

The Truth-O-Meter Says:



"Historically," Senate ratification of arms control treaties "has been bipartisan."

Mike Mullen on Sunday, November 21st, 2010 in an interview on ABC's "This Week with Christiane Amanpour"

Adm. Mike Mullen says past arms treaty ratifications have been bipartisan

As the House and Senate move into a brief lame-duck session before the new Congress begins work in January, one issue on the table is whether the Senate will ratify a new START treaty to control nuclear arms, as the Obama Administration wants.

The treaty would enact modest nuclear-weapons reductions and extend verification provisions that lapsed last year. Most Democrats and many foreign-policy professionals favor ratification of the new treaty, which would require 67 votes in the Senate. But the effort has run into problems with Senate Republicans.

The Senate Republicans' leading spokesman on the issue, Minority Whip Jon Kyl of Arizona, said earlier this month that the lame duck session did not offer enough time to iron out problems he sees with a related issue -- U.S. plans for modernizing nuclear forces and infrastructure. The administration took up the gauntlet, redoubling its efforts to ratify the treaty this year.

In an op-ed in the Wall Street Journal, Vice President Joe Biden wrote that "national security interests are at stake" in the ratification battle. But Republicans countered that the need for speed was overblown. In a separate item, we checked a statement by Kyl on NBC's Meet the Press in which he cited reports by the Washington Post and the Associated Press to justify his position that failure to ratify the new START treaty immediately would not threaten national security.

Now we'll take a look at an earlier comment by Adm. Mike Mullen, chairman of the Joint Chiefs of Staff. In an interview on ABC's This Week with Christiane Amanpour on Nov. 21, 2010, the host asked the nation's top military officer whether the Senate is "playing politics with American national security."

Mullen responded, "Well, you'd have to ask the Senate about that."

Amanpour pressed him, asking, "What do you think?"

Mullen replied, "Well, certainly, what I think is that there is a sense of urgency with respect to ratifying this treaty that needs to be ... recognized. Historically this has been bipartisan. This is a national security issue of great significance. And the sooner we get it done, the better."

We wondered whether Mullen is correct that most prior arms-control treaties have been passed with bipartisan support.

We began by determining which treaties we should include in our assessment. We turned first to the list of "treaties and agreements" handled by the State Department's Bureau of Arms Control, Verification and Compliance.

We only looked at formal treaties, which require a two-thirds vote by the Senate in order to be ratified. (A quick reminder: Treaties are negotiated and signed by representatives of the president, then ratified by the Senate. Once a few additional logistical steps are taken, treaty adherence is made official.) We also stuck to treaties that were primarily designed as arms control efforts, particularly when they dealt with weapons of mass destruction -- nuclear, biological and chemical.

By our count, the Senate has ratified 14 such treaties in 13 votes. Here's the list in chronological order, along with the year of U.S. ratification and the tally for and against in the Senate:

- Limited Test Ban Treaty, 1963 -- 80-19.



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In an interview with ABC's This Week, Adm. Mike Mullen, the chairman of the Joint Chiefs of Staff, said that past treaties have been passed in bipartisan fashion. We dug through old roll call votes to see if he was correct.

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Sources:

Mike Mullen, interview on ABC's This Week with Christiane Amanpour, Nov. 21, 2010

U.S. Department of State, "Treaties and Agreements" home page, accessed Nov. 20, 2010

Congressional Quarterly Almanac, various editions

Associated Press, "Obama says START treaty must be ratified soon," Nov. 18, 2010

New York Times, "G.O.P. Senators Detail Objections to Arms Treaty," Nov. 24, 2010

Joe Biden, "The Case for Ratifying New Start" (Wall Street Journal op-ed), Nov. 25, 2010

Chicago Tribune, "Clinton Weighs Action on Libya; Plant May Pose Threat of Chemical Weapons," April 24, 1996 (accessed via Lexis-Nexis)

John B. Bellinger III, "Our Abandoned Treaties" (op-ed in the Washington Post), June 11, 2010

New York Times, "Defeat of a Treaty: Clinton at News Conference; 'Troubling Signs of New Isolationism,'" Oct. 15, 1999 (accessed via Lexis-Nexis)

New York Times, "The Chemical Arms Treaty: The Overview; Senate Approves Pact on Chemical Weapons After Lott Opens Way," April 25, 1997 (accessed via Lexis-Nexis)

PolitiFact, "Jon Kyl cites Washington Post editorial, AP fact-check as support for position on START treaty," Nov. 29, 2010

Interview with Peter Crail, nonproliferation analyst with the Arms Control Association, Nov. 30, 2010

Interview with Tom Z. Collina, research director with the Arms Control Association, Nov. 30, 2010

E-mail interview with Ted R. Bromund, senior research fellow at the Heritage Foundation, Nov.

