackson Amendment to SALT I (1972). Guided the FPE throughout the SALT II negotiations, knowing Senate SALT II approval depended on adherence to the Amendment’s requirements.  
|                  | • Congressional-FPE coordination in arms negotiations via the budget process (1977). FY 78 language calling for “cooperation and coordination in the negotiation and agreement processes” represents clear congressional intent to exert a role in arms control negotiations involving weapons procurement subject to legislative approval.  
|                  | • SALT II Congressional Advisory Group and the “Agreed Data Base” (1977-79). During SALT I debate, Congress insisted SALT II must contain such a database; Members’ overcame Soviet resistance by insisting the database was non-negotiable and essential to Senate ratification.
A.4 - Case 2: Pershing II/GLCM Theater Nuclear Missiles and INF

<table>
<thead>
<tr>
<th>Threat Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS-20 Mobile Nuclear Missile</td>
</tr>
<tr>
<td>• Implications of U.S.-Soviet nuclear parity magnify the significance of the disparities between East and West in nuclear theater and conventional weapons.</td>
</tr>
<tr>
<td>• Disparities in theater nuclear systems has potential to “de-couple” NATO security from U.S. nuclear guarantees, erodes U.S. ‘extended deterrence’, ‘flexible response.’</td>
</tr>
<tr>
<td>• Soviet MIRVed SS-20 mobile missiles deployed in 1977 perceived as an effort to alter the East-West balance of power in Europe.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Military Rationale/Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pershing II IRBM, GLCM</td>
</tr>
<tr>
<td>• December 1979: NATO Ministers approved deployment of U.S. Pershing II IRBMs and newly developed GLCMs in Western Europe by December 1983.</td>
</tr>
<tr>
<td>• To mitigate SS-20 threat, NATO also unanimously adopted a &quot;dual-track&quot; strategy to respond to Soviet deployments of SS-20 missiles with arms control;</td>
</tr>
<tr>
<td>• The “negotiation track” called for negotiations with Moscow to restore the balance in intermediate-range nuclear forces at the lowest possible level.</td>
</tr>
<tr>
<td>• Failure to secure an arms control agreement would trigger a second “deployment track”) to modernize NATO theater nuclear forces with 464 single-warhead U.S. GLCMs and 108 single-warhead U.S. Pershing II ballistic missiles.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Associated Negotiation Forum</th>
</tr>
</thead>
<tbody>
<tr>
<td>INF Talks (1980-83); INF within DST (1985-87)</td>
</tr>
<tr>
<td>• Sep. 1981: Talks were re-initiated with Reagan’s “zero-option” offer—complete elimination of all Pershing, GLCM, SS-20, SS-4 and SS-5 missiles; rejected by Soviets. ‘Zero options’ three-fold purpose:</td>
</tr>
<tr>
<td>o diminish political impact of European public protests, pressure on NATO hosts;</td>
</tr>
<tr>
<td>o blunt Soviet attempts to weaken NATO resolve and unity, and</td>
</tr>
<tr>
<td>o encourage prospects for “real arms control.”</td>
</tr>
<tr>
<td>• Dec. 1983: Soviets quit talks as deployment track starts; rejoins in March 1985 under “umbrella” DST forums.</td>
</tr>
<tr>
<td>• Oct. 1986: Tentative agreement for Interim plan, towards ‘Zero-Zero’ but Moscow ties INF progress to SDI development ban</td>
</tr>
<tr>
<td>• 1987: Soviet sever SDI-INF linkage, paving way to December INF Treaty</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Key Actions By Congress</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Congress largely supported the December 1979 dual track decision, with strong and consistent bipartisan support in the defense committees for ‘Zero-Zero’ strategy and by authorization and appropriations support for Pershing II/GLCM.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Instances of Congressional Influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>CBMs, New Verification Technology, OSIA</td>
</tr>
<tr>
<td>• Confidence Building Measures (CBMs) in Arms Control Stability (1983-1992). INF Treaty mandated the use of Nuclear Risk Reduction Centers established by Congress in 1982 to provide continuous communication, process official treaty data and notification requests, which allowed unprecedented on-site inspections of all types – base, close-out, elimination and short-notice.</td>
</tr>
<tr>
<td>• On-Site Inspection Agency (OSIA) within DOD (1988). Congress created new forms of arms control verification measures, established a new group franchise within DOD for a greater institutionalized voice on arms control activities, and allowed greater defense committees oversight of this new arms control tool.</td>
</tr>
</tbody>
</table>
### A.5 - Case 3: Peacekeeper/MX—Small ICBM in START/NST

<table>
<thead>
<tr>
<th>Threat Assessment</th>
<th>“Window of Vulnerability” opened by expansion/MIRVing of Soviet ICBM force under SALT agreements threaten U.S. Minuteman survivability</th>
</tr>
</thead>
</table>
| Military Rationale/Need | Damage Limitation: Deploy MX missile to redress shortfall in prompt, hard-target counter-force capability;  
Crisis Stability: Improve ICBM survivability against “Window of Vulnerability” threat. |
| • Reagan’s interest in “real arms control” – defined as net nuclear reductions rather than managing growth in nuclear arsenals – proposed in START forum.  
