

Nuclear Challenges for the New U.S. Presidential Administration: The First 100 Days and Beyond

Analysis from the Arms Control Association
January 2021

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Arms Control Association

The Arms Control Association (ACA), founded in 1971, is a national nonpartisan membership organization dedicated to promoting public understanding of and support for effective arms control policies. Through its public education and media programs and its magazine, *Arms Control Today (ACT)*, ACA provides policy-makers, the press and the interested public with authoritative information, analysis and commentary on arms control proposals, negotiations and agreements, and related national security issues. In addition to the regular press briefings ACA holds on major arms control developments, the Association's staff provides commentary and analysis on a broad spectrum of issues for journalists and scholars both in the United States and abroad.

Cover photo: Dept. of Defense. Then Vice President Biden speaks at The White House on April 27, 2010.

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Introduction

Upon taking office, the new presidential administration of Joseph Biden will confront a dizzying array of major challenges, not the least of which are related to the risks posed by the world's most dangerous weapons. Tensions between the world's nuclear-armed states are rising; the risk of nuclear use is growing; billions of dollars are being spent to replace and upgrade nuclear weapons; and key agreements that have kept nuclear competition in check are gone or are in serious jeopardy.

The situation has been complicated by the neglect and poor policy choices of President Donald Trump and his administration. Over the past four years the Trump administration made nearly every nuclear policy challenge facing the United States worse. For example, the Trump administration:

- expanded the capability of, role of, and spending on the U.S. nuclear arsenal;
- withdrew from the successful 2015 Joint Comprehensive Plan of Action (JCPOA) and reimposed sanctions in violation of the deal, which has predictably led Iran to retaliate by exceeding key nuclear limits;
- failed to capitalize on the diplomatic opening created by two summits with North Korean leader Kim Jong-un;
- withdrew from the 1987 Intermediate-Range Nuclear Forces (INF) Treaty in 2019 after failing to resolve a dispute over Russian noncompliance with the treaty;
- withdrew from the Open Skies Treaty in 2020 over allied objections;
- failed to extend the only remaining arms control agreement, the 2010 New Strategic Arms Reduction Treaty (New START) which is due to expire on Feb. 5, 2021;
- considered breaking the 28 year-long U.S. moratorium on nuclear weapon test explosions; and
- complicated efforts to build global support for advancing the goals and objectives of the bedrock nuclear Nonproliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT).

Fortunately, Biden has a long and distinguished track record when it comes to dealing with nuclear weapons-related security issues. Unlike his predecessor, Biden possesses a strong personal commitment to effective nuclear arms control, nonproliferation, and disarmament that dates back to his early days in the Senate and continued through his last days as vice-president under President Barack Obama.

In [remarks](#) delivered in January 2017, then-Vice-President Biden said: “As a nation, I believe we must keep pursuing the peace and security of a world without nuclear weapons—because that is the only surety we have against the nightmare scenario becoming reality.”

Though Biden and the team of advisors that he selects to join his administration will surely not be lacking in experience or commitment, they will, however, be confronted with a set of early and very consequential nuclear policy-related hurdles that require smart, swift, and decisive action. In the case of the future of New START, a decision on prolonging the life of the agreement will need to be taken within 16 days after Inauguration Day.

In this analysis we have outlined what we believe to be the five most important sets of nuclear weapons policy challenges and decisions that the new Biden administration will need to address in its first 100 days and beyond, along with recommendations for effectively dealing with each of these policy challenges:

1. Reviving and Advancing the Nuclear Arms Control Enterprise
2. Reducing U.S. Nuclear Weapons Excess
3. Stabilizing the Joint Comprehensive Plan of Action
4. Jump-starting Denuclearization and Peace Diplomacy with North Korea
5. Restoring U.S. Leadership on Multilateral Nonproliferation and Disarmament

If pursued, these actions and decisions would make the United States and the world safer from the threats posed by nuclear weapons. These initial steps would also put the administration in a better position to pursue more lasting and far-reaching nuclear risk reduction and elimination initiatives over the next four years.

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Reviving and Advancing the Nuclear Arms Control Enterprise

The United States and Russia, which possess more than 90 percent of the estimated 13,400 nuclear weapons on the planet, have a special responsibility to reduce the nuclear danger and to avoid dangerous nuclear competition. A top challenge in the first few days in office for President Biden will be preventing the near total collapse of the U.S.-Russian arms control regime and signaling his intention to pursue further arms control measures to enhance strategic stability, lessen the risks of escalation to nuclear use, and further reduce the bloated U.S. and Russian nuclear arsenals.

Over the past four years, the Trump administration dithered, blustered, and pursued unrealistic objectives on nuclear arms control matters. Trump and his team failed to find a way to resolve a dispute over Russian noncompliance with the INF Treaty. The Trump administration withdrew the United States from the treaty in August 2019 with no viable plan to replace it, opening the door to a new intermediate-range missile race in Europe and in Asia.

In violation of congressional notification requirements and against the wishes of U.S. allies, Trump in November

2020 also withdrew the United States from the 1992 Open Skies Treaty citing concerns about Russian noncompliance. Worse yet, the Trump administration rejected Russian offers to extend the only remaining agreement limiting the U.S. and Russian nuclear stockpiles: New START.

The Trump administration waited for three and a half years to begin talks with Russia on arms control. When it finally did begin talks, the administration's approach was far more consistent with running out the clock on New START (and trying to pin the blame on Russia and China) rather than a serious effort to make progress on further arms control. Trump officials rejected Russia's offer to extend New START by five years without conditions and initially demanded an agreement that would capture all U.S. and Russian nuclear warheads, amend the New START verification regime, and include China.

The Trump administration eventually climbed down from this wildly maximalist approach and offered Russia a one-year extension of New START if Moscow agreed to a politically-binding, and ultimately verifiable, freeze on all U.S. and Russian warheads. Russia countered this

KEY POINTS

- A top challenge in the first few days in office for President Biden will be preventing the near total collapse of the U.S.-Russian arms control regime and signaling his intention to pursue further arms control measures.
- The incoming Biden administration should quickly express its support for a five-year, unconditional extension of New START and name a special presidential representative to immediately begin work with Russia to extend the treaty and seek a

commitment to begin follow-on talks on new arms control arrangements. The administration should also reevaluate the possibility of reentering the Open Skies Treaty.

- New START follow-on talks should aim for lower verifiable limits on U.S. and Russian strategic delivery systems and warheads, as well as new understandings or limits on non-strategic nuclear-warheads, missile defenses, and third country nuclear forces.



Russian Prime Minister Vladimir Putin (L) and then-U.S. Vice President Joe Biden (2nd R) meet on March 10, 2011 with their delegations in Moscow. (Photo: Alexy Druzhinin/AFP via Getty Images)

proposal by offering a one-year extension and a one-year warhead freeze on the condition that the freeze not be accompanied by any definitions, declarations, data exchanges, or verification. The Russian position was dismissed by the Trump administration as a fake freeze.

New START is slated to expire on Feb. 5, 2021, just 16 days after inauguration day. If the two presidents fail to agree to extend New START, there would be no agreed limits on the U.S. and Russian nuclear arsenals for the first time since 1972. The end of the treaty would deprive the United States of an irreplaceable source of information about Russia's strategic forces, create the potential for unconstrained nuclear competition, and further complicate the already fraught U.S.-Russian bilateral relationship.

