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Ballistic Missile Defense

The Need for a National Debate

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Conclusions

Note:

Consensus on Theater Missile Defense

There is a strong consensus in the United States concerning the need for active defenses against theater ballistic missiles, defined as missiles with a range of 3,500 km or less. This consensus was forged in the Gulf War, when Iraq launched conventionally-armed missiles at Israel and Saudi Arabia one striking a U.S. barracks, causing one-quarter of the U.S. combat fatalities of the conflict. Iraqi missiles were derived from the 1950's-vintage Scud-B missiles previously provided by the Soviet Union. The political and military utility of even these relatively crude missiles was not lost on other states who would use force to achieve their own territorial and political objectives.

Developments since Desert Storm have confirmed that states seeking NBC weapons also seek increasingly capable ballistic missiles as their delivery system of choice. For example, Iran and Pakistan reportedly have been provided Chinese technology for M-9 and/ or M-11 missiles. North Korea has flight tested the 1000+ km-range No Dong-1, a missile with the potential to carry NBC warheads, and may have concluded agreements to provide the No Dong to Iran, Libya and Syria. Indeed, according to unofficial sources, the delivery of No-Dong missiles to Iran may already have begun. Such transfers could have profound implications for stability in the Middle East and Persian Gulf areas of vital U.S. interest.

The Gulf experience and the accelerating pace of missile proliferation have demonstrated the need for a robust theater missile defense capability. As a result, the United States has initiated a number of programs to protect U.S. forces and allies from ballistic missile attack. The "core" TMD programs of the U.S. effort include: (1) improvements to PATRIOT (PAC-3) and the new ERINT missile for point defense; (2) THAAD for wide-area theater defense; and (3) AEGIS/SM-2 Block IVA for tactical missile defense from the sea.

In addition to these core TMD programs, the Clinton Administration has recently declared the much more capable Navy Upper Tier system described as an "advanced concept" for "extensive theater-wide protection" to be compliant with the ABM Treaty. However, as discussed below, it is not clear how substantially this system (as well as THAAD) has been "dumbed-down" to make it compatible with the

Administration's view of the Treaty.

Divergence on National Missile Defense

The consensus on TMD does not exist on national missile defense. In fact, differences on the central issue of defending the U.S. homeland from ballistic missile attack are stark, influenced by widely contrasting perceptions of the threat and the relevance of traditional arms control, specifically the ABM Treaty, in the post Cold War environment.

Those who oppose initiating an NMD deployment program begin with the premise that, presently, no proliferant state has the capability to strike U.S. territory with ballistic missiles. Furthermore, they contend that the emergence of such a threat in the near or mid-term is very unlikely. Therefore, given defense budgetary constraints, the United States need not and should not now pursue NMD. Moreover, NMD critics argue that if a missile threat does emerge, the United States will be able to deter attacks on its territory through its conventional superiority and, if necessary, its nuclear offensive forces, as it did during the decades of the Cold War. In fact, opponents believe NMD would undermine deterrence and lead to a new U.S.-Russian nuclear offensive arms race.

In contrast, NMD advocates point to the proliferation of ballistic missile programs in countries hostile to the United States. They cite, for example, the North Korean development of two new multistage missiles. Then-Director of Central Intelligence, James Wails, publicly acknowledged these North Korean missiles, and noted that they could pose a threat to "all of Northeast Asia, Southeast Asia, much of the Pacific area, and even most of Russia." Indeed, according to a more recent statement by then-Deputy Secretary of Defense John Dutch, one of these missiles, the Taipei Dong 2, will have the potential to strike portions of the United States. According to public testimony by intelligence officials, these missiles could be operational within three to five years. If the Taipei Dong 2 has intercontinental potential, is operational in five years and armed with NBC warheads, an NMD deployment program must be initiated now if the United States is to escape the prospect of vulnerability to North Korean missile threats. Moreover, given the North's record of selling missiles and technologies to other rogue states, the United States could become vulnerable to unprecedented coercion. In this context, Libya has declared its intent to acquire missiles with which to threaten the U.S. homeland.

