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Zero Ballistic Missiles in South Asian Triangle

Tension in South Asia has been high for decades, due partly to the Chinese annexation of Tibet in the 1950s and to territorial disputes among China, India and Pakistan. It is this tension that provides the impetus for the slow upward spiral of today's South Asian armaments race—of which missiles have become a recent, highly visible component.

From India's perspective, the annexation of Tibet eliminated the buffer zone that had separated the two most populous nations in the world and cast China as an hegemonic neighbor with expansionist tendencies. Territorial disputes have resulted in three wars between India and Pakistan since 1948 and one war in 1962 between India and China.

The Sino-Indian conflict is particularly relevant to understanding South Asian tension. Unlike India, Pakistan resolved its border dispute with China through diplomatic means. To India, the conflict-free resolution meant that it was flanked by allied antagonists; to Pakistan, it meant the beginning of a dynamic friendship with China, an enemy of its enemy, which has produced cooperation on a multitude of diverse projects ranging from construction of the Kara

(continued on page 4)

FAS Proposes Immigration Reform To Exclude War Criminals

While U.S. law permits the exclusion of Nazi war criminals from entry into the country, the law says nothing about persons guilty of war crimes or crimes against humanity. The Federation is urging the Administration and Congress to amend the law to cover this anomaly.

If successful, and if copied by other nations, such an exclusionary provision might have some impact on war criminals and potential war criminals in places like the Balkans where crimes against humanity have been committed. The fear of exclusion from the civilized world could, over time, modify attitudes and actions.

Existing U.S. statutes are in fact restricted to genocide. So, with the exception of Nazi genocide, the statutes normally do not apply. This is because of the legal and political difficulties in making a determination that genocide has occurred.

Amendments proposed by FAS would expand U.S. law beyond the highly technical and narrow concept of genocide to cover the broader, and easier to define, categories of war crimes and crimes against humanity. The current structure of regulations and procedures used with Nazi war criminals and perpetrators of genocide would simply be carried over to deal with those who are covered by the two

(continued on page 8)

CONFIRMATION HEARING: WILL HALPERIN RETURN TO THE DEPARTMENT OF DEFENSE?

Thirty years after he became, at the young age of 28, Deputy Assistant Secretary of Defense for International Security Affairs (Arms Control), Morton H. Halperin stands at the threshold of a return to the Defense Department—this time as Assistant Secretary of Defense for Democracy and Peacekeeping.

His Senate confirmation, hearings for which are scheduled in mid-September, would complete a career circle that has no precedent in official Washington. As he introduced himself once, during his "out" period, he had gone—after his resignation from the National Security Council—from being a "future former high official" to becoming a "former future high official."

In the Sixties, Halperin had the most promising national

security career of his generation. A child prodigy who skipped two years of high school to enter college directly, he had written, edited or co-edited about a dozen books by his mid-twenties. In particular, as research associate and as an Assistant Professor of Political Science at Harvard, he had worked with Thomas C. Schelling in pioneering work on arms control.

After three years working for two Secretaries of Defense—McNamara and Clifford, he had joined the Nixon Administration's National Security Council staff of Henry Kissinger, whom he had also worked with at Harvard.

He was a rising star.

When he resigned from Kissinger's staff over the secret

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invasion of Cambodia, it seemed this promising career was badly hurt. And when he sued Henry Kissinger over the illegal wiretaps on his phone, it seemed his government career was at an end. As Kissinger's own star rose, and the suit continued, Halperin seemed to have put principle too far beyond the normal Washington limits.

ACLU Stint Followed Brookings Work

After a period at Brookings, where he continued to write books with the same facility with which others write op-eds, Halperin became—without a law degree but performing in a way that lawyers admired—the Director of the Washington office of the American Civil Liberties Union (ACLU).

And there he functioned as ACLU officials do—defending the rights of all and sundry: Nazis, "Comms," and tobacco companies. It hardly seemed a promising position from which to launch a new career in government.

Life is unpredictable. And, for the Clinton Administration, Halperin was a perfect match—made in heaven, as one observer put it—for the new Defense Department office of democracy and peacekeeping.

One thing about life in Washington is, however, predictable: Smear.

Even before Halperin was formally nominated, a "Center" (*See Editor's Note below.*) released an "attack press release" that showed the zest of which the late Vince Foster—who accused Washington of making a "sport" out of destroying people's reputations—complained. Its title was: "If you liked Lani Guinier, you'll love Morton Halperin."

