

Brody, president of the university, said in a message Wednesday to the campus community. "She exemplifies all that we seek to do at Johns Hopkins: to use knowledge for the good of humanity."

Mark Blyth, Suveges' primary faculty adviser, said that when Suveges came to Johns Hopkins, she planned to write her Ph.D. dissertation on how ideas move across borders from society to society, exploring how radical Islamic ideas filtered through Western European mosques.

After the outbreak of the Iraq war, Suveges decided to shift her focus to the experience of ordinary citizens under a transitional government, said Blyth, a topic that had interested Suveges since her experience in Bosnia with the SFOR/NATO Combined Joint Psychological Operations Task Force.

"She was a very bright, engaging, sweet person, very intellectually curious," Blyth said Wednesday.

BAE said Suveges' experience, which included a tour in Iraq as a civilian contractor and a stint in Bosnia in the 1990s as an Army reservist, made her especially valuable in efforts to improve the lives of Iraqis.

A Human Terrain System statement said Suveges and others were attending a meeting of the District Advisory Council on Tuesday to elect a new chairman.

The officials were helping mediate disputes among the Sadr City leadership and "facilitate the development of a more representative local government," the statement said.

The attack was blamed on a Shiite insurgent cell.

Suveges graduated from the University of Illinois at Chicago in 1992 and received a master's degree in political science from George Washington University in 1998.

She had delivered papers to international relations organizations and served as a graduate teaching assistant, the company said.

At Johns Hopkins, she was managing editor for the Review of International Political Economy, the university said.

Maj. Mike Kenfield, spokesman for the Army's training and doctrine command, said that the program was credited for "reductions in non-lethal operations" and that there had been talk about expanding the purview of the team to outside Iraq and Afghanistan.

ARMS CONTROL AND NON-PROLIFERATION BUREAUCRACY OF THE UNITED STATES

Mr. AKAKA. Mr. President, today I wish to discuss the U.S. arms control and nonproliferation bureaucracy and its impact on our national security.

Recently, I chaired two hearings of the Oversight of Government Management Subcommittee of the Senate Homeland Security and Governmental Affairs Committee concerning the national security bureaucracy for arms control and nonproliferation. I examined several options for improving our ability to control proliferation. They included: Reestablishing an independent arms control and nonproliferation agency, creating a semi-autonomous arms control and nonproliferation agency within the State Department, and reestablishing an arms control bureau in the State Department. Other issues discussed were elevating the role of the head of the arms control and nonproliferation bureaucracy and ensuring that there are enough qualified arms control and non-

proliferation experts to protect our national security and meet our international obligations.

Witnesses for both hearings had decades of experience in managing our nation's arms control and nonproliferation issues. Ambassador Thomas Graham and Ambassador Norman Wulf, along with Dr. Andrew Semmel, who recently retired as Acting Deputy Assistant Secretary of State for Nuclear Nonproliferation Policy and Negotiations, provided perspective about the changes to this bureaucracy over the past decade and the need for reform. Mr. President, I ask unanimous consent to have printed into the RECORD, following my remarks, a report submitted by Ambassador Wulf which represents consensus findings of a number of experts and former U.S. officials experienced in this field.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. AKAKA. The second hearing featured Ms. Patricia McNerney, the Principal Deputy Assistant Secretary of State for International Security and Nonproliferation, and Ms. Linda Tagliatela, Deputy Assistant Secretary of State for Human Resources. They gave greater insight into the controversial, and damaging, arms control and nonproliferation bureaucracy reorganization at the State Department in 2005 and the ongoing human capital changes the bureaus involved continue to face today. The State Department's use of short-term, Band-Aid fixes to cover a loss of qualified civil servants and a lack of commitment by senior leaders to address the Department's cultural tensions, primarily between regional and functional issues, troubled me since these problems affect both human capital and organizational capacity to confront the evolving threat of weapons of mass destruction.

In 1961, when President John F. Kennedy entered office, the United States faced a perceived missile gap against its foe, the Soviet Union. The Kennedy administration, confronting the critical challenges of the day, advocated a new government "agency of peace" which would work toward "ultimate world disarmament." This agency, the Arms Control and Disarmament Agency, ACDA, helped craft and implement the policy decisions that would reduce the nuclear, biological, and chemical weapons threat to Americans through multiple, lasting, and verifiable treaties. The world was at a nuclear tipping point, where a small change could make a significant difference. The Kennedy administration challenged the conventional wisdom that argued for only an increase in nuclear weapons. It instead focused on controlling and limiting the spread of nuclear weapons by creating the small, but agile, Arms Control and Disarmament Agency that gradually began to increase international security.