- Non-Proliferation Treaty, 1969 -- [83-15](#). (Seven Democrats and eight Republicans voted against.)
- Latin American Nuclear-Free Zone Treaty, 1971 -- 70-0.
- Seabed Arms Control Treaty, 1972 -- [83-0](#).
- Anti-Ballistic Missile Treaty, 1972 -- [88-2](#). (U.S. later withdrew.)
- Biological Weapons Convention, 1974 -- [90-0](#).
- Intermediate-Range Nuclear Forces Treaty, 1988 -- [93-5](#).
- Peaceful Nuclear Explosions Treaty and Threshold Test Ban Treaty, 1990 -- [98-0](#) (to ratify both treaties).
- Conventional Armed Forces in Europe Treaty, 1991 -- [90-4](#).
- Strategic Arms Reduction Treaty, also known as START I, 1992 -- [93-6](#). (Expired 2009.)
- Strategic Arms Reduction Treaty II, also known as START II, 1996 -- [87-4](#).
- Chemical Weapons Convention, 1997 -- [74-26](#) (with 29 Republicans joining 45 Democrats in voting yes and 26 Republicans voting no.).
- Strategic Offensive Reductions Treaty, also known as the Moscow Treaty, 2003 -- [95-0](#).

This list demonstrates that at least 13 treaties presented to the Senate for ratification passed by overwhelming majorities -- and with strong bipartisan support. The strongest opposition came in the vote on the Chemical Weapons Convention. But the opponents, led by the late Sen. Jesse Helms, R-N.C., could not muster enough support either on amendments to the treaty or the treaty ratification vote itself to derail it. An additional historical footnote that bolsters the notion of bipartisanship: Thirteen of the 14 treaties above were ratified when one party held the presidency and the other party held the Senate.

There is, however, one example of a weapons treaty actually being voted down on the Senate floor. In 1999, the Comprehensive Nuclear Test-Ban Treaty fell, [51-48](#), with all but four Republicans voting no. (Sens. John Chafee, R-R.I., James Jeffords, R-Vt., Arlen Specter, R-Pa., and Gordon Smith, R-Ore., voted for the treaty, along with all Democrats except for Sen. Robert Byrd, D-W.Va., who voted present.)

In remarks after the Senate vote, President Bill Clinton presaged what some Democrats have argued this month.

"In recent days, members of the Congressional majority have displayed a reckless partisanship," Clinton said. "It threatens America's economic well-being and now our national security. Yesterday, hard-line Republicans irresponsibly forced a vote against the Comprehensive Nuclear Test Ban Treaty. This was partisan politics of the worst kind because it was so blatant and because of the risks it poses to the safety of the American people and the world."

So the Comprehensive Nuclear Test-Ban Treaty is a clear exception to Mullen's claim. Whether there are additional examples is murkier.

We found two nuclear-related treaties from the Clinton era that were signed but never ratified by the U.S. -- the African Nuclear-Weapon-Free Zone Treaty and the South Pacific Nuclear Free Zone Treaty. But in talking to experts, we found no evidence that either treaty was targeted for opposition based on partisan lines. In fact, according to a 1996 *Chicago Tribune* report, just days after the Clinton Administration signed the African treaty protocols, it clarified that the treaty would not prevent the U.S. from using nuclear weapons against Libya. So reservations about the African treaty don't appear to be based on partisanship.

In addition, the second Strategic Arms Limitation Treaty, or SALT II, was signed by President Jimmy Carter but never ratified. While the negotiations over the treaty were somewhat contentious, the immediate reason for not pursuing ratification was the Soviet Union's invasion of Afghanistan in 1980, a rationale that had bipartisan support.

Another treaty that faced significant partisan opposition was the U.N. Convention on the Law of the Sea, which failed to advance to a vote in the Senate due to opposition by conservatives who expressed concern about its impact on U.S. sovereignty. But the subject of this treaty seems too far afield from what Mullen was talking about for us to count it.

So where does this leave us? We found one clear example of partisan opposition to a nuclear-weapons treaty -- the Comprehensive Nuclear Test-Ban Treaty -- but 13 which were passed with broad, bipartisan support. So we rate Mullen's contention that Senate treaty ratifications have "historically ... been bipartisan" as True.

29, 2010

E-mail interview with Doug Bandow, senior fellow at the Cato Institute, Nov. 29, 2010

E-mail interview with Lawrence Korb, senior fellow at the Center for American Progress, Nov. 29, 2010

E-mail interview with Capt. John Kirby, spokesman for Michael Mullen, Nov. 29, 2010

Note: Online sources for roll call votes, where available, are linked from the final tally listed in the text

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