• Early U.S. proposal viewed as ‘one-sided” and possibly de-stabilizing by reducing number of SNDVs, while deploying 10-RV MX to replace 3-RV MM III.  
• Post-Scowcroft Commission: U.S. proposals increase SNDVs, promote single-RV ICBMs and “Build-Down” concepts.  
• Nov. 1985: U.S. proposes ban on mobile ICBMs in START, while developing 2-mobile ICBMs.  
• 1986-1992: Reagan/Bush Administrations forced to maintain SALT II “interim restraint” policy  
• 1983-1987: Soviets tied START progress to opposition to SDI; linkage broken in 1987  
| Key Actions By Congress | 1981-1983: Linkage/Denial of MX procurement funds without more survivable MX basing to address “window of vulnerability”; strong interest in Deployment Policy continues.  
1991: House Hawks and Doves combine to kill two-mobile ICBM solution as a final breakdown in the Scowcroft consensus even as START I is signed. |
### A.6 - Case 4: ASM-135 ASAT in Defense & Space Talks (DST)

<table>
<thead>
<tr>
<th>Threat Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>• After 1950s, U.S. and USSR become increasingly dependent on satellites for military purposes. MilSats conduct intelligence gathering, target acquisition, tracking and kill assessment, operating more directly as components of weapons systems.</td>
</tr>
<tr>
<td>• Both sides develop crude Anti-Satellite (ASAT) systems in 1960s, but an unwritten U.S.-Soviet tacit agreement keeps space “weapons free” and ASAT weapons existing largely to deter the other side from engaging in anti-satellite attacks. U.S. cancels its early ASAT system in 1975.</td>
</tr>
<tr>
<td>• 1976-79: After new series of ASAT tests Soviets deploy “Istrebitel Sputnikov” (IS), the worlds only fully tested, operational ASAT system.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Military Rationale/Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>• After Soviets achieve strategic parity in mid-1970s, Soviet unilateral ASAT deployment causes U.S. to restart its own ASAT development to reduce future MilSat vulnerability.</td>
</tr>
<tr>
<td>• 1978: ASM-135 ASAT non-nuclear “direct ascent” program starts; launched from F-15 aircraft, ASAT would threaten low-earth orbit Soviet MilSats.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Associated Negotiation Forum: Defense &amp; Space Talks</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 1978-1979: Carter Administration pursues “two-track” ASAT policy of weapons development-plus-arms-control negotiations; Talks failed to produce any agreement.</td>
</tr>
<tr>
<td>• August 1983: As ASM-135 tests begin, Premier Andropov announces unilateral Soviet ASAT test moratorium, encourages U.S. reciprocity; Reagan declines offer as not in U.S. interest.</td>
</tr>
<tr>
<td>• 1985-1992: ASAT negotiations fall under 1985 Nuclear &amp; Space Talks, within Defense &amp; Space (DST) component along with SDI/ballistic missiles defense systems. Like earlier talks, the DST forum does not result in an ASAT agreement.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Key Actions By Congress</th>
</tr>
</thead>
<tbody>
<tr>
<td>• ASM-135 ASAT perceived by Doves/Owls as undermining existing space arms control regime designed to prevent warfare in outer space; while no explicit ASAT treaty or agreement exists, any viable ASAT development perceived to erode this legacy.</td>
</tr>
<tr>
<td>• 1981-1985: Regular legislation, including numerous joint resolutions, fails to slow ASM-135 program or restart ASAT arms talks. Soviet unilateral moratorium of its operational co-orbital ASAT system, encourages Congress to impose increasingly restrictive testing prohibitions</td>
</tr>
<tr>
<td>• 1985: Doves attempt various measures to restrict U.S. ASAT testing by linking ASAT development to arms control progress; FPE argues unmatched Soviet ASAT creates crisis instability, while Doves and Owls warn of arms race instability and warfare in space.</td>