The world appears to be at another nuclear tipping point. Today inter-

national security does not hinge on an arms race between two mighty superpowers. Rather, international security is increasingly threatened by the wide proliferation of nuclear programs, material, and knowledge. Countries such as India, Pakistan, North Korea, and Iran have either achieved a nuclear weapons program or have aspirations to create one. Others soon may follow. Along with these headline-grabbing nuclear proliferation concerns, many countries are seeking nuclear power and assured access to uranium to satisfy their growing energy demands. The peaceful application of civilian nuclear programs heightens the risk of diversion or the proliferation of plutonium and enriched uranium. Both presidential candidates have expressed their commitment to addressing proliferation and working with other nations to reduce the threat of nuclear conflict.

The next administration must confront this tipping point head on and solve the problem of our troubled arms control and nonproliferation bureaucracy. Along with its organizational structure, fundamental human capital issues must be resolved. They include: Addressing what is considered by some a cumbersome hiring process; recruiting, developing, and retaining a diverse and highly qualified workforce; involving key stakeholders during organizational changes; and making it desirable for Foreign Service Officers to serve in the fields of arms control and nonproliferation.

We need to consider the gravity of this issue now. I urge my colleagues to advocate an arms control and nonproliferation workforce and organization that will support effectively the policies of the next administration and prepare us for the nuclear threats developing throughout the world.

EXHIBIT 1

FOREWORD

This report was prepared by a volunteer task force. The task force solicited views from participants through two general meetings and from contributors via written comments.

These two groups included many former U.S. officials most with decades of experience in nonproliferation or arms control who graciously gave of their time to this project. They are named below—a short biography of each appears in the annex.

This report contains a general consensus that the Administration taking office in January 2009 should strengthen the organizational capacity of the State Department to meet critical nonproliferation and arms control challenges. Participants and contributors endorse the general thrust of this report though not necessarily every finding and suggestion.

Christopher Mitchell of the Institute for Conflict Analysis and Resolution (ICAR) of George Mason University served as convener of the two meetings that were held. Norman Wulf led those discussions and along with Dean Rust and Barclay Ward drafted the discussion papers and this report.

The task force also included Linda Gallini, Fred McGoldrick, and Sharon Squassoni.

Participants in at least one of the two meetings included members of the task force and Vic Alessi, Kevin Avruch, Joseph M.

DeThomas, James E. Goodby, Allan Krass, Frances Omori, Randy Rydell and Andy Semmel.

Among those commenting upon various drafts of the paper were William Burns, Ralph Earle II, Mark Fitzpatrick, Bob Gallucci, John Holum, Edward Ifft and John Rhineland.

No funds were made available to the task force other than by ICAR for use of their new retreat and conference center located on Mason Neck in Northern Virginia and for refreshments at the two meetings. Special appreciation is expressed to Gina Cerasani and Aneela Shamshad, and Saira Yamin, graduate students at ICAR, who served as volunteer note-takers at the two meetings.

EXECUTIVE SUMMARY

All three major presidential candidates have endorsed (i.) maintaining and strengthening the nuclear nonproliferation regime and (ii.) pursuing nuclear arms control measures with Russia and others. Regrettably, the State Department, which will bear the brunt of the work on nonproliferation and arms control, has lost significant capability—critical personnel have left, the arms control bureau has been abolished, and the bureau whose mandate includes nonproliferation is burdened with tasks outside its traditional purview that dilute its mission. Moreover, the State Department is simply not organized to ensure continued access and accountability to the Secretary of State and President on these critical issues.

Following the election, the President-elect should appoint a high-caliber individual to head up a task force charged with laying out detailed priorities in nonproliferation and arms control and recommending structural changes needed within the executive branch to achieve those priorities. The White House and National Security Council will need to be well-organized to serve the President, but the task force should direct its primary attention to the Department of State. Restoring focus at State will require creating a bureau focused on arms control, removing non-core tasks from the bureau whose responsibilities include nonproliferation, and limiting the activities of the verification and compliance bureau to those required by law. If there are substantial obstacles to near-term creation of an arms control-focused bureau, then those functions should be consolidated in the verification and compliance bureau effectively making it the arms control and verification bureau while seeking a long-term structure. Aggressive steps must be taken to redress the loss of expert staff. For the civil service, this means rehiring, recruiting, and strengthening career paths for personnel, including physical scientists, with expertise in nonproliferation and arms control. For the foreign service, this means providing training in these topics and career paths that reward those working on these functional issues.