The First 100 Days

A Five-Year Extension of New START. One of the Biden administration's most immediate national security priorities must be to reach agreement with Russia to extend the treaty for five years (the maximum as allowed for in Article XIV of the treaty) without conditions.

During the campaign, [Biden said](#) he will "... pursue an extension of the New START Treaty, an anchor of strategic stability between the United States and Russia and use that as a foundation for new arms control arrangements."

Immediately after inauguration day, the president-elect and/or his key advisors should publicly express their interest in a five-year, unconditional extension of New START and name an experienced special presidential representative to work with Russia on day one to secure an extension.

Extending the treaty by five years would enhance U.S. security by maintaining the treaty limits of 1,550 deployed strategic warheads and 700 deployed strategic

delivery systems, thereby providing greater predictability for the intelligence community in monitoring Russia's nuclear forces and for the military with respect to planning for the U.S. nuclear modernization program.

In addition, extending New START by five years would provide the most time for the complex negotiations that will be necessary for a follow-on agreement or agreements on the difficult issues that are currently on the U.S.-Russian agenda. If a better arrangement or arrangements are concluded, they can supersede New START.

There is no evidence that Russia is desperate to extend the treaty or that a shorter-term extension of New START would make Russia more likely to negotiate a follow-on agreement. Nor is a one-year or two-year extension likely to be enough time to negotiate a new agreement. New START took ten months to negotiate and then about as long to bring into force. And that was at a time when the U.S.-Russia relationship was far less tense.

Meanwhile, the Biden administration shouldn't hold New START extension hostage to the Trump administration's unrealistic proposed freeze deal that Russia was not close to accepting.

A cap on the number of all types of U.S. and Russian warheads, though an admirable goal, would be unprecedented and difficult to achieve. It would be unrealistic to believe these details could be negotiated in the 16 days between Jan. 20 and New START's expiration.

A more realistic alternative would be to pursue agreement on the details of a longer-term warhead freeze as an early goal of bilateral talks following agreement on a five-year extension of New START. Such a freeze—even without verification measures—would be a useful confidence building measure as Washington and Moscow pursue talks on more formal follow-on arrangements.

Setting the Stage for Follow-On Talks. The continued deterioration of the U.S.-Russia relationship and modernization by each side of their conventional and nuclear forces reinforces the need for further arms control measures beyond New START, measures that can and should lead to deeper reductions in their excessive arsenals.

Upon the announcement of the extension of the treaty, the new administration should seek a joint commitment with Russia to begin follow-on talks to reduce growing risks to strategic stability and achieve mutual reductions in their stockpiles.

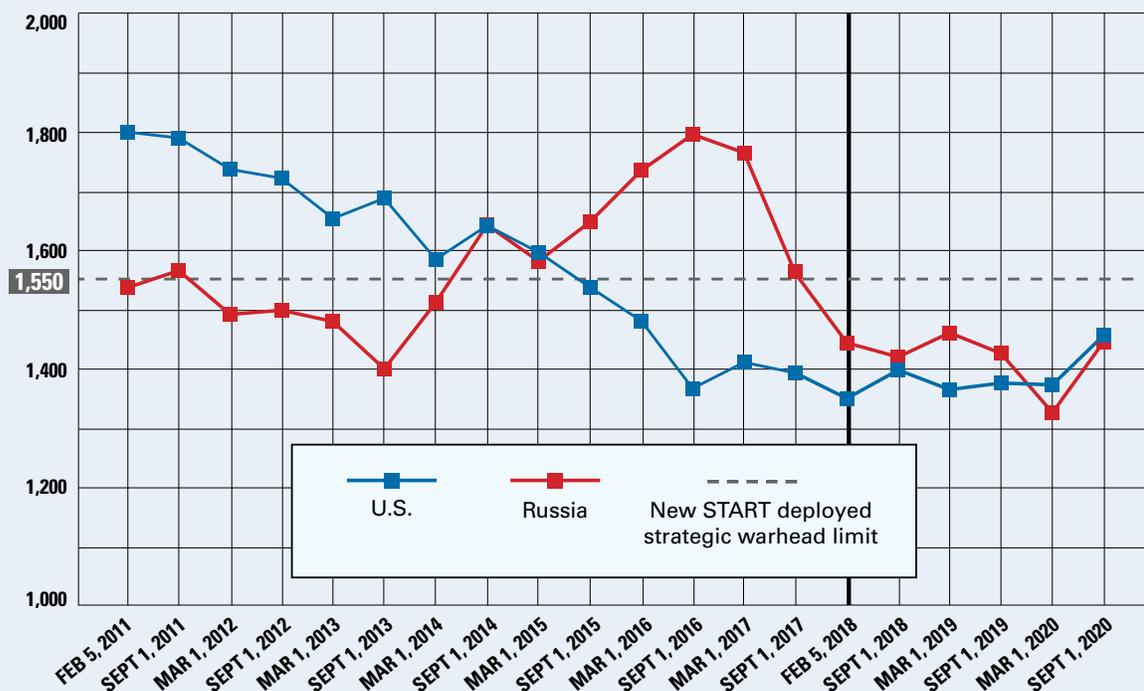
As a first step the two sides should set a date for the resumption of bilateral strategic stability talks, ideally within the administration's first 200 days. These talks should cover a wide range of topics and pave the way for formal negotiations.

The Open Skies Treaty. Within the first 100 days, the Biden administration should also evaluate the possibility of rejoining the Open Skies Treaty so long as Russia continues to remain a party. The Trump administration's announcement that it would withdraw from the agreement violated Sec. 1234 of the fiscal year 2020

Deployed U.S. and Russian Nuclear Warheads: The Path to Meeting New START Limits

The 2010 New Strategic Arms Reduction Treaty started a countdown to deployment limits that took effect February 5, 2018. The uneven path toward the limits reflects the nuclear weapons modernization programs implemented by both nuclear powers.

The treaty permits each side to have no more than 1,550 warheads on deployed intercontinental ballistic missiles (ICBMs), deployed submarine-launched ballistic missiles (SLBMs), and deployed heavy bombers assigned to nuclear missions (each heavy bomber is counted as one warhead).



Source: U.S. Department of State
Updated October 6, 2020

National Defense Authorization Act, which required the administration to notify Congress 120 days ahead of a U.S. notification of an intent to withdraw from the treaty. The Trump administration did not do so.

The Open Skies Treaty, which has helped preserve the post-Cold War peace, allows the 34 participating nations, including the United States and Russia, to fly unarmed observation aircraft over one another's territory. These flights have preserved a measure of transparency and trust, thereby enhancing stability and reducing the risk of conflict. U.S. and allied treaty flights over Russia have provided valuable information about Russian military activities. Only as a party to the treaty can the United States help our European allies resolve concerns about Russian compliance.

Next Steps

Dealing with Additional Weapons and Countries:

Potential follow-on agreements need not take a single form and will require mutual concessions.

A key objective of the next round of talks should be, in part, deeper verifiable reductions in the deployed strategic nuclear weapons of the two sides. In 2013, the Obama-Biden administration, with input from the Joint Chiefs of Staff, [determined](#) that the United States could reduce its nuclear force by up to another one-third below New START levels and still meet deterrence requirements.

Follow-on negotiations should also address non-strategic nuclear weapons, the interrelationship between offensive nuclear weapons and strategic missile defenses, long-range, dual-capable conventional weapons, including those formerly captured by the INF Treaty, and hypersonic glide vehicles. One ambitious but difficult to negotiate option would be to pursue an agreement that captures all nuclear warheads under a single, verifiable limit.