</tr>
<tr>
<td>• FY84/FY85 statutes restrict ASAT tests against actual space-based targets pending positive FPE arms control action before release of FY85 test funds, in attempt to force FPE into reciprocity of 1983 Soviet testing moratorium.</td>
</tr>
<tr>
<td>• September 1985: After Reagan meets FY85 certification requirements, ASM-135 test successfully destroys older U.S. satellite in space, advancing the ASAT technology baseline.</td>
</tr>
<tr>
<td>• FY86 Appropriations: Enraged Doves dissatisfied with DST effort and successful ASAT test, impose a complete ban on all further ASAT testing against objects in space, subject to Soviet reciprocity. ASM-135 ASAT cancelled due to rising costs and no prospect of realistic testing.</td>
</tr>
<tr>
<td>• FY87-FY93: Even after ASM-135 cancellation, Congress annually extends complete ban on further ASAT testing against space objects (subject to Soviet reciprocity); restrictions applied to testing in space of any ASAT technology, even low-priority follow-on ASAT technology.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Instances of Congressional Influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Testing Restrictions on the ASM-135 ASAT (1983-1988): restrictions to testing in space of any ASAT technology, continued until the end of the Cold War.</td>
</tr>
<tr>
<td>• Absence of active U.S. testing program with serious deployment prospects reduces U.S. leverage overall and possibly reduced prospects for obtaining an ASAT agreement within DST.</td>
</tr>
<tr>
<td>• Kremlin’s focus on SDI relegated all discussions on ASAT control to a secondary issue. Under congressional language, only Soviet resumption of its own technologically inferior ASAT could re-start a superior U.S. ASAT program.</td>
</tr>
</tbody>
</table>
A.7 - Case 5: Strategic Defense Initiative (SDI) and Defense & Space Talks (DST)

<table>
<thead>
<tr>
<th>Threat Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Continued growth and modernization of Soviet nuclear threats, and lack of substantive progress in the SALT/START leads Reagan to reconsider the status quo strategy of offensive-based nuclear deterrence.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Military Rationale/Need: Strategic Defense Initiative (SDI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• After consultations with military and non-government scientists, Reagan unexpectedly announced an advanced technology R&amp;D initiative designed to make nuclear ballistic missiles ‘impotent and obsolete.’</td>
</tr>
<tr>
<td>• 1983: SDI established as a 5-year, $26 Billion R&amp;D program designed to lead to an informed technology decision on the potential to deploy a nation-wide comprehensive missile defense.</td>
</tr>
<tr>
<td>• Initial year SDI program largely reflects pre-SDI missile defense R&amp;D activities; but subsequent years vastly accelerate and expand the scope of technology initiatives, including so-called “exotic” technology based on “other physical principles” especially non-nuclear laser and particle beam technologies.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Associated Negotiation Forum: Defense &amp; Space (DST) forum</th>
</tr>
</thead>
<tbody>
<tr>
<td>• By [FALL??] 1984, Reagan officials and Moscow agree to renew talks under a U.S. “umbrella” negotiations called “Nuclear and Space Talks” (NST); included are three separate forums: INF, START and a new forum, “Defense and Space Talks” that incorporate strategic missile defense (SDI) and ASAT</td>
</tr>
<tr>