Particular attention should be focused on ensuring that nonproliferation and arms control views get to the Secretary of State and the President. Both not only need advice but someone accountable in these areas. Existing law makes provision for such advice but it has proven difficult to implement those provisions effectively. Relying on personal relationships can work up to a point, but as personalities change, other priorities intrude, and administrations change, a more enduring channel and focus not dependent upon personal relationships is needed.

Decisions on these structural issues are critical in the transition period so the new administration can hit the ground running. Iran and North Korea, among others, will not delay their proliferation progress while a new administration organizes itself. Delay-

ing decisions until after the inauguration risks subordinating structural questions to the crisis of the day or decisions being thwarted by "turf" issues as political appointees are put into place. A variety of alternatives should be considered ranging from creating a special office attached to the Secretary, or creating a separate agency within the State Department or an independent agency.

ENSURING THE U.S. GOVERNMENT HAS THE CAPACITY TO MEET CRITICAL NONPROLIFERATION AND ARMS CONTROL CHALLENGES

This short Report which is the result of meetings and discussions between a number of experts focuses on improving the Nation's capacity for dealing with the increasingly complex issues associated with nonproliferation and arms control. It lays out a number of alternative strategies for improving the Government's currently attenuated capacities for effective nonproliferation and arms control action.

I. INTRODUCTION

All three major presidential candidates have endorsed the following objectives: (i.) maintaining and strengthening the nuclear nonproliferation regime and (ii.) pursuing nuclear arms control measures with Russia and others. Regrettably, what the next President will find is a diminished capability within the Executive Branch to achieve either objective.

The historical leadership role of the United States in nonproliferation and arms control has been severely downgraded and the nonproliferation regime significantly weakened. Along with this overall decline, there has been a loss of valuable expertise and bureaucratic structure diminishing the capacity of the United States to pursue nonproliferation and arms control measures.

Restoring U.S. leadership in these areas will require a personal commitment by the new President. Within the Executive Branch, there will need to be a strong organization to execute policies and be accountable to the White House. This paper looks at key organizational issues that must be met, particularly in the State Department, if the new administration is to meet its nonproliferation and arms control objectives.

II. CRITICAL PROLIFERATION CHALLENGES

The 1968 Nuclear Non-Proliferation Treaty (NPT) is the foundation for global cooperation in this area. Its primary goal is to decrease the risk of nuclear war by preventing the spread of nuclear weapons. It also obligates the five states which the NPT recognizes as possessing nuclear weapons—U.S., Russia, UK, France and China—to work toward nuclear disarmament. The urgency of dealing with the threat posed by nuclear weapons has been highlighted recently by former senior officials of both political parties—Secretaries of State Kissinger and Shultz, Secretary of Defense Perry, and Senator Nunn—who have called for renewed efforts to work towards a nuclear weapon free world, arguing that "the world is now on a precipice of a new and dangerous nuclear era." Their agenda, known as the Hoover plan after the Stanford institute where the group meets, is built around the NPT and focuses on U.S.-Russian nuclear arms control as well as on specific nonproliferation measures. No vision of a nuclear weapon free world or major progress toward that goal can be achieved without an intensive focus on both nonproliferation and arms control.

The three major candidates for the Presidency have called for strengthening the NPT and other elements of the nonproliferation regime and for reducing the nuclear arsenals of the United States and other nuclear powers; two have endorsed specific portions of

the Hoover plan. Any new administration will likely focus on a wide variety of other nuclear-related challenges as well, e.g., Iran and North Korea; protecting against the theft or diversion of nuclear material; strengthening export control and interdiction activities; and developing nuclear fuel cycle strategies to reduce the spread of sensitive nuclear facilities. It may reconsider the Comprehensive Test Ban Treaty, which the Senate failed to endorse in 1999, and give higher priority to U.S.-Russian cooperation on strategic nuclear and missile defense issues and to a fissile material cutoff treaty. The new administration will have to continue specific measures to prevent terrorists from acquiring nuclear, radiological, chemical and biological weapons.