Restraining Deployment of Strategic Interceptors. A consequential decision facing the new administration will be whether and how to address Russian and Chinese concerns about Trump-era plans to expand the U.S. national missile defense footprint.

The United States' November 2020 test of the Aegis Standard Missile-3 (SM-3) Block IIA for the first time against a strategic missile target will undoubtedly encourage Russia and China to believe they need to continue to enhance the capability and quantity of their offensive nuclear-armed missiles—and undoubtedly complicate progress on arms control.

U.S. efforts to further limit Russian nuclear weapons and bring China into the arms control process are unlikely to gain traction unless Washington agrees to seriously discuss its long-range missile defense capabilities. Fielding sufficient missile defenses to defend against limited

ballistic attacks from North Korea or Iran and agreeing to binding limits on the quantity, location, and capability of such defenses should not be mutually exclusive.

Addressing the collapse of the INF Treaty. The United States, in coordination with its NATO partners, should engage with [Russia's October proposal](#) to add "mutual verification measures" to the earlier Russian offer of a moratorium on the deployment of missiles formerly banned by the INF Treaty in Europe. The proposal includes a pledge not to deploy the 9M729 ground-launched cruise missile, which the United States claims violated the INF Treaty, in European Russia, as long as NATO members do not field similar missiles in Europe.

Other diplomatic options to limit ground-launched missiles formerly prohibited by the treaty include banning nuclear-armed ground-launched missiles and prohibiting ground-launched ballistic missiles.

Engaging with China. Trump administration officials had argued that the next arms control treaty with Russia must include China without explaining how this might be accomplished. Beijing has made it abundantly clear that it is opposed to trilateral arms control talks (which prompted the Trump administration to cease its pursuit of such talks). For its part, Russia has said that any agreement that includes China should also include France and the United Kingdom.

Extending New START and pursuing serious follow-on talks designed to further limit and reduce Russian and U.S. nuclear weapons will enhance U.S. leverage to bring China and the other nuclear-armed states off the sidelines and into the nuclear risk reduction process. Rather than pursuing the Trump administration's failed strategy of bringing China directly into the complex U.S.-Russian negotiating process, however, the new Biden administration should seek to begin a regular and serious bilateral U.S.-China strategic security dialogue and work to engage China in the existing P5 nuclear dialogue.

The P5 forum, which involves discussions involving senior officials from Washington, Moscow, London, Paris, and Beijing on nuclear weapons issues, could be augmented and strengthened to become a genuine negotiating forum. The Biden administration could pursue a pledge from the other P5 nuclear-armed states to report on their total nuclear weapons holdings and freeze the size of their nuclear stockpiles so long as the United States and Russia pursue deeper verifiable reductions in their arsenals.

These steps would provide a meaningful and realistic opportunity to head-off the potential for a destabilizing phase of nuclear competition with China in the years ahead.

Reducing U.S. Nuclear Weapons Excess

The Trump administration's nuclear weapons policies needlessly and dangerously expanded the capability and role of the U.S. nuclear arsenal, elevated an already unsustainable rate of spending on the arsenal, and increased the likelihood and risks of unconstrained nuclear competition with Russia and China.

The Trump administration not only accelerated the Obama administration's already excessive plans to replace the nuclear triad and its associated warheads on largely a like-for-like basis, but also proposed to double the number of more usable low-yield nuclear options in the arsenal by fielding a new low-yield submarine-launched ballistic missile (SLBM) warhead variant (the W76-2) and initiating development of a new low-yield nuclear-armed sea-launched cruise missile (SLCM-N). The administration also accelerated development of and proposed a new design for a new type of high-yield SLBM warhead (the W93), reversed plans to retire the highest yield warhead in the arsenal (the B83-1), and laid the groundwork to significantly increase the production of plutonium cores for nuclear warheads.

In addition, the Trump administration envisioned a greater role for the arsenal against a broader range of threats, including by expanding the circumstances under which the United States would consider the first use of nuclear weapons. To make matters worse, the administration undermined key arms control guardrails, especially by putting New START on the brink of expiration and resorting to wild threats of a new arms race. President Trump was the first president in nearly 60 years to fail to negotiate a new nuclear arms control agreement and, according to open-source estimates, the first since the end of the Cold War not to reduce the size of the nuclear warhead stockpile.

The projected financial cost of the Trump administration's approach is staggering and growing. The administration's fiscal year 2021 budget request of \$44.5 billion to sustain and upgrade the U.S. nuclear arsenal was a 19 percent increase over the previous year and a 50 percent increase since fiscal year 2018. The dramatic increases were propelled in part by cost overruns in programs inherited by the Trump administration and

KEY POINTS

- Current U.S. nuclear weapons policies would support an arsenal that is larger than necessary for deterrence and their financial and opportunity costs are exacting a growing toll.
- In his first 100 days, President Biden or one of his top advisors should deliver a major national security address that lays out a clear vision for reducing nuclear weapons risks. The administration should also initiate a review of U.S. nuclear policy and posture that should be completed in six to nine months and slow down funding for several key nuclear modernization efforts pending the outcome of the review. This proposed spending pause would save at least \$4 billion in fiscal year 2022.
- The Biden administration should move the United States toward a nuclear strategy that reflects a narrower role for nuclear weapons, is more stabilizing, reduces the risk of unintended escalation, and is more affordable.



An unarmed Trident II D5 ballistic missile launches from the Ohio-class submarine USS Maryland (SSBN 738) off the coast of Florida on August 31, 2016. The test launch was part of the U.S. Navy Strategic Systems Programs certification process.

(Photo: John Kowalski/Released/U.S. Navy)

the cost of the additional capabilities the administration proposed. Over the next several decades, spending on the arsenal is likely to top \$1.5 trillion. Though sunk costs to date have been minimal, spending is slated to increase substantially over the next four years.

Though some argue that Russian and Chinese nuclear force advancements and aggressive behavior require maintaining the status quo, the reality is that the current nuclear weapons spending plans pose a major threat to other national security priorities more relevant to countering Moscow and Beijing and assuring allies. For example, in order accommodate a multi-billion-dollar unplanned budget increase in fiscal year 2021 for modernization activities at the National Nuclear Security Administration (NNSA), the Navy was forced to cut a second Virginia class attack submarine from its budget submission.

As former Air Force Chief of Staff Gen. David Goldfein [warned](#) in July 2020, despite significant recent growth, the defense budget is not large enough to buy new nuclear and conventional forces at the same time. Flat spending on defense is likely to be a best-case scenario over the next several years.

The First 100 Days

Joe Biden has indicated that he supports charting a more sustainable and stabilizing path for the nuclear arsenal. In a 2019 candidate survey, [he told](#) the Council for a Livable World that the United States “does not need new nuclear weapons” and that his “administration will work to maintain a strong, credible deterrent while reducing our reliance and excessive expenditure on nuclear weapons.”

Biden also expressed his belief that “the sole purpose of the U.S. nuclear arsenal should be deterring—and, if necessary, retaliating against—a nuclear attack” against the United States and its allies and that he will “work to put that belief into practice.”

Pursuant to these aims, Biden should take the following three steps during his first 100 days in office.