(Halperin was defended in a letter to Chairman Sam Nunn and members of the Senate Armed Services Committee by Alton Frye, Arnold Kanter and the undersigned. Some of what follows is drawn from that joint letter.)

With Halperin's career having been checkered, one would not think it necessary for anyone to distort his positions. But, apparently, some felt so.

Writing in a *Washington Times* op-ed piece, the Director of the "Center" that had set out to take Halperin's scalp referred to Halperin "playing a role in the unauthorized publication of classified documents which became known as 'the Pentagon Papers'."

Sounds serious. Except that there is no evidence anywhere that Halperin contributed to the unauthorized publication of those papers.

"Pentagon Papers" Charges Misleading

The Director of the "Center" went further in the *Wall Street Journal* of August 9, writing that "[Halperin] was close to RAND analyst Daniel Ellsberg, whom he eventually helped to gain access to the Pentagon Papers."

Sounds even more serious—except that it is totally misleading. Halperin was indirectly involved in Ellsberg gaining authorized access to these papers when Ellsberg was a RAND employee with a Top Secret clearance. Halperin

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was in no way involved in Ellsberg's subsequent unauthorized use of the Papers. No charge of this kind has ever been made in any official papers on this case.

Agee Case Accusations Even Wilder

The Director's accusations concerning the Agee case are even wilder. In the *Washington Times* of June 8, he said:

"Mr. Halperin actually went so far as to aid and abet Philip Agee and others in their efforts to reveal publicly the identities of American covert operatives. As a direct result, these individuals' lives were jeopardized—and in at least one case sacrificed. At a minimum, missions on behalf of the national security were compromised by Mr. Halperin and his friends."

Sounds very serious indeed. As a "direct result" of Halperin's actions "at least one [life] sacrificed!" Wow—but totally fabricated. In fact, Halperin brokered the "Agent's Identities Protection Act" that criminalized the behavior of persons like Agee by negotiating an ACLU agreement with the CIA on the legislation proposed by the Reagan Administration.

His only positive link to Agee is, in the line of ACLU duty, having advised a citizen panel in the U.K. that, if the British Government wanted to expel Agee for national security reasons, it should be required to give a reason why Agee's presence was hurting British national security. The British ignored the advice of this panel (even if the panel took it), expelled Agee, and there was no direct result whatsoever of Halperin's action—much less "at least one [life] sacrificed" as a "direct result."

And so it goes in the hip-shooting, character assassination game. As of this writing no other source has turned to attacking Halperin. And five former Secretaries of Defense and the same number of Directors of Central Intelligence and their deputies, are expected to defend him.

Praise For Halperin Crosses Party Lines

Halperin, it turns out, has been impressing people all over town and on both sides of the aisle. Among those who spoke warmly of him when he left ACLU were Judiciary Committee Members Hatch, Biden and Kennedy. Hatch found him "knowledgeable, forthright and honest," worthy of "respect," and one who "has always been willing to bear and maintain the costs of liberty." (*Cong. Rec.*; S16512, October 3, 1992). And Biden said "None of us has ever known a more honest man" and that there was "nobody in Washington smarter." (*Cong. Rec.*, S18230, October 8, 1992).

The recently retired Chairman of the Senate Intelligence Committee, Senator Boren, said Halperin had worked in a "non-ideological" way that "gained not only my respect and that of other committee members, but also the respect of many executive branch officials with responsibility for intelligence law and policy . . . a person of strong integrity as well as intellect." (*Cong. Rec.*, S8533, July 1, 1993).

With praise like this, even the conservative Armed Serv-



Morton H. Halperin

ices Committee may vote to confirm.