III. STRUCTURAL FACTORS

The first year of a new administration offers a unique opportunity for progress. Grasping that opportunity requires diligent preparations during the transition period. To prepare, the President-elect should establish a task force to identify key substantive goals and devise a plan for the creation of nonproliferation and arms control structures to achieve those goals. The task force should be led by an individual of stature who is directly accountable to the President-elect and well-known to the Congress. The task force could continue beyond the inauguration but should not be permanent. After the inauguration, the task force leader might be directly attached to the White House with the assignment of ensuring that substantive and structural goals are achieved.

As cabinet departments with equities in nonproliferation and arms control have appointees put into place, a senior official in each department should be identified to work with the relevant White House and NSC officials. The NSC structure must include interagency groups responsible for integrating the activities and resources of each department, promoting transparency and information flow among agencies, and ensuring the input of the intelligence community. The appointment of a Deputy National Security Adviser for Nonproliferation and Arms Control would demonstrate the priority attached to these issues and allow for greater coordination of interagency activities.

The task force must pay special attention to the organizational structure under the Secretary of State, as State will bear the brunt of the work. State must be capable of performing a wide range of daily activities such as monitoring information, crafting and implementing policy initiatives, anticipating problems, advising high-level political officials, coordinating with other agencies, consulting with Congress, informing the public, and most importantly engaging in extensive diplomacy to maintain and strengthen the nonproliferation regime. Effective nonproliferation can only be achieved if the U.S. works closely with others.

A good organizational structure will help to set priorities, allocate resources, maintain the quality and morale of staff, and get issues to decision-makers in a timely manner. Among the key determinants of an effective structure are: (i) enough senior policy officials and supporting bureaus to focus attention on the full range of issues; (ii) an experienced multi-disciplinary career staff with a high percentage of civil servants including physical science officers; and (iii) high-level channels for getting views to the Secretary of State and President.

As shown below in Section IV, the current structure, which reflects the priorities and approach of this Administration, is entirely inadequate for pursuit of a more comprehensive approach by the new administration. The suggestions offered in Section IV do not

require legislation but should lead to near-term improvements in State's capacity. Even though not required, the administration and Congress may decide that it would be beneficial to codify some of these Section IV changes to ensure that the United States maintains over the long term a high level of capability in these critical areas.

Section V looks at other possible legislative approaches that would create either a semi-autonomous agency within the State Department or a separate agency for nonproliferation and arms control with an independence similar to that possessed by the former Arms Control and Disarmament Agency (ACDA), which was merged with the State Department in 1999.

If not already decided by campaign commitments, the President-elect should decide during the transition whether to pursue a separate agency or limit structural reforms to near-term changes that do not require legislation. Even if the President decides on a separate agency, some improvements in the State structure will still be desirable while awaiting the necessary legislative action. Thorough consultations with the Congress should occur regardless of which direction is chosen.

IV. SUGGESTED CHANGES TO THE CURRENT STATE DEPARTMENT ORGANIZATIONAL STRUCTURE

A. Bureaus and Special Representatives

At the outset of this Administration, three separate bureaus in State dealt with nonproliferation, arms control, and verification and compliance. The arms control bureau was abolished in 2005. Some of the arms control functions, e.g., START, were taken over by the verification and compliance bureau but that bureau's duties remain largely verification and compliance as prescribed by law. Other arms control duties were transferred to the former nonproliferation bureau, now renamed International Security and Nonproliferation. A quick inventory of this bureau's jurisdiction includes: six treaties, five export control regimes, three international organizations that specialize in nonproliferation or arms control topics, conventional arms proliferation, missile proliferation, missile defense, the Proliferation Security Initiative, implementation of several U.N. Security Council resolutions and negotiation of resolutions in the U.N. General Assembly, combating nuclear terrorism, country strategies, cooperative threat reduction in the former U.S.S.R., and securing and disposing of fissile material.

Diluting the focus of the bureau charged with nonproliferation by adding such areas as missile defense and General Assembly resolutions makes it much more difficult to achieve priority nonproliferation objectives. Abolishing the arms control focus and scattering its remains renders it unlikely that a renewed arms control agenda as proposed in the Hoover plan can be successfully pursued. Finally, while verification and compliance remain important, the need for U.S. global engagement on nonproliferation and arms control measures should have higher priority and greater focus.

