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National Security and  
International Affairs Division

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August 13, 1993



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The Honorable John Conyers, Jr.  
Chairman, Committee on Government  
Operations  
House of Representatives

The Honorable Martin Olav Sabo  
Chairman, Committee on Budget  
House of Representatives

On April 21, 1993, you asked us to review the options being considered by the U.S. government for eliminating, revitalizing, or refocusing the Arms Control and Disarmament Agency (ACDA), which was then widely reported as being considered for incorporation into the Department of State. Two studies--prepared separately by the ACDA Inspector General and the nonprofit Henry L. Stimson Center--had concluded that a strengthened and independent ACDA would best serve U.S. arms control interests and had offered specific recommendations to revitalize the agency. Administration officials subsequently came to a similar conclusion. On July 3, 1993, the President formally announced that ACDA would be revitalized.

Specifics of the ACDA revitalization plan are currently being developed in the executive branch and the Congress. Therefore, at your staffs' request, we summarized (1) the recommendations of the ACDA Inspector General and the Stimson Center and (2) the principal ACDA-related provisions of two bills now in Congress, House bill 2333 and Senate bill 1182. The enclosure to this letter is a summary of each study's recommendations and compares them with the provisions of each bill, and other relevant executive agency actions. We did not attempt to assess the merits or likelihood of success of the recommendations or provisions presented in the matrix.

Given the President's decision to preserve ACDA and the as yet undetermined nature of the revitalization plan, we have agreed with your staffs to terminate work on your request with this letter. We will informally monitor the development and implementation of the revitalization plan

GAO/NSIAD-93-266R-ACDA Revitalization

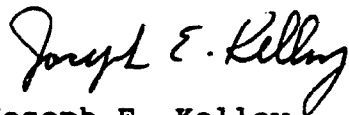
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over the next several months with the aim of discussing ACDA's status with your staffs at an appropriate future time.

Please contact me at (202) 512-4128 if you or your staff have any questions. The major contributors to this letter and its enclosure are James Shafer, Assistant Director; Pierre Toureille, Evaluator-in-Charge; Jo Ann Geoghan, Evaluator; and David Black, Evaluator.

Copies of this letter and its enclosure will be provided to the Director of the Arms Control and Disarmament Agency and other interested parties.



Joseph E. Kelley  
Director-in-Charge  
International Affairs Issues

Enclosure

RECOMMENDATIONS AND PLANS FOR REVITALIZING THE ARMS CONTROL AND DISARMAMENT AGENCY (ACDA)

