



Treaty Times

June 2004

Volume IV

Captain's Corner



I have recently submitted my retirement request and will depart as the Naval Treaty Implementation Program Manager effective 9 April 2004. Captain Christopher Hayes, who is extremely well qualified for the position, has been selected as my relief. He reports on 3 May 2004. In the interim period, Tom Skrobala, who has done such an exceptional job as my Deputy, will be the Acting Director NTIP.

As I reflect upon almost four years that I have lead the Department of the Navy's arms control compliance and implementation efforts, I am extraordinarily proud of the accomplishments that Tom, the Treaty Managers, and the other analysts supporting me and this program have achieved. NTIP has truly set the standard within the Department of Defense for innovation and effectiveness. Dave Saylor and the individuals supporting the Chemical Weapons Convention have, during a series of exercises, some involving inspectors from the Organization for the

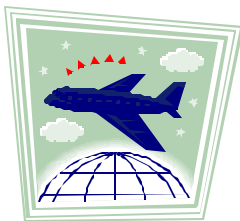
Prohibition of Chemical Weapons, evaluated a host of new ideas through which the U.S. could demonstrate increased cooperation with the inspectors and compliance with the CWC by alternative means. Benedict Eng and the personnel supporting the Compliance Assessment effort have turned that program into a model for others in the U.S. government to emulate. Commander Debbie Teske and her staff have greatly enhanced the training and outreach for the Open Skies Treaty so that the personnel responsible for its implementation can do so much more effectively and efficiently.

I have enjoyed working with all of you to enhance the DON's compliance and implementation efforts, and I look forward to observing from afar as Captain Hayes leads this program to bigger and better things.

CAPT M. Maxfield

Treaty on Open Skies

NTIP Seeks Volunteers to Review New Training CD



A few intrepid souls have stepped forward and offered to beta test our new OS training CD. NTIP has developed a CD that commands can use to train new personnel regarding the Treaty on Open Skies. It includes a basic review of the Treaty, example messages that you would receive from NTIP, and scenarios for you to review and evaluate (hopefully these will help you understand how to proceed when you receive a overflight message). We would like to field test this CD and are looking for additional volunteers to review it and provide comments. If you are interested, please contact us.

Remember NTIP is available to come to your command and provide training the old fashioned way at no cost to the local command.

US Designates New Open Skies Airfield (OSA)

The US recently designated a new Open Skies airfield (I wonder if that means it was too far between head calls). Effective 1 December 2003–McConnell Air Force Base was added.

Due to the addition of McConnell AFB in Middle America, the maximum flight distances have changed. Here is a list of the maximum flight distances from each of the Open Skies airfields:

- Wright Patterson AFB: 4900 kilometers
- Travis AFB: 4250 kilometers
- Elmendorf AFB: 3750 kilometers
- McConnell AFB: 4800 kilometers

Also the US has three Open Skies Refueling Airfields (OSRAs)-Ellsworth AFB, SD, Robbins AFB, GA and Hickham AFB.

Russians Certify New OS Aircraft

We've been here before, but bear with us, this time it is really going to happen, no really. The Russians certified their TU-154 26 April to 7 May 2004. The Russians are expected to overfly the US sometime in June, and then again in late fall. Keep in mind that the Russians can overfly the US at anytime, so you should be prepared for chaos to begin. If you have any questions, please contact us.

OS missions, Joint Training Flights (JTFs), and Communications Exercises (COMEXs)

The U.S. has conducted two missions over Russia since January 2004. One mission was conducted the week of 22 March and another on 5 April. Both missions used a Bulgarian AN-30. Six additional missions are planned for the rest of the year. They will be conducted in the US OC135 when it is out of maintenance.

The U.S will continue to participate in JTFs -and COMEXs.

Top Ten

Congratulations to the Top Ten Responders for the COMEX General Alert message, reference number 091330:

1. FACSFAC JAX
2. WPNSTA CHARLESTON
3. NRL WASHINGTON DC
4. COMNAVREG SW SAN DIEGO
5. FACSFAC PENSACOLA
6. SURFCOMBATSYSCEN WALLOPS ISLAND
7. COMTHIRDFLT
8. NAVUNSEAWARCEN DIV NEWPORT
9. COMNAVSECGRU FT MEADE
10. SUBASE NEW LONDON

If you have any questions please call 202-764-0910 (DSN 764), or e-mail: ntip_treaty@ssp.navy.mil.