First, President Biden (or one of his top advisors such as the National Security Advisor or Secretary of State) should deliver a major national security address that lays out a clear vision for the ways in which the Biden administration plans to reduce nuclear weapons risks. The speech should describe how the Trump administration exacerbated the nuclear challenges facing the United States and its allies, explain that the United

States has more nuclear weapons than it needs for its security, highlight the dangers of overspending on nuclear weapons, and affirm the President's desire to declare that the sole purpose of the U.S. arsenal is to deter, and if necessary, respond to a nuclear attack. The speech would also be an opportunity to restore transparency about the size of the U.S. nuclear warhead stockpile.

Second, Biden should issue a presidential decision directive that sets the frame for and provides guidance on the content and process of a new review of U.S. nuclear policy and posture. Biden and his advisors should consider whether the past precedent of a standalone Nuclear Posture Review still makes sense. An alternative would be to conduct a more comprehensive "deterrence review" that reflects the multi-domain nature of the strategic environment and more starkly highlights the tradeoffs between nuclear and conventional forces in a more constrained budget environment.

The Biden administration should recognize that the longer it takes to conduct any review, the less time the administration will have to attempt to implement changes to U.S. nuclear policy. For example, as was done in 2009, the administration might accelerate certain elements to enable earlier engagement on arms control possibilities before the full review is complete. The administration should aim to complete the full review in six to nine months.

Third, while it could take months to conclude a review of U.S. nuclear policy and posture, the Biden administration will likely aim to submit the fiscal year 2022 budget request within or not long after its first 100 days. The Air Force's ground based strategic deterrent (GBSD) program to build a new intercontinental ballistic missile (ICBM) system and several programs within the NNSA nuclear weapons activities account are slated to receive significant increases in fiscal year 2022.

In its first budget submission the Biden administration should freeze funding for the GBSD program at the fiscal year 2021 request level and NNSA weapons activities at the level projected for fiscal year 2022 as of the fiscal year 2020 budget request. The proposed budget for NNSA weapons activities funding should put on hold plans to accelerate development of the new W93 warhead and expand pit production. This spending freeze would not prejudice the outcome of the administration's policy review and would avoid at least \$4 billion in expenditures that the Biden administration could put toward other national security priorities.

The Biden administration should also declare its intent to postpone the award of the development contract for the long-range standoff weapon (LRSO) planned to replace the existing nuclear air-launched cruise missile (ALCM) pending the completion of a thorough review. The contract is currently slated to be awarded in May 2021.

Next Steps

Current U.S. nuclear weapons policies need to be adjusted in a way that eliminates the most excessive and destabilizing elements, saves taxpayer dollars for other pressing security needs, and supports a more realistic nuclear arms control and disarmament strategy.

The Biden administration's nuclear policy review should move the United States toward a nuclear strategy that reflects a narrower role for nuclear weapons, is more stabilizing, reduces the risk of unintended escalation, raises the nuclear threshold, and is more affordable. The review should assess the posture implications of abandoning the option to use nuclear weapons first in ill-defined "extreme circumstances," reducing excessive reliance on promptly targeting adversary nuclear forces and forsaking nuclear use against targets that could be destroyed by conventional weapons. Such nuclear use and targeting plans are unnecessary, create requirements for excessive force levels, risk catastrophic environmental and climatic effects, and are inconsistent with the laws of war.

In 2013, the Obama administration determined that the security of the United States and its allies and partners could be safely maintained while pursuing up to a one-third reduction in deployed nuclear weapons from the level established by New START. The case for such a reduction remains strong. The level of Russian strategic forces has not changed since then, and China's total nuclear arsenal has grown only modestly. Though the Biden administration should seek such a reduction in concert with Russia, it should not give Moscow veto power over the appropriate size and structure of the U.S. arsenal.

Adjusting long-standing nuclear planning assumptions would enable changes to the current nuclear modernization effort and could produce scores of billions of dollars in savings to redirect to higher priority national security needs. Such priorities include pandemic defense and response, maintaining the U.S. military's technological edge, shoring up the U.S. conventional military position in East Asia, and combating the increasingly costly impacts of climate change.

The options the Biden administration should consider and make a decision on by the fall of 2021 in time to inform the fiscal year 2023 budget request include:

- Reducing the size of the nuclear triad from 14 to 12 ballistic missile submarines (SSBNs) and from 400 to 300 ICBMs;
- Removing the W76-2 from deployment on SLBMs and canceling development of the SLCM-N. If the new administration decides to retain the W76-2 and SLCM-N development effort, it should do so to facilitate deeper cuts to other parts of the triad;

- Extending the life of the existing Minuteman III ICBM instead of proceeding with the GBSB program. Alternatively, the administration could evaluate purchasing a smaller number of GBSB missiles on a delayed schedule;
- Foregoing development of the LRSO and W80-4 ALCM warhead;
- Deferring development of the W87-1 ICBM warhead and the W93 SLBM warhead;
- Scaling back the current pit production capacity goal of least 80 pits per year by 2030 to 30-50 pits per year by 2035;
- Immediately retiring the megaton-class B83-1 gravity bomb.

A decision by the Biden administration to implement all of these adjustments would still allow the United States to maintain a credible nuclear triad and ample leverage with which to pursue future arms control agreements.

In addition to pursuing changes to nuclear force structure and modernization plans, the administration should also adjust the declared role of the arsenal in keeping with [Biden’s belief](#) that “it’s hard to envision

a plausible scenario in which the first use of nuclear weapons by the United States would be necessary. Or make sense.”

After close consultations with allies and in conjunction with taking additional steps to enhance their security through non-nuclear means, the Biden administration should declare as official U.S. policy that the United States will not be the first to use nuclear weapons and that the sole purpose of U.S. nuclear weapons is to deter a nuclear attack against the United States or its allies. The United States should strongly encourage all other nuclear-armed states to adopt a similar policy.

To reduce the risk of inadvertent nuclear use the Biden administration should also abandon the option to launch U.S. nuclear forces “under attack” before nuclear detonations on U.S. soil have been confirmed. The possibility of launching U.S. nuclear weapons under attack due to bad information, however small, is unacceptable. This requirement puts extreme and unwarranted time pressure on a presidential nuclear use decision, increases the risk of catastrophic miscalculation, and is unnecessary given that the United States retains highly survivable nuclear forces at sea.

Estimated savings from suggested options to reduce nuclear weapons spending through 2030

Reducing the size of the triad to 10 SSBNs and 300 ICBMs	\$11.2 billion
Deferring GBSB and extending the Minuteman III	~\$16 billion in FY20 dollars
Canceling LRSO/W80-4	\$12.5 billion
Canceling SLCM-N	at least \$9 billion
Reverting to the FY20 budget plan for NNSA weapons activities	\$34 billion
Total	~\$83 billion

Figures in then-year dollars unless otherwise noted.
Source: Congressional Budget Office

Stabilizing the Joint Comprehensive Plan of Action

Full implementation of the 2015 nuclear deal with Iran, known as the [Joint Comprehensive Plan of Action](#) (JCPOA), from January 2016–May 2018 demonstrated that the accord is an effective, verifiable agreement that blocks Iran’s pathways to nuclear weapons.

The U.S. intelligence community assessed in February 2018 that “Iran’s implementation of the JCPOA has extended the amount of time Iran would need to produce enough fissile material for a nuclear weapon from a few months to about one year,” and that the “JCPOA has also enhanced the transparency of Iran’s nuclear activities.”