Recommendations		Revitalization Plans	
Topic	ACDA Inspector General	Stimson Center	Other
Timing of stating decisions	(Not addressed)	(Not addressed)	(Not addressed)
ACDA's non-protection role within the government	ACDA should refocus itself on four goals--fostering nonproliferation, eliminating cold war-overarmament, encouraging regional stability, and establishing global norms for arms control (p.20). While overall nonproliferation policy direction lies with the State Department, a technically qualified ACDA can provide beneficial inputs to many aspects of the nonproliferation problem. ACDA has been the government's nonproliferation Treaty review conference focal point (p. 27).	The ACDA Director should be chosen to be the Secretary of State's principle nonproliferation advisor, the special ambassadors for nonproliferation should not be located in ACDA (p. 69). If the ACDA Director is not chosen to be the Secretary of State's principle nonproliferation advisor, the Secretary of State should designate a special advisor to the President and other U.S. officials. It also gave the Director, under the Secretary of State's guidance, primary responsibility for these matters. These designations were eliminated by amendment 12 (Congressional Record, June 16, 1993, House 3683). On June 15, 1993, Rep. Bernan told the House that "nonproliferation is a vital subset of arms control" (Congressional Record, House 3584).	The ACDA Director prepares recommendations and guidance for the President and other U.S. agencies, as determined by the President (sec. 9). The ACDA Director, under the President's direction, has primary responsibility for preparing, conducting, and managing U.S. involvement in nonproliferation negotiations and implementation fora, including preparing, formulating, supporting, coordinating, and transmitting guidance and instructions (sec. 10).
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Topic	Recommendations	Stimson Center	House Bill 2333	Senate Bill 1182	Other
ACDA and the National Security Council	ACDA and the National Security Council (NSC) staff could use ACDA's reports to the Congress as a tool to help develop and manage arms control plans and strategies. ACDA and the NSC staff should consider an annual review of the status of efforts to implement arms reduction treaties with former Soviet states (p. 32).	(Not addressed)	This bill's original designation of ACDA as a permanent member of NSC was eliminated on the House floor by amendment 12.	The ACDA Director shall attend all NSC meetings concerning weapons procurement, arms sales, defense budget, arms control, or nonproliferation (sec. 6).	(Not addressed)
Joint appearances	(Not addressed)	To underscore their commitment to nonproliferation, the President and the Secretary of State might hold joint appearances with the ACDA Director on this subject (p. 68).	(Not addressed)	(Not addressed)	(Not addressed)
Special Ambassadors	(Not addressed)	The United States should appoint two special ambassadors for nonproliferation who would report to the Secretary of State through the ACDA Director. One ambassador would focus on nuclear issues and the other on chemical and biological issues (pp. 68-69).	The President may appoint special ambassador-level representatives for arms control and disarmament. The ambassadors would be located in ACDA and would be directed by the President and the Secretary of State, through the ACDA Director (sec. 302). Amendment 12 deleted this section's original references to nonproliferation and inserted "and the Secretary of State" after "the President."	The President may appoint special ambassador-level representatives for arms control and nonproliferation. They will be directed by the President, through the ACDA Director, and shall serve as representatives of the United States to the international Atomic Energy Agency, the Missile Technology Control Regime, the Nuclear Suppliers group, the Australia group, and other nonproliferation organizations. Other duties and powers will be assigned by the President or the ACDA Director. (Secs. 8 and 10.)	According to an ACDA-State Memorandum of Understanding, the two agencies will seek congressional authority to create special representatives in ACDA to serve as negotiators or delegation heads.
Special Ambassadors' staff	(Not addressed)	There should be joint State-ACDA staffing for the special ambassadors (p. 69).	ACDA is responsible for providing staff and other support to the special ambassadors (sec. 302).	ACDA is responsible for providing staff and other support to the special ambassadors (sec. 8).	(Not addressed)

Topic 1	Recommendations		Revelation Plans		Other
	ACDA Inspector General	Stimson Center	House bill 2333	Senate bill 1182	
<p>Leadership of delegations and arms control-related interagency groups</p>	<p>The responsibility for leading interagency backstopping for the Conventional Forces in Europe Treaty's Joint Consultative Group, the Open Skies Consultative Commission, and the arms control aspects of the Forum for Security Cooperation should be transferred from the State Department to ACDA (p. 23).</p> <p>ACDA should be heavily involved in negotiating new arms control treaties and insuring that old ones are implemented (p. 27).</p>	<p>ACDA should lead U.S. delegation to the Nonproliferation Treaty Review Conference (p. 70).</p> <p>ACDA should resume the lead in formulating Comprehensive Test Ban strategy and any interagency preparations for any future Comprehensive Test Ban negotiations (p. 70).</p> <p>ACDA should resume the lead in formulating the U.S. position on a global fissile materials cutoff and any associated negotiations (p. 71).</p>	<p>The ACDA Director--under the direction of the Secretary of State--has primary responsibility for preparing and managing U.S. participation in arms control and disarmament negotiations and implementation fora. The Director--under the Secretary of State's direction--has primary responsibility for the preparation, formulation, and support for all such negotiations and fora. Arms control and disarmament negotiators will be directed by the President and Secretary of State, through the ACDA Director as appropriate (sec. 303).</p> <p>(Highlighted language added to H.R. 2333 by amendment 12.)</p>	<p>The ACDA Director--under the direction of the President--has primary responsibility for preparing, conducting, and managing U.S. participation in all arms control and nonproliferation negotiations and implementation fora. To this end, the Director (1) prepares, formulates, supports, coordinates, and transmits guidance and instructions for such negotiations and implementation fora and (2) manages interagency groups supporting such negotiations and implementation fora (sec. 10).</p> <p>The Director participates in all interagency groups that could affect U.S. adherence to arms control and nonproliferation treaties (sec. 13).</p> <p>The Director ensures that ACDA staff participate in negotiating and implementing all arms control and nonproliferation agreements (sec. 12).</p> <p>U.S. arms control and nonproliferation negotiators and representatives are directed by the President through the ACDA Director (sec. 10).</p> <p>The ACDA Director--in consultation with the Secretaries of State, Defense, and Commerce and other appropriate agencies--is responsible for conducting negotiations with nations concerning export restrictions (sec. 14).</p>	<p>The State-ACDA Memorandum of Understanding states that the Secretary of State and the ACDA Director will consult in advance on appointments of negotiators or heads of delegations for arms control negotiations and implementation commissions.</p> <p>On July 14, 1993, the acting Director of ACDA told the Senate Foreign Relations Committee that an ACDA official would head the Nonproliferation Treaty delegations. A high-ranking State official told the committee that ACDA officials would generally head U.S. arms control and nonproliferation negotiating and implementation teams.</p>