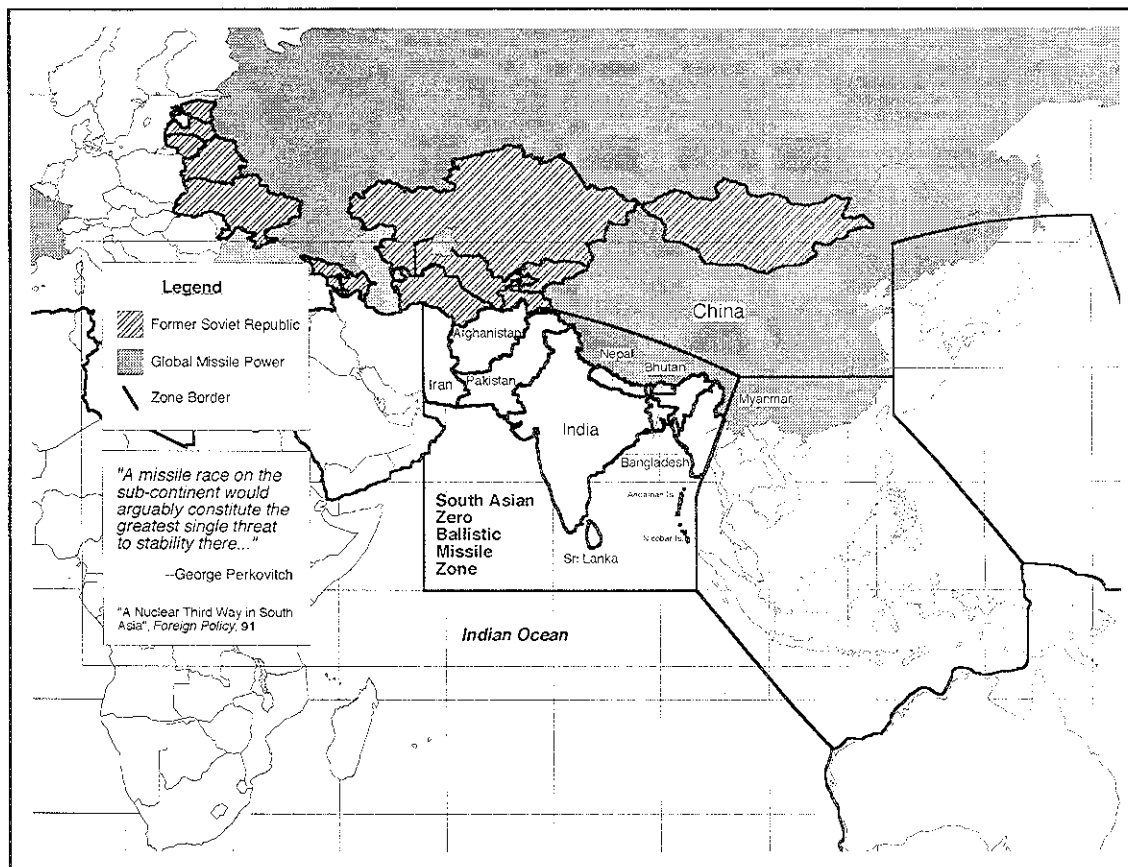
(The Committee, composed of 12 Democrats and 10 Republicans, has an odd ideological distribution. If Richard C. Shelby, a conservative Democrat who often votes with the Republicans, is counted as a Republican, it would then be true—according to Council for a Livable World indices on arms race votes—that Chairman Sam Nunn is to the right of all Democrats and to the left of all Republicans. There would be, on this Committee, among Republicans, resistance to confirming Henry Kissinger.)

Meanwhile, the same Henry Kissinger, who spent, after all, a good deal of time and money fighting off Halperin's law suit, is being quoted in one of the most gracious paragraphs of his career, in a letter to Halperin, to wit:

"I have always entertained the highest regard for you. I brought you into the NSC and I urged you to stay after you wanted to leave. As I have stated publicly and at my deposition, nothing that came to my attention from the surveillance or otherwise cast doubt on your integrity or your loyalty to the country. To this day I have regarded you as a colleague of the highest talent, one who served his country well."

—Jeremy J. Stone

Editor's Note: The "Center" is the Center for Security Policy, whose Board of Advisors includes, among other notable persons, Morris J. Amitay, Paul A. Goble, Fred C. Ikle, Jeane J. Kirkpatrick, Richard Perle, Edward Rowney and William Schneider. Its Director is Frank J. Gaffney, Jr., a former Armed Services Committee staff member.



koram Highway to transfers of armaments and technology.

India began its ballistic missile and weapons of mass destruction programs in response to a perceived threat from China. Particularly, the Indians allege that the Chinese introduced nuclear armed intermediate range ballistic missiles (IRBMs) into what used to be Tibet. Although now widely regarded as false, that allegation is India's justification for its Agni IRBM program. Moreover, improved relations between Islamabad and Beijing coupled with an increased flow of military and nuclear assistance prompted India to respond to a perceived threat from Pakistan, hence the genesis of the Indian Prithvi short range ballistic missile program.