Suggestions

1. Establish a bureau focused solely on nonproliferation by shifting all non-core duties, such as missile defense and General Assembly resolutions, to a bureau with an arms control focus.

2. Revitalize the organizational structure for arms control by bringing back a bureau solely focused on arms control. Given the difference in priorities in 2005 and what will exist in 2009, new priorities can best be met by creating such a single-focus bureau.

3. Through administrative action, limit the activities of the verification and compliance

bureau to the minimum necessary to fulfill its statutory duties. The goal should be to eliminate bureaucratic infighting and free up staff from this bureau for high priority nonproliferation and arms control activities.

4. If there are substantial obstacles to near-term creation of an arms control focused bureau, then consolidate those functions in the verification and compliance bureau effectively making it the arms control and verification bureau while seeking a long-term structure. This approach should include clearly defining the verification role as suggested above.

5. Utilize existing statutory authority to appoint "Special Representatives of the President" at the ambassadorial level, with at least one dedicated to nonproliferation treaties and related activities; and another to the reemerging arms control agenda. They would work with the assistant secretaries for nonproliferation and arms control and be responsible for negotiations, conferences, and consulting with other governments.

B. Staffing

The State Department should have skills and experience relevant to bilateral and multilateral diplomacy and negotiations; the development, testing and manufacture of nuclear, chemical, biological weapons and their delivery systems; the civil nuclear fuel cycle; and to the implementation of interdiction measures, export controls, treaties and international organizations. An interdisciplinary group of civil servants from the physical and social sciences is needed along with foreign service officers (FSOs) and detailees from the military services. This mix has worked well in the past.

Unfortunately, there has been a significant loss of civil servants from the State Department in recent years, and recruiting physical scientists in particular faces strong competitive pressures outside the government. Moreover, with the elimination of ACDA, it has become more difficult to sustain civil service career patterns up through the office director position. Within the relevant bureaus, the State Department has reduced the number of senior executive service positions (SES) for civil servants and several office director positions have gone to FSOs. Such officers have much to offer, including in some cases as office directors or other senior positions. But FSOs must meet the qualifications of the positions, and in most leadership positions, including office directors; the qualifications require a high level of expertise in the field. Regrettably, the foreign service creates few incentives for FSOs to obtain the requisite knowledge for leadership positions in nonproliferation and arms control.

Suggestions

1. Halt any further "bleeding" of the career nonproliferation and arms control staff. Encourage those who transferred out of these jobs in recent years to return. Promote a civil service career path leading to office director positions, including at the SES level. Launch a recruiting program to hire the next generation of civil service specialists, including in relevant scientific and technical fields. Seek special hiring authority, if necessary, to recruit individuals with technical competence and to tap the skills of those officers who have retired from State.

2. Develop the technical competence of FSOs by creating a career path for nonproliferation and arms control with a protocol of training and assignments in these areas. For all FSOs, regardless of their career path, at least one assignment in nonproliferation and arms control or other functional bureaus should be a factor in promotion decisions to mid or senior level FSO positions. Such assignments could reduce

some cultural barriers that exist between the regional and functional areas.

C. Advising the Secretary of State and the President

Competing interests are a fact of life at the highest political levels and it is important that those advocating on behalf of controlling nuclear weapons be heard. The Under Secretary of State for Arms Control and International Security ("the Under Secretary") is the most senior State official with clearly defined responsibilities for nonproliferation and arms control, although that position's mandate covers other issues including security assistance and conventional arms. This official is subordinate to the Deputy Secretary of State, is one of six under secretaries and ranks below the Under Secretary for Political Affairs who oversees the powerful regional bureaus. This senior level structure is further complicated by policy officials attached directly to the Office of the Secretary of State for diverse areas, such as reconstruction and stabilization, foreign assistance, development aid, counter-terrorism, and global AIDS programs.

Seeking to ensure that nonproliferation and arms control were not lost among the competing interests, the legislation merging ACDA into State authorized the Under Secretary to assume the former ACDA Director's role of senior adviser to the Secretary and the President on arms control and nonproliferation and to attend NSC meetings at the President's direction (22 U.S.C. Sec. 2651 a. (b) (2)) (*emphasis added*). Use of this authority, however, was not embraced by the current Administration.