Topics		Recommendations		Legislation Plans	
1.	Chemical Weapons Convention domestic authority/ On-Site Inspection Agency Executive Committee	(Not addressed)	ACDA should be designated by the President as the U.S. national authority for implementing the Chemical Weapons Convention in the United States and act as liaison to the Army, the On-Site Inspection Agency, and the chemical industry (p. 71).	(Not addressed)	(Not addressed)
	Non-proliferation Intelligence	(Not addressed)	ACDA should be included in interagency deliberations on the design of new intelligence collection systems and the targeting of existing systems for data related to nonproliferation (p. 70).	(Not addressed)	(Not addressed)
	Internal Organization	ACDA should reorganize its four bureaus into three that would focus on (1) implementing arms control agreements, (2) handling nonproliferation issues, and (3) providing arms control service elements (verification, operations, intelligence, data handling, and regional expertise) (pp. 111, 29).	(Not addressed)	(Not addressed)	ACDA may establish a bureau of intelligence and information support and a legal services office (sec. 7).
	Other				

Topic 1		Recommendations		Legislation Plans	
ACDA staffing	ACDA should shift its staffing pattern toward a higher proportion of technical experts to improve its ability to be a policy-technology interface, especially regarding nonproliferation. ACDA could use its 40 political and special authorities positions for this purpose (pp. 111, 30).	ACDA Inspector General	Stimson Center	House Bill 2333	Senate Bill 1102
ACDA staffing should be based up to deal with post-cold war arms control issues (e.g., economic conversion, conventional arms control, transfers, and export control regimes) (p. 72). ACDA should focus more on recruiting regional experts for training in arms control issues (p. 75). ACDA should strengthen its staffing for multilateral and regional arms control and establish a presence at the United Nations (p. 70).	ACDA staffing should be based up to deal with post-cold war arms control issues (e.g., economic conversion, conventional arms control, transfers, and export control regimes) (p. 72). ACDA should focus more on recruiting regional experts for training in arms control issues (p. 75). ACDA should strengthen its staffing for multilateral and regional arms control and establish a presence at the United Nations (p. 70).	ACDA may appoint specialized technical experts into additional slots to recruit professional staff (including entry level) to replace lost experts in critical areas (e.g., nuclear safeguards, economic conversion, conventional arms transfers, and United Nations affairs). In the interim, the Congress should authorize (1) temporary transfers or full-time detailing of personnel from other agencies and (2) greater use of consultants (pp. 74-75).	ACDA may appoint specialized technical experts into additional slots to recruit professional staff (including entry level) to replace lost experts in critical areas (e.g., nuclear safeguards, economic conversion, conventional arms transfers, and United Nations affairs). In the interim, the Congress should authorize (1) temporary transfers or full-time detailing of personnel from other agencies and (2) greater use of consultants (pp. 74-75).	ACDA may appoint specialized technical experts into the accepted service and set their salaries. They should be paid about the same as a government service employee would be paid for a comparable job and not receive more than a GS-15 salary. They should make up no more than 10 percent of ACDA's full-time equivalent staff (i.e., about 24 such experts in 1994). (Sec. 16.)	ACDA may appoint specialized technical experts into the accepted service and set their salaries. They should be paid about the same as a government service employee would be paid for a comparable job and not receive more than a GS-15 salary. They should make up no more than 10 percent of ACDA's full-time equivalent staff (i.e., about 24 such experts in 1994). (Sec. 16.)
General Advisory Committee	(Not addressed)	(Not addressed)	(Not addressed)	The General Advisory Commission is abolished (sec. 5).	(Not addressed)
Improve ACDA's professional expertise by transforming the General Advisory Commission into a true advisory body of individuals of outstanding accomplishment (p. 74).	(Not addressed)	(Not addressed)	(Not addressed)	(Not addressed)	(Not addressed)