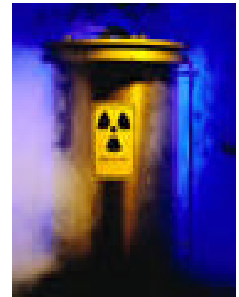
U.S. – IAEA Safeguards Agreement

The Protocol Additional to the Agreement between the United States of America and the International Atomic Energy Agency (IAEA) for the application of safeguards in the United States of America – also known as the “Additional Protocol” – has its genesis in the Conference on Disarmament (CD) and the Nuclear Nonproliferation Treaty (NPT). The NPT required non-nuclear weapons states to submit their nuclear programs to safeguards. Safeguards are intended to ensure that nuclear materials are not diverted from legitimate, non-military purposes to weapons programs. In order to demonstrate leadership in the universal application of

safeguards and persuade other States to apply safeguards to their civil nuclear programs, the United States voluntarily participates with the IAEA in its safeguards program. Under what is known as the “Voluntary Offer Agreement” or VOA, some 250 plus nuclear facilities, and specific nuclear material (in excess to national security needs) are under safeguards. Additional information on the NPT and the VOA can be found at www.nawcwps.navy.mil/~treaty.

The Additional Protocol (AP) strengthens the effectiveness of nuclear safeguards by verifying that special nuclear material in nonnuclear weapons states is not being diverted to nuclear weapons programs. The AP provides International Atomic Energy Agency (IAEA) inspectors access to all aspects of nuclear fuel cycle-related activities and allows short-notice complimentary access to these and other locations. Improved verification measures in the AP are:

- Information about, and inspector access to, all aspects of the State's nuclear fuel cycle, nuclear fuel cycle-related research/development, and all buildings on each nuclear site;
- Information on the manufacture and export of sensitive nuclear-related technologies and inspector access to manufacturing and import locations;
- Collection of environmental samples beyond declared locations when deemed necessary by the IAEA; and
- Administrative arrangements that improve the process of designating inspectors for the State, the issuance of multi-entry visas, and IAEA access to modern means of communications.



Although a Nuclear Weapon State, the United States has voluntarily permitted the application of IAEA safeguards within its nuclear program, excluding facilities, sites, activities, locations, or information having direct national security significance. Once entered into force, the AP will require declarations that will further impact these nuclear programs requiring the provision of information on nuclear fuel cycle-related research and development and related activities at Department of Commerce (DOC), Department of Energy (DOE), and Nuclear Regulatory Commission (NRC)-licensed facilities. DON does not anticipate having declarable facilities as defined by the AP, and DoD intends to exclude all naval nuclear reactor and propulsion programs and fuel cycle-related activities from any U.S. declaration and inspection.

Nevertheless, the AP may affect nonnuclear-related DON equities located at or near declared facilities through its “complimentary access” provisions. To manage this impact, the Naval Treaty Implementation Program (NTIP) is developing compliance and implementation strategies that will involve appropriate Program Executive Offices and System Commands, and that will ensure the continued protection of all national security and other sensitive and proprietary information. Should DON equities be captured under “complimentary access,” DON will fulfill its responsibilities by allowing as much access as legally possible.

The Senate Foreign Relations Committee (SFRC) held hearings on the U.S.-IAEA Additional Protocol on 29 January 2004 and favorably voted it out of committee (19 to 0) on 4 March. The full Senate provided its advice and consent to ratification, with conditions, to the President on 31 March 2004. Although still uncertain, entry-into-force of the AP could occur as early as the fourth quarter of fiscal year 2005.

In future issues of the Treaty Times, we plan to address the following topics related to the U.S.-IAEA Additional Protocol:

- Additional rights and responsibilities of the IAEA and the United States under the Additional Protocol
- Conditions contained in the U.S. Senate’s resolution of ratification
- U.S. Government actions necessary to support entry-into-force
- DON implementation plans and procedures
- Documentation and directives related to implementation of the U.S.-IAEA Additional Protocol
- Employment of the National Security Exclusion and Managed Access in the United States
- Types of inspections conducted by the IAEA, including Complementary Access
- IAEA inspection and monitoring equipment
- Possible impacts on DON programs and locations

If you have any questions please call 202-764-0910 (DSN 764), or e-mail: ntip_treaty@ssp.navy.mil.