Despite the U.S. intelligence community’s conclusion that Tehran was implementing its obligations under the accord and against the wishes of key U.S. allies, President Donald Trump withdrew the United States from the multilateral nuclear deal in May 2018 and reimposed sanctions on Iran. The Trump administration then

embarked on a pressure campaign designed to deny Iran any benefit of remaining in the accord and push Tehran to negotiate a “better” deal, that addresses the country’s nuclear program and a range of other activities. This pressure campaign failed to achieve its goals: rather it risked manufacturing a new nuclear crisis by provoking Iran to violate the accord and further destabilized the region.

The remaining states-parties to the JCPOA (China, France, Germany, Russia, the United Kingdom, a.k.a. the P4+1) attempted to provide Iran with sanctions relief in spite of U.S. sanctions, but the wide reach of U.S. measures and the fear of U.S. penalties stymied legitimate trade and investment. After efforts to develop channels to circumvent U.S. sanctions failed to deliver on the benefits envisioned by the accord, Iran declared in May 2019 that it would begin breaching the JCPOA’s limits.

KEY POINTS

- When fully implemented, the JCPOA is an effective, verifiable nuclear deal that blocks Iran’s pathways to nuclear weapons and is the necessary starting point for future efforts to address Iran’s nuclear and missile capabilities.
- President Donald Trump’s withdrawal from the JCPOA and his “maximum pressure” campaign failed to push Iran to engage in new negotiations and isolated the United States.
- Iran has taken troubling steps to breach the JCPOA in response to the Trump administration’s withdrawal and violations of the deal, but the actions are largely reversible and do not yet pose a near-term proliferation threat.
- President Joe Biden has expressed his interest in reentering the JCPOA once inaugurated, if Iran returns to compliance with the accord. Iranian officials have said they are willing to fully implement the JCPOA, if the United States does likewise.
- Iranian Foreign Minister Javad Zarif has said that follow-up negotiations to build on the JCPOA are possible, once confidence in the U.S. commitment to the nuclear deal is restored.



U.S. President Donald Trump displays his order reinstating sanctions on Iran after he announced his decision to withdraw the United States from the 2015 Iran nuclear deal in the Diplomatic Room at the White House on May 8, 2018.

(Photo: Chip Somodevilla/Getty Images)

Iran made clear that it was not withdrawing from the JCPOA and that its decision to violate the accord would be reversed if its demands on sanctions relief were met.

From May 2019 through January 2020, Iran [announced a series of five actions](#) to breach the JCPOA's limits. As of November 2020, Tehran produced more than 12 times the 300 kilogram limit of 3.67 percent enriched uranium gas allowed by the deal, enriched uranium to 4.5 percent uranium-235 (the JCPOA's limit is 3.67 percent), installed and operated advanced centrifuges in excess of the deal's restrictions, and resumed enrichment at the Fordow site.

As a result of these violations, Iran's so-called "breakout time"—the time it would take the country to produce enough weapons-grade material for a bomb (25 kilograms of uranium enriched to greater than 90 percent) if Tehran chose to do so—dropped to 3–4 months as of December 2020. The breakout time was at least 12 months when the JCPOA was fully implemented.

Iran does, however, continue to abide by the more intrusive monitoring and verification required by the JCPOA, and notified the International Atomic Energy Association (IAEA) in advance of its deal breaches. While Iran's violations are very troubling, they are largely reversible and, until recently, carefully calibrated not to cross any redlines that might collapse the nuclear deal, as

Iranian President Hassan Rouhani continues to reiterate his willingness to return to full compliance with the JCPOA if all other parties do likewise.

Rouhani, however, faces pressure within Iran from factions that favor withdrawing from the JCPOA. An Iranian law passed in December 2020 requires the country to take more troubling steps to violate the accord in 2021, including resumption of enrichment to 20 percent uranium-235 and halting implementing of the additional protocol, which grants inspectors more access to information and sites, in late February, if certain sanctions relief is not granted. The law, passed over the objection of Rouhani, narrows the window of opportunity for the United States and Iran to return to full compliance with the accord, as the JCPOA would likely collapse if Iran takes all of the steps outlined in the law.

Initial Steps

In a [Sept. 13 CNN op-ed](#), Biden wrote that "[i]f Iran returns to strict compliance with the nuclear deal, the United States would rejoin the agreement as a starting point for follow-on negotiations."

To realize this goal, Biden, upon his inauguration, should send a signal to Iran of U.S. good faith intentions to return to compliance with the JCPOA alongside Iran.

This could include:

- immediately waiving U.S. sanctions on cooperative nuclear projects specified by the JCPOA, such as the transfer of enriched uranium, modifications of the Arak research reactor and the import of reactor fuel. These projects benefit U.S. nonproliferation priorities, would allow the P4+1 and Iran to meet JCPOA requirements, and would send a message to Iran that the United States is interested in returning to full compliance with the JCPOA. Relatedly, the United States could commit to buy excess heavy water from Iran;
- signaling that the United States supports and respects UN Security Council Resolution 2231, which endorsed the JCPOA, and does view as credible the Trump administration's claim that UN sanctions on Iran were snapped back; and
- taking steps to signal U.S. support for humanitarian transactions, including the provision of medicine and Covid-19 relief supplies.

The First 100 Days

To return to compliance, the United States and Iran will need to coordinate their actions, as it is unlikely that either side will want to be perceived as returning to compliance without the other. Given the damage done to the transatlantic relationship by the U.S. withdrawal from the JCPOA, the Biden administration should also work closely with its European allies to discuss the strategy for returning to the JCPOA and follow-on negotiations.

After taking office, the Biden administration should seek a meeting with the European parties to the JCPOA (France, Germany, the U.K. and the EU) and then with the full P5+1 (China, France, Germany, Russia, the United Kingdom and the EU) and Iran to discuss the process and sequence of returning to the JCPOA, as well as any issues that might need to be resolved, such as the future of advanced centrifuges introduced by Iran that are not covered by the JCPOA.

The United States and Iran could then agree upon a date by which both sides will take the steps necessary to return to the deal. Similar to the JCPOA's implementation day in January 2016, the IAEA could issue a special report on Iran's nuclear activities that confirms Tehran's return to the deal's limits and the United States could waive sanctions as required under the JCPOA at the same time. This may be more advantageous than a step-by-step return, which would require more extensive negotiations and could increase the likelihood of spoilers.

To sustain and build upon the JCPOA the Biden administration should also consider:

- Seeking consensus amongst the P5+1 and Iran to meet within the next several months—perhaps after Iran's next president takes office in August 2021—to begin negotiations on a longer-term framework to address Iran's nuclear program after certain JCPOA limits expire, and/or a regional approach to limit certain nuclear activities, in exchange for further sanctions relief and other inducements. This approach could include a commitment to pursue separate tracks of negotiations on other areas of mutual concern, such as regional security. Prior to any full P5+1 and Iran meeting, the Biden administration should coordinate with Congress and U.S. allies and meet with partners in the Middle East to discuss their concerns.
- Reconstituting the office in the Department of State to oversee the JCPOA's implementation. The coordination could also include outreach to Congress to discuss the Biden administration's strategy for follow-up negotiations and garner congressional input on a longer-term framework for Iran's nuclear program and regional security discussions.
- Taking regional nuclear developments into account when considering options for the longer-term framework on Iran's nuclear activities. With activities and rhetoric from Saudi Arabia indicating that Riyadh may seek to match Iran's nuclear capabilities and a rising interest in nuclear power in the region, the Biden administration should also develop a regional approach to address Iran's nuclear activities in the long term in addition to, or instead of, a multilateral agreement that builds on the JCPOA. Pursuing regional restrictions may be more amendable to Tehran and could complement efforts under the nuclear Nonproliferation Treaty (NPT) to establish a weapons of mass destruction free zone in the Middle East.
- Working with allies to mitigate the effects of the expiration of the UN arms embargo on Iran. This could include enhancing implementation of other UN regional arms trade restrictions and a voluntary code of conduct whereby states agree not to sell certain weaponry to Tehran that may be destabilizing.