Topic 1	ACDA Inspector General	Stimson Center	House Bill 2133	Senate Bill 1182	Other
<p>Export Licensing</p>	<p>ACDA should have the opportunity to review all applications for transfer of technology and dual-use materials and for military proliferation-sensitive export licensing and so legislation should be included in to ensure that ACDA has a legal basis for involvement in all licensing decisions. All dual-use items should be covered. (p. 28, 36-37).</p>	<p>ACDA's role in interagency deliberations should be strengthened by having it chair interagency reviews of applications for transfer of weapons of mass destruction" to the factors amended to add "development of weapons of mass destruction" to the factors to be addressed in the ACDA Director's assessment of proposed arms export licenses. The Director's assessment must be taken into account in considering such licenses and decisions must be made in coordination with ACDA. Section 71 is amended to require the State Department to refer applications for exports of missile technology items to ACDA as well as to the Secretary of Defense. (Sec. 304.)</p>	<p>Sections 38 and 42 of the Arms Export Control Act are amended to add "development of weapons of mass destruction" to the factors to be addressed in the ACDA Director's assessment of proposed arms export licenses. The Director's assessment must be taken into account in considering such licenses and decisions must be taken into account in considering such licenses and decisions of...nonproliferation agreements" to the factors to be taken into account by ACDA. Sections 71 and 73 are amended to require joint secretaries of State-ACDA determinations (instead of determinations by the Secretary of State alone) concerning the missile technology controlled items list, license application referrals, information sharing, and transfers by foreign persons. (Sec. 15.)</p>	<p>Section 38 of the Arms Export Control Act is amended to require ACDA's concurrence for decisions on issuing export licenses. Section 42 of the same act is amended to require ACDA's concurrence for decisions on approving proposed decisions on support sales and to add "support international terrorism" and "prejudice the development of...nonproliferation agreements" to the factors to be taken into account by ACDA. Sections 71 and 73 are amended to require joint secretaries of State-ACDA determinations (instead of determinations by the Secretary of State alone) concerning the missile technology controlled items list, license application referrals, information sharing, and transfers by foreign persons. (Sec. 15.)</p>	<p>On June 3, 1993, the acting ACDA Director told us that the revitalization plan would include export control enhancements. The State-ACDA Memorandum of Understanding states that the state Department will not approve arms exports without informing and consulting ACDA. A high-level ACDA official told us that ACDA is negotiating Memoranda of Understanding with the Departments of Energy and Commerce.</p>
				<p>Sections 51, 57, 109, 111, 123, 126, 131, and 142 of the Atomic Energy Act are amended to require ACDA's concurrence or codeetermination in decisions involving special nuclear material, utilization and production facilities, export licensing, and Restricted Data (sec. 15).</p>	