<td>• In DST, U.S. sought to engage the USSR in a transition from deterrence based solely on nuclear retaliation threats to increased reliance on defenses against ballistic missiles. Moscow saw DST as means to severely constrain SDI research and development and tie SDI strictly to the ABM Treaty</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Key Perceptions in Congress:</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘Nitze Concept’ of SDI relationship to arms control;</td>
</tr>
<tr>
<td>‘Nitze Criteria’ of cost effectiveness on the margin</td>
</tr>
<tr>
<td>Potential for ‘Grand Bargain’ via SDI as a ‘bargaining chip’;</td>
</tr>
<tr>
<td>‘Broad’ vs. ‘Narrow’ ABM Treaty interpretation;</td>
</tr>
<tr>
<td>Re-Shaping SDI to meet evolving arms control, threat perceptions</td>
</tr>
<tr>
<td>• Some uncertainty over the arms control relationship between nuclear offense and missile defense; some perceive disagreement and confusion among Reagan advisors on the scope and purpose of SDI.</td>
</tr>
<tr>
<td>• Hawks and Owls embrace Nitze’s “concept of the interrelationship of offense and defense” that projects a negotiated, cooperative, phased transition requiring a period in which offensive weapons on both sides are reduced as future defenses are deployed.</td>
</tr>
<tr>
<td>• ‘Concept’ provides linkage between SDI and arms control progress, with implicit notion that SDI’s pace and scope are both “on the negotiation table” and under influence of defense committee actions.</td>
</tr>
<tr>
<td>• Doves see SDI’s primary value as a possible “grand bargain” to secure major reductions in Soviet ICBMs for U.S. SDI R&amp;D restraints.</td>
</tr>
<tr>
<td>• Hawks promote near-term deployment as best strategy to secure Soviet support for phased transition, including re-interpreting ABM Treaty terms on advanced technology development and testing; Owls perceive this fails to meet Nitze’s deployment criteria of ‘cost-effectiveness on the margin’.</td>
</tr>
<tr>
<td>• Original 1983-1986 Owl-Hawk alliance supporting strong SDI funding profile gives way to Owl-Dove alliance opposed to Administration ABM Treaty re-interpretation and near-term deployment.</td>
</tr>
<tr>
<td>• Defense committee push-back takes various forms: budget reductions, program elements (PE) changes, program and funding redirection, re-focusing SDI to theater BMD and limited protection priorities</td>
</tr>
<tr>
<td>• Changing threat perceptions after 1987-1991 lead to Congress re-focusing and re-shape SDI priorities.</td>
</tr>
<tr>
<td>• Apparent Owl-Hawk alliance on 1991 Missile Defense Act gives way to revisions in 1992, 1993 reflecting an Owl-Dove consensus on diminished threats and less urgency for defined deployment program.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Instances of Congressional Influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 1984-88: Establishing the Arms Control Value of SDI under Nitze’s ‘Concept’.</td>
</tr>
<tr>
<td>• 1985-94: Institutionalization of the “Narrow” ABM Treaty Interpretation limits the testing of near-term SDI deployment components.</td>
</tr>
<tr>
<td>• 1986: Policy re-focusing through the establishment of the “Balance Technology Initiative” (BTI) and the “Conventional Defense Initiative” (CDI) in the FY 87 defense bills.</td>
</tr>
<tr>
<td>• 1988-93: Program re-focusing through development of an “Accidental Launch Protection System” (ALPS) and “Theater Missile Defense” Programs. Passage, and subsequent revisions, of 1991 Missile Defense Act (MDA) requires adjustment of U.S. negotiation strategy in DST.</td>
</tr>
<tr>
<td>• 1983-91: Confidence Building Measures and (later) Nunn-Lugar Cooperative Threat Reduction Program eventually redirects U.S. activities from armed competition towards nuclear stability and cooperative disposal of Cold War nuclear weapons; diminishes perceived need for national missile defenses.</td>
</tr>
</tbody>
</table>
### A.8: Data Set Coding Tree

<table>
<thead>
<tr>
<th>Primary</th>
<th>Secondary</th>
<th>Tertiary</th>