Pakistan Seeks Recognition and Parity

Pakistan, which does not see India as having fully accepted its legitimacy as a separate, independent nation-state, responded in kind to India's missile development programs. In comparison, however, Pakistan's efforts have been only marginally successful. To further complicate matters, Pakistani attempts to acquire the Chinese M-11 missile system have escalated India's security concerns. When considered together, these factors reveal the basis for the ballistic missile armaments race that proceeds in South Asia today, one driven by fear and by political and bureaucratic reactionism.

The nuclear element adds still another dimension to the "South Asian Triangle." India reacted to China's first nuclear weapons tests in the 1960s with a nuclear weapons program of its own, which was soon followed by a Pakistani

program widely believed to have enjoyed considerable Chinese assistance. At that time, these nuclear programs were of such importance to the respective governments that they eclipsed many domestic priorities, buttressing the already advanced nuclear inculcation of the then upcoming generation.

Fragility of Governments Handicaps ZBM

Now, the visceral fear and suspicion instilled in the populace present the greatest obstacles blocking tension reduction, conflict resolution and disarmament. According to assessments of observers within both India and Pakistan, neither government could today unilaterally scuttle its respective nuclear weapons programs, and by extension its associated missile programs, and survive for more than 10 days before being toppled from within.

Indeed, if the populaces of India and Pakistan perceive their nuclear and missile programs as so essential to their security, then a careful course of education and confidence building is in order. Following the further decay from 1986 to 1990 of an already strained relationship, such a program is now under way and includes many confidence and security-building measures (CSBMs) aimed at enhancing stability; advance notification of military exercises, establishment of "hotlines," a chemical weapons agreement, and a pledge not to attack declared nuclear facilities to name a few.

Through this array of CSBMs, South Asia moves closer to a model of stability akin to that of the Cold War. Such movement warrants attention since it is orthogonal to their

current pursuit of a doctrine based on a "calculus of uncertainty"—to wit, stability arises from the complete lack of surety (the "uncertainty") in assessing the magnitude and warhead capabilities of each others nuclear programs, in formulating nuclear tactics, and in anticipating domestic response to a nuclear exchange.

Elsewhere, most activities aimed at enhancing crisis stability rely on high confidence-level intelligence data about an adversary's military capabilities, strategic doctrines and tactics. On the subcontinent, stability depends on dissuasion through the absence of such information.

Muslim Presence Mitigates Threat of Attack

Fortunately, there is a significant Muslim population in India that constitutes a cultural interlock, inhibiting India's nuclear options *vis-a-vis* Pakistan for fear of internal uprising and constraining Pakistan's nuclear options *vis-a-vis* India because of the repercussions such an attack would have on Indian Muslims, and on Pakistan's own position within the Muslim world.

Further, it could be argued that cognizance of the threat to stability, the problems and expense inherent in ballistic missile systems, and their limited utility as delivery vehicles for non-nuclear weapons is arguably responsible for convincing some members of the security community in India and Pakistan to proceed slowly and cautiously with ballistic missile acquisition and deployment. As an alternative to deployment, some Indian security scholars have even called for India to quantify the circumstances under which it would abandon its ballistic missile programs.

Especially encouraging, members of India's security community have just this year called for a regional ballistic missile ban. FAS lauded this development and is contributing to the discussion within the region. More recently, FAS overtures to the Indian and Pakistani foreign ministries regarding a ZBM zone in South Asia have resulted in Pakistan's declaration of its intent to introduce a resolution at the United Nations General Assembly calling for the

negotiation of a treaty establishing a South Asian missile-free zone. Efforts to induce China's participation are ongoing.

While geography necessitates China's inclusion in a South Asian ZBM zone, political reality demands that other global powers participate in the treaty process, as well. China should reassess the strategic benefits of its IRBMs in terms of their costs to regional stability. Along with China, the other global powers, France, Russia, Britain and the U.S., should support ballistic missile disarmament by assisting in the negotiation of a ZBM treaty for South Asia.

Moreover, the global powers and all other states with the capability to launch a missile strike against targets within the ZBM zone should sign a protocol to the zone treaty binding them to support and participate in the creation and management of a zone inspectorate for verifying disarmament and safeguarding space launch development programs. Further, the treaty protocol should contain a binding pledge to refrain from launching or threatening to launch ballistic missiles against targets within the ZBM zone. With this type of security guarantee in hand, a South Asian missile-free zone is possible and could serve as a model for other regions to use in formulating their own ZBM accords.