Ali Akbar Salehi, head of the Atomic Energy Organization of Iran speaks to the media in June 2018. Iran has responded to Trump's decision to abandon the JCPOA by breaching several nuclear limits. (Photo: Mehdi Ghasemi/ISNA)

Avoiding Potential Complications

Despite the fact that there is bipartisan U.S. agreement that it is in the national security interest to prevent Iran from acquiring the means to build nuclear weapons, the Iran nuclear deal has been mired in controversy from the get-go. To avoid a total breakdown and bring the Iranian nuclear program back under the limits set by the 2015 agreement, the new Biden administration will need to address several potential complicating factors.

Critics of the JCPOA will likely pressure the Biden administration to use the sanctions imposed by Trump as leverage to extract further concessions from Iran. Tehran, however, has made clear that it will not renegotiate the JCPOA and any effort by the United States to do so will jeopardize the future of the deal. U.S. allies in the JCPOA—France, Germany, and the United Kingdom—also do not support renegotiation of the accord. Returning to the JCPOA also gives the United States more leverage to negotiate a longer-term

framework to address Iran's nuclear activities after limits expire. Full implementation of the JCPOA demonstrated that Iran's economic growth will remain limited so long as U.S. primary sanctions remain in place. Returning to the JCPOA and restoring U.S. credibility gives the United States leverage to negotiate further limits in exchange for additional sanctions relief.

In an attempt to complicate U.S. efforts to return to the JCPOA in the future, the Trump administration also designated entities sanctioned for nuclear activities for supporting terrorism. As a result, terrorism sanctions designations would need to be lifted from a number of entities in addition to the nuclear designations. The JCPOA does not prohibit the United States from passing additional sanctions on Iran, but any terrorism designations issued in bad faith should be waived. The Biden administration should also reiterate that the United States can and will designate Iranian entities and impose additional sanctions as appropriate for non-nuclear activities.

Jump-starting Denuclearization and Peace Diplomacy with North Korea

For more than three decades, North Korea's nuclear weapons ambitions have posed a major foreign policy challenge for U.S. presidents and for the international community. On-and-off U.S. diplomatic efforts to address North Korea's safeguards and nuclear Nonproliferation Treaty violations, and rein-in its nuclear weapons capabilities have, over the years, yielded some important but limited results.

Although these diplomatic efforts and sanctions have slowed North Korea's progress, Pyongyang has built up a small but dangerous nuclear weapons stockpile and an increasingly sophisticated ballistic missile arsenal that can strike targets in Northeast Asia and has the range necessary to reach the United States.

North Korea was a top nuclear and foreign policy challenge for President Donald Trump and remains so for the Biden administration. Trump's initial approach to North Korea was similar to that of his predecessors: ratchet up pressure on North Korea through sanctions and international isolation, while expressing an openness

to dialogue if North Korea demonstrates a commitment to denuclearization.

After a series of escalatory threats and "fire and fury" rhetoric from Trump in response to North Korean missile tests in 2017, Trump accepted a South Korean-brokered invitation to meet with North Korea's leader, Chairman Kim Jong-un, in 2018. Trump and Kim agreed at their [June 2018](#) summit in Singapore to transform U.S.-North Korean relations to try to build peace and security in the region, and denuclearize the Korean peninsula.

The first summit failed to lead to a sustained process of negotiations. When Trump and Kim met for a second summit in [February 2019](#) in Hanoi, they again failed to achieve concrete steps toward the goals agreed to in Singapore. This was due in large part from the mixed messages, inflexibility, and maximalist positions pursued by the Trump administration as well as Chairman Kim.

In late-2019, with talks stalled, Pyongyang formally abandoned its voluntary long-range missile and nuclear test moratorium, and in October 2020, the regime paraded

KEY POINTS

- The Trump administration squandered its diplomatic opportunities and wasted time demanding that North Korea fully denuclearize before receiving any concessions.
- North Korea continues to build up its nuclear and missile capabilities.
- Sanctions alone have not and cannot halt North Korea from improving its already dangerous nuclear arsenal, which can potentially reach the continental United States.
- To stem the growing North Korean nuclear and missile threat, the Biden administration must signal, early on and before any new North Korean provocations, its intention to pursue a smarter, more pragmatic step-for-step diplomatic strategy that aims to achieve step-for-step actions that halt further North Korean nuclear and missile testing and stop the production of weapons-grade nuclear material and warheads, as well as the missiles that can carry them—a process that moves the Korean peninsula toward denuclearization and peace.



This July 28, 2017 picture released from North Korea’s official Korean Central News Agency (KCNA) on July 29, 2017 shows North Korea’s intercontinental ballistic missile (ICBM), Hwasong-14 being launched at an undisclosed place in North Korea. Kim Jong-Un boasted of North Korea’s ability to strike any target in the United States after a second ICBM test that weapons experts said could even bring New York into range. (Photo: STR/AFP/Getty Images)

a new ICBM significantly larger and more powerful than prior systems. Despite ending the moratorium, North Korea has not resumed nuclear or long-range missile tests. While the nuclear testing pause prevents the country making certain qualitative advances to its warhead designs, Pyongyang continues to produce fissile material for its nuclear weapons program and has resumed testing short-range and medium-range ballistic missiles.

Need to Revise U.S. Policy on North Korea

During the presidential campaign, Biden criticized Trump’s decision to meet with Chairman Kim but did not provide specifics about how he would address the North Korean nuclear challenge.

In a 2019 Council for a Livable World [candidate questionnaire](#), Biden wrote that the “... North Korea nuclear issue is complicated and requires deep preparation, and cannot be solved with a few vanity summits, photo ops, and hollow agreements. I will focus on principled diplomacy with North Korea and jumpstart a sustained and coordinated campaign with our allies toward our common goal of a denuclearized North Korea and ensuring peace and prosperity in the region.”

In September 2020, Antony Blinken, Biden’s nominee for Secretary of State, told CBS News: “We need to work

closely with allies such as South Korea and Japan and urge China to build real economic pressure to bring North Korea to the negotiating table.”

While sanctions are an important tool of U.S. nonproliferation policy, sanctions alone have not and cannot halt North Korea from improving its already dangerous nuclear arsenal. Furthermore, other U.S. partners in the region, particularly South Korea and China, do not believe a sanctions-only approach is viable or effective to halt further North Korean nuclear and missile advances, particularly after the sanctions overreach of the Trump administration.

Instead, the Biden administration should adopt a more flexible, step-by-step plan for diplomacy with North Korea that rewards concrete steps toward denuclearization with sanctions relief and mutual confidence-building moves that simultaneously reduce tensions and the risk of conflict, and that also responds to North Korea’s security concerns. Such an approach should be based on the principles and goals agreed to at the first Trump-Kim Summit in Singapore in 2018, which Biden could affirm as guiding future U.S.-North Korean diplomacy.