It has long been clear that the State Department structure tends to favor regional interests. This tendency is reflected in the fact that the under secretary to whom the regional bureaus report is the third ranking official in the department. This does not mean that functional interests must give way to regional interests but it does mean that a Secretary of State or a President must ensure that functional priorities are clearly understood and always given appropriate weight. For that to happen, a mechanism must be found to ensure that nonproliferation and arms control equities are represented.

Different approaches—with varying degrees of success—have been taken by different administrations. Some administrations have relied upon the personal relationships among the relevant assistant secretaries, under secretaries, the Deputy Secretary and the Secretary to ensure that nonproliferation and arms control are accorded adequate priority. Others have created various additional mechanisms such as an ambassador-at-large to obtain this result. Of course, up to 1999, the ACDA Director had the rank of Deputy Secretary of State and the authority to advise the Secretary and the President.

Relying solely on personal relationships places at risk over time the capability to sustain the attention of the Secretary of State as personalities change and the inevitable crush of foreign policy issues competes for the Secretary's attention. Continuity of attention to these critical issues could be enhanced by having a structure not dependent upon personalities. Set forth in the suggestions immediately below, which would not require new legislation, and in Section V, which would require new legislation, are various alternatives that should be considered. They could supplement any NSC or White House structural components set up to advise the President. As noted earlier, decisions with respect to these issues should be taken during the transition—delaying those decisions until after the inauguration risks

critical substantive issues crowding out attention to structural questions and “turf” mentalities developing that hamper organizational change.

Suggestions

1. Establish procedures to implement the Under Secretary’s already existing statutory role as senior adviser to the Secretary and the President on nonproliferation and arms control matters. This would allow the Under Secretary to weigh in on major policy questions, including with the President. It would elevate this position in relation to the other under secretaries. Implementing such an approach would work only if understood and accepted up front by all involved, including the President. Actual use of this authority by the Under Secretary with the President is likely to be rare, in any event, given this person’s subordinate position to the Secretary.

2. Establish a position in the Secretary’s office such as Coordinator, Ambassador-at-Large, or Special Adviser to the Secretary of State and President, that would focus on nuclear policy or nonproliferation. The mandate could be limited to a few critical topics, e.g. Iran, North Korea, anti-nuclear terrorism, and/or elements of the Hoover plan, or could be broad enough to focus on all aspects of nuclear proliferation. This would elevate nuclear issues to the highest level in State and permit more focus than the Under Secretary, whose mandate is far broader. This sort of arrangement was used with varying degrees of success during the Carter, Reagan and Bush I administrations. It would require a high degree of coordination between the Under Secretary and the new position, as well as with the relevant assistant secretaries. It would not create any clearer path to the President for views that are contrary to the Secretary’s.

V. SEPARATE AGENCY

State and ACDA working in tandem over nearly three decades were able to sustain a high level of U.S. global leadership in nonproliferation and arms control. This was in large part due to ACDA’s exclusive focus on the mission, its status as an independent sub-cabinet agency with statutory authority to advise the Secretary of State and the President, and a strong cadre of civil service experts. The ten years since ACDA’s demise have seen a decline in U.S. diplomacy in this area. That said, there seems little doubt that ACDA-like resources and strengths will be needed for the foreseeable future. The question is will a strengthened State structure as suggested above in Section IV be adequate to the task over the long run or should the new Administration seek legislation to transfer the nonproliferation and arms control functions to a separate agency? Two different approaches to a separate agency are set forth below.

A. Separate Agency, But Part of State

A semi-autonomous agency within State would be similar to the concept of the National Nuclear Security Administration within the Department of Energy. The agency’s Director would be the nonproliferation and arms control adviser to the Secretary, and have a rank equivalent to the Deputy Secretary of State. The Director would also have the right to communicate directly with the President. The agency would work closely with State regional bureaus and related functional bureaus, but there would be no need for additional nonproliferation and arms control offices elsewhere in State since this agency would represent the coordinated view of the State Department on these issues.