Topic 1	ACDA Inspector General	Stimson Center	House Bill 2333	Senate Bill 1182	Other
Research	<p>ACDA should seek additional research funds (a relatively modest but sufficient increase) to establish links to institutions and programs of interest; shift resources to coordinating and monitoring research (especially research concerning arms control technology); gain greater influence over arms control research with executive priorities (with executive support); and expand its completion of arms control studies to help guide and coordinate government research by providing an arms control research plan that covers research in progress and ways out contemplated future priorities (pp. 14, 30-31, 36).</p>	<p>Arms control verification should get most of the and restructured. ACDA should get most of the Defense Nuclear Agency's verification research money (with the rest going to the On-Site Inspection Agency) and Department of Energy verification Research and Development money beyond that for DOE's mission. Loan Department of Energy managers to ACDA to help it manage these funds. ACDA should establish a targeted, innovative ACDA research program that is connected in large measure with the national labs. A General Advisory Commission subcommittee should be created to work with ACDA's chief scientist in reviewing initiatives (pp. 72-74).</p>	<p>On June 15, 1993, Rep. Berman informed the House that "due to time constraints, agreed-upon language reaffirming ACDA's responsibility to coordinate the U.S. government's research and development relating to arms control and nonproliferation...are not included. I intend to correct this inadvertent omission in conference" (Congressional Record, House 3584).</p> <p>On June 16, 1993, Rep. Lantos informed the House that "the administration and the Foreign Affairs Committee have agreed on reaffirming ACDA's responsibility to coordinate government-wide arms control and nonproliferation research and development" (Congressional Record, House 3691).</p> <p>An ACDA official informed us that the language referred to in the above quotes is identical to the research-related language in Senate Bill 1182.</p>	<p>By March 31, 1994, the President shall give Congress a report--prepared by ACDA, in coordination with the Departments of State, Defense, and Energy; the Joint Chiefs of Staff; and the Central Intelligence Agency--regarding the provisions of the ACDA act for effective coordination of all executive branch arms control and nonproliferation research and development (sec. 11).</p>	<p>On June 3, 1993, the acting ACDA Director told us that research coordination would be addressed. In its April 1992 report, entitled <u>Arms Control: Improved Coordination of Arms Control Research Needed (GAO/MSIND-92-149)</u>, GAO concluded that stronger interagency coordination of arms control research is needed. GAO also noted that the current process would be improved by identifying national verification requirements and preparing an interagency plan that prioritizes funding based on established requirements.</p>
Negotiation records	(Not addressed)	(Not addressed)	(Not addressed)	<p>ACDA shall set up a permanent unit to maintain negotiation records, based in part on ACDA participation in all phases of negotiations. ACDA will report on this activity to Congress by January 31, 1994 (sec. 12).</p>	(Not addressed)

Topics	Recommendations		Verification Plans		
Reporting	ACDA Inspector General	Stimson Center	House Bill 2333	Senate bill 1192	Other
<p>Rationalize and consolidate ACDA's congressionally mandated reports by (1) replacing Arms Control Impact Statements with reports on emerging technologies with national security implications, (2) folding Standing Consultative Commission and adherence reports into an overall report on status of implementation efforts, and (3) expanding its compilation of Arms Control and Disarmament Studies. ACDA would provide Congress with five annual reports (ACDA's annual report and reports on the implementation of treaties and other agreements, nonproliferation, federal research programs and priorities, and technological trends and implications). ACDA's reports on the verifiability of proposed agreements should be continued (pp. 31-34, 35-36).</p>	<p>ACDA should issue a series of annual reports on worldwide proliferation activities and their consequences (p. 68).</p>	<p>On June 15, 1993, Rep. Bertram informed the House that "due to time constraints, agreed-upon language... [concerning] consolidation of the number of reports for which ACDA is responsible, are not included. I intend to correct this inadvertent omission in conference." (Congressional Record, House 3584).</p> <p>On June 16, 1993, Rep. Lantos told the House that "the administration and the Foreign Affairs Committee have agreed... to consolidate reports for which ACDA is currently responsible and to produce new reports which address proliferation concerns under new post-Cold War conditions." (Congressional Record, House 3691).</p> <p>An ACDA official indicated to us that the above-cited language is the same as Senate bill 1192's language on this topic.</p>	<p>Existing requirements for reports on Arms Control Impact, Standing Consultative Commission, arms control strategy, and treaty compliance are abolished (sec. 5).</p> <p>Requires ACDA to consult with the Departments of State, Defense, and Energy; the Joint Chiefs; and the Central Intelligence Agency in preparing an annual report on U.S. arms control and nonproliferation actions and policies. It should address (1) U.S. objectives for the next year, (2) the status of ongoing negotiations, and (3) adherence to arms control and nonproliferation agreements by the United States and other nations. (Sec. 18.)</p> <p>By March 31, 1994, the President shall give the Congress a report--prepared by ACDA, in coordination with the Departments of State, Defense, and Energy; the Joint Chiefs of Staff; and the Central Intelligence Agency--regarding the provisions of the ACDA act for effective coordination of all executive branch research on arms control and nonproliferation (sec. 11).</p> <p>ACDA shall report by January 1, 1994, on its organization and maintenance of all negotiation records (sec. 12).</p> <p>ACDA shall report on the verifiability of treaties and on the use of its research funds for verification (sec. 13).</p>	<p>(Not addressed)</p>	

The topics listed in this column were derived from the subjects of the recommendations and plan elements outlined in the remaining columns of the matrix.