Rapid elimination of all North Korean missiles and nuclear facilities prior to Pyongyang receiving any sanctions relief, a process proposed by Trump, is

unrealistic. In order to manage, reduce, and eventually eliminate the risks posed by North Korea's arsenal, the United States and its partners will need to focus on dismantling the most dangerous elements first and work to sustain the denuclearization and peace process over time.

The adoption of a step-for-step approach on denuclearization and peace that provides limited relief for North Korea earlier in the process may also help encourage more effective enforcement of UN Security Council-mandated sanctions against North Korea.

The First 100 Days

Waiting for North Korea to take the first demonstrable steps, or assuming that additional sanctions pressure will force Pyongyang into negotiations, is unwise and will only prolong the current stalemate, give North Korea more time to amass more fissile material, and undermine the chances of success.

To get back on track, the new Biden administration should send an early sign that it is willing to resume negotiations and not wait for North Korea to take the first step. In coordination with U.S. allies, the Biden team should signal that it will pursue a smarter, more pragmatic step-for-step diplomatic strategy to denuclearize North Korea as part of a broader transformation of the Washington-Pyongyang relationship.

In an official statement or remarks, the new Secretary of State could reaffirm the United States' commitment to the goals of "denuclearization" and "peace" as set out at the Singapore Summit, and the U.S. commitment to the security of our allies in the region, and signal that the United States is willing to put limited sanctions relief on the table in exchange for concrete, verifiable steps to reduce the risk posed by North Korea's nuclear program.

President Biden and the Secretary of State could also consider appointing and empowering a senior advisor or special envoy who will be in charge of future talks with North Korea, coordination with allies, and implementation of UN Security Council sanctions on North Korea.

Next Steps

The initial focus of diplomacy with North Korea should be on reaffirming the Singapore declaration and securing an interim deal to solidify North Korea's temporary nuclear and long-range testing moratorium and verify the closure of its Punggye-ri nuclear test site. This is critical because further testing will enable North Korea to perfect warheads and missiles that can more reliably reach targets in the United States.

The next objective might be another interim deal that leads to the verifiable dismantlement of North Korea's major nuclear complex at Yongbyon which includes the country's only source of plutonium. In return for these steps, the United States could offer North Korea limited sanctions relief and/or take other steps in coordination with Seoul, such as modifying or cancelling joint military exercises, issuing a joint statement declaring an end to the Korean War, and resuming inter-Korean trade and cultural exchange projects.

Subsequent-phase deal(s) should seek to have North Korea sign the 1996 Comprehensive Test Ban Treaty, and under U.S. and international supervision, decommission all medium- and longer-range missile production and launch sites as well as other suspected nuclear weapons-related facilities.

The United States cannot expect North Korea to agree to each of these and other more substantial denuclearization actions without reciprocal moves, which may include steps to ease certain U.S. and UN sanctions, formal negotiations on a peace treaty to replace the Korean War Armistice, steps toward the normalization of U.S.-North Korean relations, modification to U.S.-ROK military drills, reduction of military deployments on both sides of the DMZ in a manner consistent with a future peace treaty, and mutual security guarantees.

Fully verified denuclearization and dismantlement is a major undertaking that will require not only North Korean cooperation but time and multilateral financing. It can build upon the experience and lessons learned from [U.S. and Russian cooperative threat reduction programs](#) that helped eliminate excess Cold War-era stockpiles and sites.

Restoring U.S. Leadership on Multilateral Nonproliferation and Disarmament

The global nuclear nonproliferation system has always relied on responsible leadership from the United States and other global powers. The effort to negotiate, extend, and strengthen the bedrock [nuclear Nonproliferation Treaty \(NPT\)](#) has succeeded, albeit imperfectly, because most U.S. presidents have made good faith efforts to back up U.S. legal and political commitments on nuclear arms control, nonproliferation, and disarmament.

In 1995, NPT states-parties [committed](#) to the “complete elimination of nuclear weapons” and they extended the treaty indefinitely on the basis of a collective determination of how to fulfill the objectives of the NPT. These objectives included steps toward the disarmament obligations under Article VI such as entry into force of the [Comprehensive Test Ban Treaty](#), the “determined pursuit” by the nuclear-weapon states of “systematic

and progressive efforts” to reduce nuclear arsenals; and “further steps” to assure non-nuclear-weapon states-parties against the threat of nuclear attack. States-parties agreed to even more detailed action steps in 2000 and in 2010.

U.S. leadership has been key to the success of the NPT in the past. But under the Trump administration, the United States became a part of the problem, not the solution.

At NPT meetings, senior Trump administration officials claimed that the body of previous NPT review conference commitments no longer applies. As the Trump administration increased spending for U.S. nuclear modernization, pursued new types of nuclear weapons, and considered resuming U.S. nuclear testing, Trump appointees argued, unconvincingly, that the “environment” is not right for progress on disarmament.

KEY POINTS

- Within a month of inauguration day, the new administration should name a new special representative to the NPT Review Conference and signal that the United States remains committed to the goals and objectives of the treaty and to fulfilling the 2010 Review Conference Action Plan.
- A new U.S. NPT delegation should work constructively with nuclear-armed and non-nuclear states to build majority support for a plan of action that outlines concrete steps that would advance Article VI disarmament goals and other treaty objectives.
- Within its first 100 days, the new administration should reaffirm U.S. support for the eventual ratification and entry into force of the CTBT and for maintaining the global taboo against nuclear testing. Within one-year, the administration should pursue talks with Russia and China to put in place voluntary confidence-building measures to ensure full compliance with the treaty’s zero-yield prohibition on nuclear test explosions.
- In response to the entry into force of the TPNW on Jan. 22, the new Biden administration should adopt a more neutral and conciliatory stance by saying that the United States recognizes the treaty is a good faith effort by the majority of the world’s nations to fulfill their own NPT Article VI obligations and advance the goal of a world without nuclear weapons.



UN Deputy Secretary-General Jan Eliasson opens the 2015 Nuclear Nonproliferation Treaty Review Conference in New York on April 27, 2015. (Photo: United Nations)

Trump officials also adopted a confrontational approach toward the 2017 Treaty on the Prohibition of Nuclear Weapons and the 100+ states that negotiated the treaty as a good faith effort to help meet their NPT disarmament obligations. Such excuses and blame-shifting by Trump officials were unconstructive and divisive. Rejecting previous NPT commitments demeans the NPT process, casts doubt on the value of any new commitments, and adds to the growing stress on the nonproliferation system.

In order to shore-up and strengthen the global nuclear nonproliferation and disarmament architecture, the incoming Biden administration will need to adjust U.S. policy and pursue several steps early in its first term to:

- contribute to a successful NPT Review Conference in 2021;
- strengthen the taboo against nuclear testing and bolster the CTBT regime; and
- recognize the value of the Treaty on the Prohibition of Nuclear Weapons (TPNW).

Forging Agreement on An Action Plan for the NPT.
As NPT states-parties prepare to meet in August 2021

for a pandemic-delayed 10th NPT Review Conference, tensions among the world's nuclear-armed states are rising, key NPT-related disarmament commitments remain largely unfulfilled, and agreements that have kept nuclear proliferation and competition in check, including the 2015 Iran nuclear deal and New START, are in serious jeopardy.