This approach would ensure optimal access to the Secretary. The agency’s unique iden-

tity and mission should improve the recruitment and retention of the diverse professional staff needed, including scientists and other technical experts. The elevation of nonproliferation and arms control within State will make clear to other governments the importance placed on these topics by the United States and lead to regular consultations with friends and allies. A separate agency is the best way to promote an enduring focus on nonproliferation and arms control policy, in contrast to embedding it in the Department’s traditional structure with the vast array of competing interests and predominant focus on country and regional factors. On the other hand, establishing a separate agency would require legislation and presently Congress is focusing on structural issues relevant to post-conflict stabilization and reconstruction, development aid, and foreign assistance. Some argue that a separate agency is not needed; and that State can be structured so that these issues get the attention they deserve and the Secretary gets the necessary advice.

B. Independent Agency

The principal difference from alternative A would be the agency’s independence from State. The agency’s director would have a seat at NSC meetings dealing with relevant issues, and the agency would participate as a separate entity in interagency deliberations. The agency would have a status similar to that of the former ACDA, which would imply a return to a pre-1999 situation where State had its own nonproliferation and arms control offices. The duties and structure of the new agency, however, would have to reflect the priorities and threats of today. Many of the arguments in alternative A are also applicable here.

In addition, this approach is the only one guaranteed to ensure that the President could hear the nonproliferation and arms control perspective even when the Secretary of State has a different view. Equally important, having an independent agency would make certain that unfiltered nonproliferation and arms control views are considered at all levels of interagency policy formulation, a situation that gave ACDA influence. On the other hand, as experience with ACDA demonstrated, the option of going to the President in opposition to the Secretary of State can be more theoretical than real, and might rarely be exercised. An independent agency would result in State creating its own nonproliferation and arms control officials and they would have more influence on the Secretary on a day-to-day basis than would a separate agency. Some in Congress would also not be receptive to creating a new agency, believing that more than a decade is needed to determine whether State can effectively do the job on its own.

VI. CONCLUSION

The above suggestions are, we feel, both practical and necessary although which approach to advising the Secretary of State and the President is actually taken up by a new administration remains a topic for debate and discussion, which we hope will occur over the coming months. These suggestions are offered not as firm conclusions but as alternative ways of improving the country’s capacities for planning and implementing a coordinated and flexible, but above all effective, strategy for dealing with nonproliferation and arms control issues.

30,000 MISSING FIREARMS

Mr. LEVIN. Mr. President, according to data released this month by the Bureau of Alcohol, Tobacco, Firearms and Explosives, ATF, gun dealers in this

country “lost” an average of 82 firearms every day last year. That means more than 30,000 firearms are mysteriously unaccounted for in gun dealers’ inventories in 2007 alone. With no record of sale, these guns could be prime candidates for sale on the black market.

Perhaps even more disturbing is that the Brady Center to Prevent Gun Violence believes that the 30,000 guns are actually likely an undercount of the total number of guns that disappeared from gun shops last year. The ATF conducted inspections at approximately 10,000 of the Nation’s 60,000 gun dealers last year, finding over 30,000 firearms missing from the dealers’ inventories with no record of sale. The other 50,000 dealers were not inspected due to limited ATF resources. In fiscal year 2005, the ATF examined 3,083 gun dealers and found 12,274 missing firearms.

The underground market for guns is apparently largely supplied by the diversion of this massive number of guns from licensed gun shops into the hands of criminals. Based on its own gun-trafficking investigations, the ATF has concluded that corrupt gun dealers are the largest source of firearms diverted to the illegal market. The Brady Center report, “Death Valley: Profile of a Rogue Gun Dealer,” details one particular gun dealer who was cited over 900 times for Federal gun law violations. Over 480 guns from this dealer were apparently traced to gun crimes, including 41 assaults and 11 murders. In 2003 alone, the dealer reportedly failed to account for 422 guns, more than one-quarter of his entire inventory, during a single inspection.

This kind of activity can be addressed by vigorously enforcing our gun laws, providing law enforcement with stronger tools to crack down on gun trafficking, corrupt gun dealers, and criminals, and by passing sensible gun safety legislation. Unfortunately, the failure of Congress to act on several common sense bills has allowed criminals and possibly terrorists continued easy access to guns. I urge my colleagues to reverse this trend of inaction, and to help put a stop to this huge source of guns for the black market.

MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT OF 2008

Mr. SPECTER. Mr. President, this Medicare legislation is a very important bill. I believe that it is vital for the Senate to take up this important measure to have open debate to give Senators an opportunity to offer amendments and to have the Senate work its will on these important questions.

As noted in previous floor statements, I have been concerned about Majority Leader REID’s practice of employing a procedure known as filling the tree, which precludes Senators