ZBM Plan Promises Multiple Benefits

Most attractive about the ZBM approach, however, is that it would lift the economic burden of missile arms races from countries in the zone while simultaneously eliminating the emerging threat of Third World missiles. In a missile-free zone, the high level of transparency and intricate safeguards would allow the relaxation of export controls on space launch technology. This would strengthen commercial and diplomatic relations with developing countries rather than breed contempt, as the current non-proliferation regimes do with such alacrity. —Jerome Holton

□

Just What We Don't Need: A New Arms Export Subsidy Program

Spurred by government promotional policies and military aid programs, U.S. arms exports are expected to reach an all time high of \$28-30 billion during the current fiscal year. Yet, exporters are looking for still more government assistance in maximizing overseas sales.

A loan guarantee program for weapons exports—analogue to the EXIMBANK's loan guarantees for non-weapon exports—has been a high priority of the arms industry lobby since the late 1980s. Industry pressed the Administration to include such a program in the fiscal year 1994 Pentagon budget. The Administration declined. So, in April, the lobbyists turned their attention to Congress, to try to get the loan guarantees included in the Pentagon authorization bill.

There were no takers in the House. But in the Armed Services Committee Dirk Kempthorne (R-ID) succeeded in amending the Senate version of the bill to authorize \$25

million for underwriting up to \$1 billion in loans in 1994. Under this amendment, NATO allies, Australia, Japan, South Korea and Israel will be eligible to receive U.S. government guarantees for loans to buy American weapons.

This arms export subsidy is dangerous, unnecessary and potentially very costly. Sen. Kempthorne's amendment should be deleted when the full Senate votes on the bill in September. Weapons loans have a history of going bad. During Operation Desert Shield/Storm, the U.S. forgave Egypt \$7 billion in past military loans; and when Iraq defaulted on loans the U.S. government had guaranteed—supposedly for the purchase of agricultural commodities, but in reality used to purchase weapons technologies—Uncle Sam was stuck with the tab. Sen. Kempthorne's program, rather than costing a quarter of a million dollars,

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could likely end up costing a whopping \$1 billion.

The \$25 million figure is simply an estimate of the amount needed to insure against default, a risk assessment based in large part on the combined credit-worthiness of all the countries eligible to receive guarantees under the program. With rich NATO members Japan and Australia in the pool, the amount of self-insurance is less than if only developing countries were eligible. But since those wealthy countries do not need and will not use the program, the set-aside dramatically underestimates the possibility of default by the program's main targets—the southern tier members, especially Turkey.

Proponents of the program falsely argue that European governments provide significantly greater assistance to their weapons industries than does the U.S. While France and Britain, in particular, do finance some arms exports, their assistance is dwarfed by the United States' already existing military aid programs.

For Fiscal Year 1993, our government appropriated \$3.3 billion in grants and loans that can be used only to purchase American weapons. An additional \$2.7 billion in the Economic Support Fund can also be used to underwrite purchases of American weapons.

U.S. Got 57% of '92 Third World Market

The U.S. arms industry cornered 57 percent of the Third World arms market in 1992. Claims of unfair competition ring hollow, as the other leading suppliers—France, the UK and Russia—each sell less in armaments than the U.S. gives away each year.

Council Gets Adams, Toll and Waletzky Fund Board Changes; Sponsors Added

Ruth S. Adams, John S. Toll and Jeremy P. Waletzky were elected to the FAS Council, replacing Stephen F. Cohen, George W. Rathjens and Arthur H. Rosenfeld, whose terms expired June 30.

Named to the FAS Fund Board of Trustees were Mark A. R. Kleiman, Richard Muller and William Revelle, enlarging the Board to twelve members.

Richard L. Garwin has agreed to serve as Chairman of the Board, replacing Frank von Hippel, who resigned to join the staff of the White House Office of Science and Technology Policy (OSTP). Von Hippel will be working under Science Adviser John Gibbons—the recipient of the 1990 FAS Public Service Award.

Garwin will also serve on the three-person FAS Executive Committee and continue as Vice President of the Council.

Recently added to the distinguished list of Sponsors are Robert M. Adams, Secretary of the Smithsonian Institution, and Frank Press, former President of the National Academy of Sciences who is now working with the Carnegie Institution's Department of Terrestrial Magnetism. ■

And all this happens without Senator Kempthorne's loan guarantee program.