Reaching consensus agreement at the conference on a package of measures to strengthen implementation and compliance with the treaty will be difficult to achieve—and constructive U.S. leadership is critical to success.

The majority of NPT states-parties want to see a reaffirmation of past NPT commitments and agreement on a forward-looking action plan on disarmament and nonproliferation steps.

If nuclear-armed states insist, as the Trump administration did, that they can walk away from or cherry-pick the commitments they made at previous NPT review conferences, it undermines the entire review process and the credibility of their commitment to uphold their treaty obligations and commitments.

To start, the Biden administration will need to quickly name a new special representative for the NPT Review Conference and signal that the United States remains

committed to the goals and objectives of the treaty and to fulfilling the 2010 review conference action plan.

In a statement or written message in the administration's first 100 days, President Biden should reiterate one of the central messages he delivered in [his statement](#) on the 75th anniversary of the first atomic bombings:

"As President, I will restore American leadership on arms control and nonproliferation as a central pillar of U.S. global leadership. I will strengthen our alliances to keep the American people safe from nuclear and other global threats. And I will work to bring us closer to a world without nuclear weapons, so that the horrors of Hiroshima and Nagasaki are never repeated."

The new administration will need to work constructively with nuclear-armed and non-nuclear states to build majority support for a plan of action that outlines concrete steps that would advance Article VI disarmament goals and other treaty objectives. The United States should support agreement on steps including but not limited to:

- New START follow-on negotiations aimed at achieving further cuts in all types of U.S. and Russian nuclear weapons;
- starting a process for multilateral disarmament talks;
- reaffirming support for the de facto global nuclear testing moratoria and action to bring the CTBT into force;
- a halt on the development and production of new types of nuclear warheads;
- implementation and compliance with the Joint Comprehensive Plan of Action and early talks involving all states in the Middle East on a WMD-Free Zone;
- starting negotiations on legally binding negative security assurances to non-nuclear-weapon states;
- a phaseout to Cold War-era "launch under attack" postures, which increase the risk of accidental nuclear war;
- recognition of the catastrophic humanitarian consequences of nuclear war; and
- a reaffirmation of the 1985 Reagan-Gorbachev declaration that "a nuclear war cannot be won and must never be fought."

Reaffirming Support for the CTBT: Since the conclusion of the CTBT in 1996, 184 states have signed the treaty and nuclear testing is now considered taboo. Even though the treaty has not yet formally entered into force,

the available evidence suggests that only one country has conducted nuclear test explosions in this century, and even that country, North Korea, has halted nuclear testing since 2017.

Without the option to conduct nuclear tests, it is more difficult, though not impossible, for more advanced nuclear states to develop, prove, and field new design warheads. The United States does not need nuclear test explosions to maintain its nuclear arsenal, but other states could use nuclear testing to develop new and more sophisticated types of warheads. The treaty has reduced tensions, dampened nuclear competition, and enhanced global security.

In 2018, the Trump administration announced, without an explanation, that it did not support the CTBT. The following year, the administration accused Russia of engaging in activities inconsistent with the zero-yield prohibition on nuclear testing established by the CTBT. And in May 2020, *The Washington Post* [reported](#) that senior national security officials discussed the option of a demonstration nuclear blast to put pressure on Russia and China in future arms control talks.

In response to the talk of resuming U.S. testing, candidate [Biden said in a 2020 statement](#) that the possibility that the Trump administration might conduct the first U.S. nuclear test following a decades-long moratorium is "as reckless as it is dangerous."

"It is not the time to discard our mantle of nonproliferation leadership, when there is no justifiable purpose for conducting a nuclear test," Biden said.

Within its first 100 days, the new administration should reaffirm U.S. support for the eventual ratification and entry into force of the CTBT and for maintaining the global taboo against nuclear testing.

The Biden administration should also re-examine the Trump administration's charge that "Russia probably is not adhering to its nuclear testing moratorium in a manner consistent with the 'zero-yield' standard outlined in the CTBT," and develop a strategy for resolving CTBT compliance disputes prior to the treaty's entry into force.

This is a serious accusation that requires a serious response. All CTBT states agree that the treaty prohibits "any nuclear weapons test explosion, or any other nuclear explosion" no matter what the yield. Today, the United States, China, and Russia, all CTBT signatories, continue to engage in activities at their former nuclear testing sites. Only France has permanently closed its former test site.

The most effective way to enforce compliance with the CTBT is, of course, to bring the CTBT into force, which would allow for intrusive, short-notice, on-site inspections to detect and deter any possible cheating. Pending the CTBT's entry into force, the Biden administration should seek the support of other CTBT



UN Secretary-General António Guterres (left) and Luis Guillermo Solís Rivera, president of Costa Rica, preside over the signing ceremony of the Treaty on the Prohibition of Nuclear Weapons at the United Nations on July 7, 2017.

(Photo: Kim Haughton/UN)

states-parties for talks between the United States, Russia and China to put in place voluntary confidence-building measures to ensure full compliance with the treaty's zero-yield prohibition on nuclear test explosions.

Recognizing the Reality of the Nuclear Ban Treaty:

The most recent multilateral instrument in the nuclear non-proliferation and disarmament toolbox is the 2017 [TPNW](#). The treaty prohibits the use, threat of use, development, production, manufacture, acquisition, possession, stockpiling, transfer, stationing, or installation of nuclear weapons.

The TPNW complements other nonproliferation and disarmament instruments. The new treaty contributes to meeting the obligation of all states-parties to the NPT to “pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.”

The TPNW also strengthens the nonproliferation norm enshrined in the NPT by legally obliging states-parties to keep in place their safeguards obligations with the International Atomic Energy Agency at the time of entry into force.

By strengthening the international legal structure and political norm against nuclear weapons possession and use, the TPNW further delegitimizes nuclear weapons as instruments of power. As the preamble of the treaty notes, “[A]ny use of nuclear weapons would be contrary to the rules of international law applicable in armed conflict, in particular the principles and rules of international humanitarian law.”

The new administration will be faced with an early choice about what to say about the TPNW, as it will formally enter into force on Jan. 22. The TPNW’s entry into force will arrive almost exactly 75 years after the United Nations General Assembly’s adoption, on Jan. 24, 1946, of its very first resolution, [Resolution 1 \(I\)](#), which was to establish a commission to ensure “the elimination from national armaments of atomic weapons and all other major weapons adaptable to mass destruction.”

Rather than repeat the divisive Trump-era criticism of the TPNW and urge the 120+ states who support it to reverse course and reject the treaty, the new Biden administration should recognize its arrival as a good faith effort by the majority of the world’s nations to fulfill their own NPT Article VI obligations and advance the goal of a world without nuclear weapons.

Although the United States may not yet be ready to embrace the TPNW, this adjustment in the United States’ rhetorical approach to the TPNW can help begin to restore the U.S. reputation as a global leader and bridge builder and it will improve the chances for a consensus final document at the upcoming NPT Review Conference.

Now that the TPNW exists, all states — whether they are opponents, supporters, or undecideds on the treaty— need to learn to live with it responsibly and find creative ways to move forward together to press for progress on the common challenge of preventing nuclear conflict and eventually ridding the world of nuclear weapons.

Taken together, these policies and actions will restore U.S. leadership and credibility, build greater global cooperation, and put United States in a better position to prevent the spread and use of nuclear weapons.