These and other emerging threats (e.g., the possible sale of Russian SS-25s as space launch vehicles) make NMD essential. NMD proponents reject as a Cold War nostrum the notion that missile defenses would undermine deterrence. Indeed, they insist that NMD would both contribute to deterrence and provide an important hedge against the increased potential for deterrence failure in the post-Cold War era. Deterrence policies must be supplemented by NMD because the conditions necessary for deterrence mutual familiarity, understanding, communication, etc. are less likely to pertain in the existing strategic environment than in the bipolar structure of the past.

The absence of an effective NMD may undercut the ability of the United States to deter regional aggressors armed with long-range missiles. Such aggressor states may well judge U.S. deterrence as incredible because of the aggressors ability to launch retaliatory NBC missile attacks on U.S. cities. Because the regional aggressor would question the willingness of U.S. leaders to risk possible missile attacks against U.S. territory, regional deterrence would be weakened. NMD is therefore essential to establish the credibility of U.S. regional deterrence policies.

Evolution of the BMD Program

Reflective of these fundamentally different views are the divergent approaches on NMD taken by the Bush and Clinton Administrations. In early 1991, following the demise of the Soviet empire, President Bush reoriented the SDI program from defending against a Soviet first strike to protecting against limited ballistic missile attacks. Two events later that year validated this shift in focus. First, as stated earlier, ballistic missiles played a major role in the strategy of the Gulf conflict. Second, the attempted coup in the Soviet Union raised concerns regarding command and control of the Soviet strategic arsenal. The redesigned program called Global Protection Against Limited Strikes (GPALS) envisioned deployment by the end of the decade of space-based sensors and both theater missile defenses and ground-based strategic defense interceptors (to be followed by space-based interceptors). The number of interceptors was to be limited to assuage concerns that defenses would undermine U.S.-Soviet strategic stability. In this context, the Bush Administration made clear that the level of strategic defenses deployed would not undercut the credibility of the Soviet offensive strategic force.

Consistent with this shift in the U.S. program, Soviet and then Russian leaders acknowledged the need to protect against ballistic missile proliferation through strengthened active defenses. Indeed, in January 1992 President Yeltsin called for "a global system for protection of the world community" from the missile and NBC proliferation threat. Building on the expressed desire of both the U.S. and Russia to work together to meet a common threat, Bush and Yeltsin established a high level group to develop a concept for a joint defense system and to identify areas for cooperation. Between June and September, the group made progress in such areas as the possibility of sharing early warning information. However, with the election defeat of President Bush, this effort came to an end.

The Clinton Administration, soon after assuming office, initiated a series of national security policy reviews, including the DoD Bottom-Up Review to assess overall defense requirements. The BUR recommendations on missile defenses: (1) assigned first priority to theater missile defenses and regional threats; (2) downgraded the priority for TMD, changing the focus from an acquisition program to a technology demonstration/readiness program; and (3) gave third priority to an advanced technologies program, designed to develop and demonstrate high payoff technologies for TMD and NMD. Consistent with these recommendations, the SDIO was renamed BMDO, and restructured to focus almost exclusively on theater missile defenses.

Downgrading the NMD program to "a hedge against a greater long range missile threat" reflected a relatively benign view of the threat. The probability of a deliberate attack on the United States by Russia or China was assessed to be "extremely low," and the likelihood of an accidental or unauthorized launch was described as "unlikely." Although not excluded, the possibility of a limited ballistic missile threat to the United States from a third country "sometime in the first decade of the next century" was not considered urgent or even sufficiently significant to require an NMD deployment program. The NMD programs in progress were either cut back (e.g., space-based sensors) or killed (e.g., space-based interceptors). Other programs, such as ground-based NMD interceptors and radars, were reduced and slowed. Funding for the advanced technologies program was also severely reduced, impacting directly on advanced capabilities such as the boost-phase interceptor.