Appealing to Congress' pork-barrel mentality, industry lobbyists confidently claim that this is a "jobs" program. They boast that for "only \$25 million" 35,000 jobs will be generated or maintained and fail to mention that, should the borrowers default on the U.S. government-backed loans, taxpayers could pay a subsidy of up to \$28,000 for each of those jobs.

Assisting the conversion of arms manufacturers to commercial products is a smarter plan for offsetting shrinking domestic arms procurement than promoting weapons proliferation. So, if jobs and workers are really the concern, the \$25 million to \$1 billion that the loan guarantee program will cost would be much better invested in new technologies and products that will create jobs for the future. But arms exports provide a high profit margin, and given doubts about their ability to compete in civilian markets, many arms manufacturers are resisting conversion.

When, however, President Clinton announced that his Administration will spend \$20 billion over the next five years to aid conversion, industry lobbyists tried a different approach. Seeking to get hold of some of this loot, they convinced lawmakers that exports are a form of conversion. Senator Kempthorne's loan guarantee provision surreally falls under a heading in the Pentagon bill entitled "Defense Conversion & Reinvestment."

The current overcapacity in weapons production has created a buyers' market, with more and more countries receiving more lethal equipment on better terms. If the Senate Armed Services Committee's loan guarantee program passes, European governments are likely to respond by providing increased financing and marketing assistance to their industries.

Such assistance stimulates regional arms races and provides the Pentagon with one of its chief prospective threats: CIA Director James Woolsey testified earlier this year that "the world-wide proliferation of advanced conventional weapons . . . will present formidable challenges to U.S. military operations in the future." And, Director of Naval Intelligence Rear Admiral Edward Shaefer, Jr., cited the conventional arms trade as one of the major "threats and challenges of the 1990s."

The Clinton Administration is still reviewing its policies on arms exports and proliferation, but if passed, the Kempthorne amendment might well limit the Administration's hand in seeking to control the trade. Rather than further subsidizing weapons exports, the U.S. should seek to reduce financing and marketing assistance for arms exports by all of the major exporting governments. The ideal approach would be to resume the talks among the five leading exporters—initiated in July 1991 and broken off last September.

Sen. Kempthorne's proposed program would further erode America's already lagging credibility in limiting dangerous arms exports by other countries; it is inconsistent with any serious effort to control the spread of advanced conventional weapons through the world. —Lora Lumpe □

Openness and the Future of U.S. Intelligence

The growing transparency of international affairs calls into question the traditional structure of the CIA and other intelligence agencies, but also indicates some new directions for their reform. As the availability of new open sources of information alters the dynamics of intelligence collection and intelligence analysis faces increasingly sophisticated non-governmental competition, the intelligence community must make appropriate structural changes if it is to avoid obsolescence.

Throughout the Cold War, U.S. intelligence gathering capabilities were focused on the closed societies of the Soviet Union and the Warsaw Pact. Lacking open sources of information, covert penetration or high-tech surveillance was required to obtain the most elementary kinds of data, whether military, economic or sociological. And the sensitive origin of this information dictated strict controls on its dissemination.

Media Growth In FSU Aids Openness

But in more recent years, there has been an explosion of easily accessible open-source information from behind the erstwhile Iron Curtain and elsewhere. Within the former Soviet Union, for example, some 1700 newspapers in more than a dozen languages have begun publication in the last few years alone. (The number of major periodicals worldwide has grown from 70,000 in 1972 to 116,000 in 1991.) In many cases, valuable information can be gleaned from such sources far more inexpensively than from spy satellites and more safely and reliably than from espionage.

A similar situation pertains even in the formerly exclusive field of satellite reconnaissance. Not too long ago, officials were reluctant to acknowledge the fact that the U.S. had spy satellites, and the name of the National Reconnaissance Office was classified until September 1992. But today, satellite photos of almost anywhere on the planet are commercially available with a resolution of a few meters. Soon, higher resolution photos of 1 meter are expected to be on the market. While the most advanced spy satellites can do even better than that, such precision is not essential or even useful for many important applications.

At the same time, new information dissemination technologies continue to advance and proliferate. More and more information is moving faster, farther and to a wider audience. There are already some 8,000 commercial data bases that sell access to all manner of specialized information services to a growing number of users.