The Chemical Weapons Convention Impact on DON Facilities

The Chemical Weapons Convention (CWC) entered into force on 29 April 1997, and prohibits the U.S. from developing, producing, acquiring, stockpiling, retaining, transferring, and using chemical weapons (CW). The CWC also prohibits the U.S. from using riot control agents (RCA) as a method of warfare. However, the U.S. has retained the right to use RCAs in Executive Order 11850 and incorporated, in the Senate’s CWC Resolution

of Ratification, requirements for the President to certify the use of RCAs in peacekeeping operations.

To ensure DON compliance with the CWC, NTIP reviews and assesses all DON acquisition programs. Internationally, compliance is monitored by a verification and inspection program administered by a group of international civil servants from the Organization for the Prohibition of Chemical Weapons (OPCW) in The Hague, Netherlands. The verification and inspection regime includes: (1) declaration of past CW-related activities subsequent to 1946, (2) routine ad hoc or systematic inspections of declared facilities, and (3) short-notice challenge inspections that have the potential to be conducted anytime, anywhere (although there have been no challenge inspections to date). These challenge inspections could affect Navy or Marine Corps facilities worldwide. DoD Instruction 2060.1 and SECNAV Instruction 5710.23C hold facility Commanders as ultimately responsible for demonstrating compliance for all arms control treaties and agreements.

NTIP continues to be available to all facility and shore Commands to assist commanders in their preparation for CWC implementation and compliance preparations, to include inspection exercises, at no cost to the facility. Future articles will address the Navy’s implementation methodology and strategic readiness program to ensure compliance with the CWC. Additional articles will address the impact to a facility of a challenge inspection. Questions regarding the CWC Treaty and NTIP’s implementation and compliance planning, programming, budgeting, and execution should be directed to 202-764-0910 (DSN 764), or email: ntip_treaty@ssp.navy.mil.

CW and BW FY04 Datacall

The Naval Treaty Implementation Program (NTIP) coordinated a data call effort for the Navy in response to the Deputy Assistant Secretary of Defense for Chemical Demilitarization and Threat Reduction (DATSD (CD&TR) request to conduct a program review of all ongoing DON chemical and biological based activities. This review encompassed programs at any stage of research or development to monitor DoD compliance with the Chemical Weapons Convention (CWC) and the Biological Weapons Convention (BWC).

The Director, Strategic Systems Program, and the Naval Treaty Implementation Program extend a hearty “Thank You!” to each activity that participated in this data call. A total of 136 programs were reported, reviewed and assessed by NTIP and reported to the DATSD.

This was the second year that the DATSD has requested such a review from each service, and NTIP expects that this will become an annual event. SYSCOM Commanders, PEO and Program Managers should

monitor the status of their CW/BW programs and expect a similar reporting requirement annually during the first quarter of each calendar year. Questions regarding the CW and BW Data Call should be directed to 202-764-0910 (DSN 764), or e-mail: ntip_treaty@ssp.navy.mil.

DON Arms Control Compliance Support for Operations and Exercises

NTIP and SBIR: A Match Made in Tampa

SECNAV Instruction 5710.23C establishes Department of the Navy (DON) policy and procedures to ensure all DON activities, including but not limited to research, tests, development, acquisition, exercises and operations, comply with arms control agreements. The Naval Treaty Implementation Program (NTIP) is offering outreach and support to more and more areas of the DON as it works to ensure compliance of all DON activities with applicable arms control treaties and agreements. NTIP was given the opportunity to brief members of the DON Small Business Innovation Research (SBIR) community during a Navy breakout session at the DoD Tri-Service SBIR Conference April 5-8, 2004 in Tampa, FL. The presentation provided an overview of the DON's arms control treaty compliance policy and requirements and some R&D areas with potential for arms control treaty compliance impacts. NTIP staff answered questions from the audience relating to their obligations and concerns with potential arms control compliance issues. The conference was another step made by NTIP and Navy Program Managers working together to ensure compliance with arms control treaties and agreements.

The conference also provided NTIP staff with the opportunity to learn more about the SBIR program. The presentations throughout the week were very informative, providing insight into: the history of SBIR, the SBIR process, the relationship between SBIR and acquisition programs, and schedules and resources to stay current with SBIR happenings. NTIP would like to thank Mr. Vinny Schaper (Navy SBIR Program Manager) and Mr. John Williams (Deputy Navy SBIR Program Manager) for the invitation to the conference. NTIP would also like to thank the rest of the attendees for their contributions to the conference and courtesy to the NTIP staff in attendance.