<th>Description</th>
<th>Weight/Valuation (1,3,5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soviet Threat</td>
<td>Rising</td>
<td>Perceived Increasing Threat</td>
<td>1=Minimal/Falling 3=Growing Concern 5=Very Concerned/Soviet Superiority</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Falling</td>
<td>Perceived Decreasing Threat</td>
<td>1=No Decline 3=Some/No Change 5=Absolute Decline</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nuclear Parity</td>
<td>Perceived US-USSR Parity</td>
<td>1=No Parity 3=Achieved 5=USSR Advantage</td>
<td></td>
</tr>
<tr>
<td>Weapons AQ Support</td>
<td></td>
<td>Support for weapons PB requests</td>
<td>1=No or Low Support 3=Moderate Support 5= High Support</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Program Concerns</td>
<td>Program indicator concerns</td>
<td>1=No 2=Low 3=Some 4=High 5=Alarmed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cost</td>
<td>Cost stability/containment</td>
<td>Same as above</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Schedule</td>
<td>Schedule slippage/delays</td>
<td>Same as above</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Performance</td>
<td>Will not meet performance goal</td>
<td>Same as above</td>
<td></td>
</tr>
<tr>
<td>Overall Support</td>
<td></td>
<td>Supports NuWep requests</td>
<td>1= No Support 3=Conditional 5=Unconditional</td>
<td></td>
</tr>
<tr>
<td>Support/ Non-Support</td>
<td></td>
<td>Main reason/criteria for AQ</td>
<td>support/non-support</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CF/Damage Limitation</td>
<td>Need military capability to deter threats</td>
<td>1=No Requirement 3=Conditional Requirement 5=Required to Deter Soviets</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cost/Race Stability</td>
<td>Program leads to unchecked arms race, costs</td>
<td>1=No Concern 3=Unchecked Growth 5=Creates Action/Reaction Cycle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vulnerability/ Crisis</td>
<td>Program enhances force survivability in crisis</td>
<td>1=Instability 3=Some Gain 5=Enhances Force Survivability &amp;Deterrence</td>
<td></td>
</tr>
<tr>
<td></td>
<td>R&amp;D Support</td>
<td>Supports RDT&amp;E PB request</td>
<td>1= No support 3=Conditional 5=Full Support</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Procurement Support</td>
<td>Supports PB Procurement and Deployment request</td>
<td>1=No PBR support 3=Conditional PBR Support 5=Full PBR support</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Procurement Value</td>
<td>Procurement contributes to overall nuclear deterrence</td>
<td>1=No Contribution 3=Low Agreement 5=High Agreement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Military Capability</td>
<td>Military capability necessary and adds to credible deterrence</td>
<td>1=No Contribution 3=Marginal Contribution 5=Must Have Capability</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bargain Chip</td>
<td>Weapons useful only for arms control trade-off purposes</td>
<td>1=Must Not Trade 3=Marginal AC Value 5=Trade for Soviet Concession</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Enhance Stability</td>
<td>Weapons needed to enhance deterrence stability</td>
<td>1=Weapon Destabilizing 3=Some Enhancement 5=Must Have</td>
<td></td>
</tr>
<tr>
<td>Arms Control Support</td>
<td></td>
<td>Perception that AQ supports U.S. Arms Control Objectives</td>
<td>1=Does Not Support 3=Marginal or Conditional Support 5=High Support</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AQ-AC Linkage</td>
<td>Links Strategic Program to Arms Control Progress</td>
<td>1=No Linkage 3=Conditional Linkage 5=Absolute</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Congress Preferences</td>
<td>AQ adjustments promotes Congress AC policy preferences</td>