In short, some previously unique functions of intelligence—in collection, analysis, and dissemination—are on the verge of being overtaken by non-governmental sources. As a consequence of the severe controls on even the most benign intelligence information, the mass media and private sector analysts have assumed an increasing role in informing policy makers. In a crisis situation, the timely delivery offered by Cable News Network, for example, can

scarcely be matched by conventional intelligence methods in providing information on events in progress. It also has the great advantage of being free from the straitjacket of classification.

Another consequence of the enduring Cold War structure of the intelligence community is the growing difficulty of sustaining a high quality corps of analysts at a time when the perceived utility and influence of intelligence is diminishing. By way of comparison, the skill, experience and analytical insight of some journalists reporting from abroad now equals or exceeds the abilities of many professional intelligence analysts, who in some cases have never even visited the area of their purported expertise. And Congress has recently reported that a shortage of qualified linguists in the intelligence community is having a "detrimental impact on U.S. intelligence operations."

If there are still some highly capable individuals who are intrigued by the "romance" of secret intelligence, there are certainly many more who cannot tolerate the isolation it imposes. This isolation is deliberately institutionalized for security reasons in the practice of "compartmentation." This is a particularly aggressive form of secrecy, in which access to information is restricted to a specified group of specially authorized individuals. The U.S. intelligence community has thousands of compartmented programs.

Unlike their academic counterparts, most intelligence analysts today have to accept that their work will not be published, or discussed openly among colleagues, or perhaps even read at all. Eliminating this disincentive by allowing broader dissemination of intelligence products for independent review and critique could significantly enlarge the talent pool and enhance the quality of U.S. intelligence.

Information Glut May Have Negative Results

There is still a place for traditional espionage practices since openness is obviously far from universal. Closed societies and the concealed actions of more open societies can still threaten U.S. security. And the activities of sub-national or terrorist groups engaged in weapons proliferation or narcotics trafficking remain largely opaque to open-source collection. Though minuscule in comparison to the former Soviet threat, these still warrant the maintenance of a covert intelligence collection capability. Yet outside of such important but circumscribed fields, information is abundant. If anything, the flood of data threatens to overwhelm our ability to absorb and assimilate it in any useful way. The weak link here is not in collection but in analysis and dissemination. At a time when open sources are providing ever more impressive alternatives, the U.S. intelligence community must overcome its rigid controls on information and accept increased public scrutiny and interaction if it is to avoid solipsism and irrelevance.

—Steven Aftergood



new categories.

Currently, the Government possesses a broad discretionary authority to exclude and deport those aliens who are deemed undesirable or whose presence is deemed not in the interest of the United States. The FAS amendments are intended to focus and more effectively manage this broad authority.

Ports of Entry Are Key to Control

The U.S. currently maintains a watch list of 2.7 million individuals who are viewed as excludable. While some, such as Sheik Omar Abdel-Rahman, now indicted in the bombing of the World Trade Center, manage to slip through, sources in the Justice Department indicate that adding to this list (new names as well as new categories for existing names) would not create a burden in terms of managing the list. What problems that do exist in using the list do not stem from the number of names. Not all U.S. consular offices around the world have access to the computerized list. However, immigration officers at American ports of entry do have such access and are therefore an added safeguard, given diligence.

FAS would also like to see its proposals adopted by other nations, and an international "watch list" established. The proposed amendments do not, of course, preclude the creation of war crimes tribunals, which the U.N. is in the process of establishing for Yugoslavia. The proposed legislation is rather an important supplement to this effort and would also be a way for the U.S. to contribute to a wider international war crimes effort beyond tribunals.

FAS believes that enactment of the amendments would be a major step forward in an important area of the law where immigration and concern for human rights intersect. The Federation's work in this area grew out of its project on Yugoslavia and its concern with how the war crimes issue was being handled by the United States and other nations. These amendments would help the government to better deal with the problem of war crimes and war crimi-



Commander "Arkan" and his militia, accused of atrocities in Bosnia, have been cited as examples of war criminals who should be tried before an international tribunal.

nals on a worldwide basis, not only in Yugoslavia.

It is also proposed that the U.S. announce, with some fanfare, a large reward for persons anywhere in the world who provide information leading to the apprehension and successful prosecution of persons planning terrorist acts against the U.S. or its citizens. Such a reward program could prevent acts such as the bombing of the World Trade Center.

FAS's proposals target the twin evils of war crimes and terrorism.

—Steven Rosenkrantz

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