With the Republican victory in November 1994, the positions of the Clinton Administration on BMD have come under increased attack. Pointing to missile threats from North Korea, Iraq and Iran, Hill leaders have rejected the Administration's approach to both theater and national missile defense. On TMD, Congress has objected to negotiations which are seen as placing restrictions on U.S. technologies which will reduce the effectiveness and raise the costs of U.S. TMD systems. On NMD, Congress has called for a renewed commitment to effective national missile defenses and the Senate has directed the deployment of a multiple-site ND system by 2003.

The Future of the ABM Treaty

Paralleling its reorientation of the BMD program from SDI to GALS, the Bush Administration revised its position on the ABM Treaty. Although describing the 1972 Treaty as an outdated relic of the Cold War, the Administration indicated a willingness to accept limits on the deployment of strategic defenses, thereby agreeing that the Treaty could remain in effect if amended to meet the security requirements of the post Cold War period, including the need to counter the missile threat.

In the fall of 1992, the Bush Administration proposed in the Standing Consultative Commission (SCC) a series of formal amendments to the ABM Treaty that would have:

- eliminated restrictions on development and testing of ABM systems and components;
- eliminated restrictions on radars and sensors;
- eliminated restrictions on the transfer of ABM systems and technologies; and
- permitted additional ABM deployment sites, as well as additional launchers and interceptors.

The Bush Administration proposed to clarify the demarcation line between ABM and non-ABM systems by establishing a demonstrated, verifiable standard based on the velocity of the target in actual tests involving interceptor missiles. If the target exceeded the established limit, the tested system would be considered strategic and, therefore, bound by the restrictions of the ABM Treaty. In this way, consistent with the original intent of the Treaty, development, testing and deployment of TMD systems would not be impeded.

The position of the Clinton Administration on the Treaty was radically different from that of its predecessor. Referring to the ABM Treaty as "the bedrock of strategic stability," the Clinton Administration took a number of actions to strengthen the "viability and effectiveness" of the Treaty, including:

- withdrawing the amendments to the Treaty proposed by the Bush Administration;
- advocating the multilateralization of the Treaty, making it much more difficult to amend the Treaty in the future; and
- "affirming" the "narrow" interpretation of the Treaty.

On demarcation, although initially adopting the position of the Bush Administration, the Clinton Administration has agreed to place additional restrictions on the development, testing and deployment of TMD systems. In short, the ABM Treaty was made the center-piece of the new Administration's arms control policy.

Following the November 1994 elections, the Clinton Administration's position on demarcation became a focal point for Congressional objections to the shift in U.S. policy on the ABM Treaty in general. The new Hill leadership expressed its firm opposition to the additional restrictions on defensive technologies which the Administration has either accepted or proposed in the SCC negotiations. Moreover, Congress has criticized as inadequate the Administration's consultations on these negotiations, as well as on the

issue of multilateralization. More broadly, Hill leaders have questioned the basic relevance of the ABM Treaty in today's security environment a world in which the Soviet Union no longer exists, in which the logic of the Cold War no longer applies, and in which the foreseeable ballistic missile threats to the United States require effective missile defenses.

The Clinton Administration, caught between congressional pressure and Russian intransigence, has avoided reconvening the SCC, moving the negotiations to higher diplomatic levels, culminating in the May Summit in Moscow. The Joint Statement from the Summit, while described by the Administration as moving in the direction of Congress, is still viewed as inconsistent with the concerns of, and positions advocated by Hill leaders. The statement enshrines the Treaty as the "cornerstone" of U.S.-Russian relations and commits the parties to a set of "basic principles" to guide demarcation negotiations.

Far from resolving the contentious issues, the Summit "principles" have been criticized as merely serving to commit the United States to further negotiations before deploying treaty-compliant TAD systems. For example, the principle that TAD systems "must not lead to violation or circumvention of the ABM Treaty" commits the U.S. to negotiations in which it must respond to hypothetical concerns Moscow may choose to raise not about what U.S. TAD programs are but about what they might theoretically become. On the basis of past experience with Soviet negotiators who are now Russian negotiators critics have predicted endless filibusters over specious concerns designed to prevent decisive action essential to develop and deploy the defenses the United States needs.

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