<td>1=No influence 3=Some Influence 5=Promotes Faction Policy Preferences</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AC progress required for AQ</td>
<td>AQ progress/decisions tied to/requires AC progress</td>
<td>1=Disagree 3=Not Sure 5= Demonstrate AC progress before AQ</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AQ Supports AC Leverage</td>
<td>NuWep AQ provides A/C leverage</td>
<td>1=No influence/leverage 3=Some 5=Promotes AC Policy, Deterrence</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Innovative Procedure</td>
<td>Elites see procedure as means to advance Congress preferences</td>
<td>1=‘Micromanagement’ 3=Acceptable 5=Necessary &amp; Proper Oversight</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weapons Funding</td>
<td>Uses power of purse to change FPE AC policy and/or strategy</td>
<td>1=Disagree 3=constitutional Prerogative 5=Necessary &amp; Proper Oversight</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Expert Commission</td>
<td>Create commissions/study groups to aid decision-making</td>
<td>1=Disagree 3=Acceptable 5=Valuable Oversight Tool</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Legislative Veto</td>
<td>Ties AQ progress to later Congress approval of AQ program</td>
<td>1=Disagree 3=Acceptable 5=Necessary &amp; Proper Oversight</td>
<td></td>
</tr>
<tr>
<td></td>
<td>New Group Franchise</td>
<td>Create Exec institutions to help Congress make decisions</td>
<td>1=Disagree 3=Acceptable 5=Valuable Oversight Tool</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mandate &amp; Conditions</td>
<td>Creates ‘strings’ or ‘hooks’ to spend program funds</td>
<td>1=Disagree 3=Acceptable 5=Valuable Oversight Tool</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Study/Report Requirements</td>
<td>Imposes reporting requirements</td>
<td>1=Disagree 3=Acceptable 5=Valuable Information and Oversight Tool</td>
<td></td>
</tr>
<tr>
<td>DESCRIBERS</td>
<td>ALL CASES</td>
<td>B-1/BOMBER-SALT II</td>
<td>MX/MPS-SALT II</td>
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### A.10: Subject Interviews/Dates

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<th>Interviewee</th>
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| James Bodner | **Legislative:** SASC Staff, Sen. William Cohen (R-ME)  
| Joe Ciccirone | **Legislative:** HASC Staff, Rep. Charlie Bennett (D-FL) | President, The Ploughshares Fund | 03/09/2012 |
| Rudy de Leon | **Legislative:** HASC Staff, Rep. Les Aspin (D-WI)  
**Executive:** Deputy UnderSec Defense for Policy (1998-2001) | Senior Official, Center for American Progress | 06/06/2014 |
| Leon Fuerth | **Legislative:** HASC Staff, Rep. Les Aspin (D-WI)  
SASC Staff, Sen. Al Gore (D-TN)  
**Executive:** National Security Advisor to Vice President Gore | Professor, The George Washington University | 06/02/2014 |
| Eileen Giglio | **Executive:** National Security Council Staff, 1982-86  
| Susan Koch | **Executive:** Official, Defense Department, Office of Secretary of Defense (OSD), arms control policy | Consultant & professor | 06/05/2014 |
| Chris D. Lay | **Executive:** Director, Legislative Affairs, Arms Control & Disarmament Agency (ACDA) | Retired Consultant | 06/02/2014 |
| Christopher Lehman | **Legislative:** SASC Staff, Sen. Harry Byrd, 1976-79  
SASC Staff, Sen. John Warner, 1979-81  
**Executive:** State Department, Nuclear Policy, 1981-83  
National Security Council Staff, 1983-85 | Founder and Owner, Commonwealth Consulting, Inc. | 06/10/2014 |
| Arnold Punaro | **Legislative:** SASC Staff, Sen. Sam Nunn (D-GA) | CEO, Punaro Group, LLC  
Chairman, National Defense Industries Association (NDIA) | 05/29/2014 |
| Henry Sokolski | **Legislative:** SASC Staff, Sen. Gordon Humphrey (R-NH)  
SASC Staff, Sen. Dan Quayle (R-IN) | CEO, Non-Proliferation Education Center (NPEC) | 05/16/2014 |