NTIP, as the instrument for DON treaty compliance, is funded and staffed with treaty experts with a vast array of resources and links to program managers for the purpose of resolving arms control treaty obligations for all elements of DON. The NTIP webpage with links to a myriad of information on treaties and programs can be found at: <http://www.nawcwpns.navy.mil/~treaty/>.

Treaty Outreach



Open Skies Training.

We have been busy conducting Open Skies training seminars. We are currently developing a training schedule for the next few months; so if you are interested in an Open Skies Training seminar, please contact our office.

If you are an Open Skies Treaty Point of Contact, please let us know if your information has changed or changes in the near future. In order to notify you of an Open Skies treaty overflight, our notification database must be current.

We are offering training for all personnel impacted by the Treaty including those responsible for responding to Open Skies overflight notifications and those who make command impact assessments. Training can be provided to all hands including command duty officers, operations officers, range officers, program managers, and security personnel. There are also Train-the-Trainer sessions designed to provide the command with the in-house expertise to maintain Treaty awareness and train new personnel. Open Skies training can be brought to you in person or via video teleconferencing. Questions regarding Open Skies training should be directed to 202-764-0910 (DSN 764), or e-mail: ntip_treaty@ssp.navy.mil.

Arms Control Seminars. All Navy and Marine Corps commands can benefit from an understanding of how arms control treaties and agreements may affect them. Each commander is responsible for compliance with all arms control treaties for his/her activity. NTIP is here to assist local commands in doing this. Arms Control Seminars are now being scheduled for 2004. These seminars are at no cost to your facility and can be planned at your convenience. If you are interested in obtaining information about or scheduling a treaty awareness seminar for your command or region, please contact 202-764-0910 (DSN 764), or e-mail: ntip_treaty@ssp.navy.mil.

Further Reading

Bush Missile Defense Wins First Round in House

nti.org/d%5Fnewswire/issues/2004/5/7/3b4d1c01%2Dd912%2D4477%2D9d67%2Dc1be83531d39.html



Republicans on a House subcommittee beat down several initial Democratic efforts to curb the Bush administration's newly revealed plans to expand its planned missile defense system and fund space-based interceptor development and testing.

US Backs China Joining Nuclear Group

news.yahoo.com/news?tmpl=story&u=/nm/20040511/wl_nm/nuclear_usa_china_dc_1

The Bush administration is backing China's membership in an influential group that controls nuclear exports despite Beijing's insistence on providing atomic reactors to Pakistan.

President Bush Signs New U.S. Landmine Policy

usinfo.state.gov/xarchives/display.html?p=washfile-english&y=2004&m=March&x=20040302145434dmslahre1lek0.4142267&t=xarchives/xarchitem.html

The U.S. will not become a party to the Ottawa Convention. Answers to questions concerning the new U.S. landmine policies.

Websites



The appearance of hyperlinks in this newsletter does not constitute endorsement by the Department of the Navy (DON) of the web sites or the information, products or services contained therein and DON does not

exercise any editorial control over the information you may find at these locations.

The Nuclear Threat Initiative

www.nti.org/

Defense Treaty Inspection Readiness Program (DTIRP)

www.dtra.mil/os/ops/dtirp/os_dtirp.html

International Atomic Energy Agency

www.iaea.org/worldatom/

Department of State

www.state.gov/

Acronym List

AP – Additional Protocol

IAEA – International Atomic Energy Agency

JTF - Joint Training Flight

NPT- Nuclear Nonproliferation Treaty

NRC – Nuclear Regulatory Commission

OSA – Open Skies Airfield

OPCW – Organization for the Prohibition of Chemical Weapons

RCA – Rict Control Agent

SBIR – Small Business Innovation Research

E-mail Addresses

In order to e-mail you and your command this newsletter and other pertinent information regarding treaty compliance and implementation, please e-mail our office with the following information:



- Command Name
- Official Command E-mail Address
- Commanding Officer Name
- Commanding Officer Phone Number
- Treaty Point-of-Contact (POC) Name
- POC Official Business E-mail Address
- POC Phone Number

You can also contact us at 301-744-4206, e-mail TSOTreaty@ih.navy.mil.

Feedback



How are we doing? Is there something you would like to see in the next issue? We appreciate any comments or suggestions you may have. Please address all questions, comments, or concerns to:

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