



**House Policy Committee**  
**Congress of the United States**  
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**Policy Statement**

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**Missile Defense and President Bush's New Strategic Framework**

**The United States is determined to proceed with Missile Defense.** Two years ago, an overwhelming bipartisan majority in Congress and a Democratic president formally declared that it is the national policy of the United States to deploy an effective national missile defense as soon as technologically feasible. This national policy is enunciated in the National Missile Defense Act of 1999, and constitutes the law of the land today. As President Bush recently stated, "America must build effective missile defenses, based on the best available options, at the earliest possible date. Our missile defense must be designed to protect all 50 states—and our friends and allies and deployed forces overseas—from missile attacks by rogue nations, or accidental launches."

**"A threat...here and now."** Today the gravity and immediacy of the threat posed by missile proliferation can no longer be denied. It has been 10 years since Saddam Hussein dramatically illustrated the threat of ballistic missiles to U.S. forces in Saudi Arabia and civilian targets in Israel by launching Scud attacks during the Gulf War. It has been three years since the bipartisan Rumsfeld Commission issued its unanimous warning that future ballistic missile threats to the United States could emerge with "little or no warning." Just months after the Rumsfeld Commission report, North Korea launched a three-stage missile over Japan, and Iran launched its Shahab 3 ballistic missile. It has been over a year since the Clinton Administration's Director of Central Intelligence bluntly told Congress, "The missile threat to the United States ... is steadily emerging. The threat to U.S. interests and forces overseas is *here and now*" (emphasis added).

In February 2001, the Director of Central Intelligence updated his earlier warning. In his annual testimony to Congress on Worldwide Threats to the United States, he stated that "the missile and [weapons of mass destruction] proliferation problem continues to change in ways that make it harder to monitor and control, *increasing the risk of substantial surprise*" (emphasis added).

Today, long-range and theater missiles threaten U.S. forces and our allies around the world, yet we have no defense. Over 100,000 U.S. troops in South Korea and Japan live under the threat of ballistic missile attack. Our forward-based air and naval forces in Northeast Asia, the Mediterranean, and the Persian Gulf are likewise all vulnerable to missile attack. Key U.S. friends and allies including Israel, South Korea, Japan, and Taiwan all face known ballistic missile threats and lack any effective defense.

Moreover, as the Rumsfeld Commission predicted, the long-range missile threat to the United States itself has now arrived. Two years ago, North Korea tested a Taepo Dong-1 which can be configured as an ICBM to deliver nuclear-sized payloads to the United States. On June 4, 2001, North Korea threatened to resume both missile testing and its nuclear program. Iran, according to the CIA's most recent testimony, could test an ICBM capable of delivering a nuclear, chemical, or biological payload to the United States "in the next few years." The Director of Central Intelligence also testified that Saddam Hussein may acquire an ICBM capability in the current decade.

America and our allies are vulnerable not only to the launch of a ballistic missile at our territory or our troops, but also to the *threat* of such a launch. Unless we possess an adequate missile defense, the United States will be increasingly vulnerable to blackmail by both rogue states and terrorists.

**A Safer Future.** Fortunately, the means to counter these threats will soon be within reach. A series of missile defense tests during the preceding two years has resulted in the successful interception of an enemy missile by a ground-based system, as well as the development of even more promising boost-phase or ascent-phase defenses.

Critics have lodged a variety of conflicting and inconsistent complaints intended to prevent development of a defense against ballistic missiles. None of these arguments is persuasive, however, and together they virtually cancel one another out. The following is a compendium of the fallacies arrayed against a missile defense:

- **Fallacy #1:** *Test failures prove that missile defense doesn't work.* To the contrary, much has been learned from the test successes, partial successes, and failures to date. Not only are imperfect tests of prototype systems inevitable in cutting-edge programs, but also many of the "failures" (that is, unsuccessful interceptions) have proven the efficacy of component technologies. As Defense Secretary Rumsfeld explained to the North Atlantic Assembly on June 7, 2001: "The Corona satellite program, which produced the first overhead reconnaissance satellites, had 11 straight test failures. Where would we be today if President Eisenhower had cancelled it? Where would we be if the Wright brothers had quit after their first 20 test failures? Answer: without airplanes. Testing is how we learn. Testing leads to knowledge." Secretary Rumsfeld went on to state: "We will not make decisions on systems architecture until our technologies have been tested, and it is likely they will evolve over time."
- **Fallacy #2:** *Any defense could be overwhelmed by deception and other countermeasures.* Countermeasures might well be undertaken by Russia, were missile defense aimed at it, but the goal of missile defense is not to defend against massive missile attacks from Russia. Rather, national missile defense is intended to counter limited threats from terrorists and rogue nations—"against handfuls of missiles, not hundreds," as Secretary Rumsfeld told our NATO allies. Moreover, as the House Armed Services Committee reported in September 2000, the development of countermeasures entails "significant complexities for developing countries." And even if Russia, the PRC, or other more sophisticated nations were to illicitly transfer the technology needed for countermeasures, developments in the U.S. already underway may well be adequate to address them. Countermeasures, for example, are much more difficult to deploy against ascent-phase missile defenses, and that is one of the architectures being developed. Over a year ago, Lt. Gen. John Costello, the head of the

Army's Space and Missile Defense Command, stated that "I am ... confident we have the technology to make the system adaptable to countermeasures." According to the House Armed Services Committee, in their September 2000 report, the Department of Defense "has long been aware of the countermeasures issue and is working on ensuring the effectiveness of a national missile defense system against some two dozen types of countermeasures."

- **Fallacy #3:** *A National Missile Defense would "decouple" American security from that of our European and Asian allies.* "Decoupling" America from our allies is precisely the reason that hostile states are currently seeking the ability to threaten our homeland. Deterring America from protecting our friends and allies abroad would achieve a true "decoupling" of our common security. The answer to these concerns, as the Bush Administration has recognized, is not to prolong common vulnerability but to achieve common security by extending missile defense to our friends and allies.
- **Fallacy #4:** *Missile defense would not combat other forms of attack on the United States; therefore, it should not be undertaken.* That other forms of terrorism will remain viable if we deploy an effective missile defense is hardly a reason to remain vulnerable to missile attack. Each threat to U.S. citizens should be met with an adequate defense. Who would assert that because our existing Army, Navy, Air Force, and Marine Corps are of limited use in thwarting a missile attack, we should forego them? Our armed services are justified by their usefulness against other existing threats. The Bush Administration and Congress are pursuing multifaceted defenses against the whole array of existing and emerging threats to our country—and missile defense is an indispensable part of that mix.

**Alternatives to the MAD Doctrine of the Cold War.** At the height of the Cold War, in 1972, the United States and Brezhnev's USSR negotiated the Anti-Ballistic Missile Treaty, which *prohibited* missile defense in reliance on a doctrine called "Mutual Assured Destruction." The MAD doctrine held that if both Russia and the Soviet Union were defenseless, then the threat of certain and massive retaliation would deter a first strike by either side. Whatever might have been said for this theory at the time, it requires a single nuclear threat posed by a rational nation in order to work. That has not described the world for at least a decade. The bipolar world of America vs. the Soviet Union has long since given way to one characterized by emerging threats from many rogue states of questionable rationality.

Allowing not one but many potentially hostile regimes to gain a veto over America's ability to protect its troops, interests, and friends is itself "mad." In May 2001 President Bush highlighted the ABM Treaty's obsolescence in today's multipolar world: "We need a new framework that allows us to build missile defenses to counter the different threats of today's world. To do so, we must move beyond the constraints of the 30-year-old ABM Treaty. This treaty does not recognize the present or point us to the future. It enshrines the past."

Some critics have erroneously claimed that effective missile defense would "abrogate" the ABM Treaty. That is false; the United States would be acting entirely in conformity with the express provisions of the ABM Treaty were it to proceed with missile defense after giving six month's advance notice under Article XV of the Treaty. Article XV expressly provides that "Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests." Indeed, many eminent authorities—including former Secretary of State Henry Kissinger, who negotiated the ABM Treaty—have opined that the

Treaty became invalid as a matter of international law upon the dissolution of the Soviet Union (the only other party to the Treaty) in 1991.

A further argument has been made that amending or ending the ABM Treaty would remove the “cornerstone of global stability” and kindle an arms race. This stands reality on its head, for the years since 1972 (the life of the ABM Treaty) have witnessed a buildup of nuclear weaponry and a dispersal of missiles and instruments of mass destruction unprecedented in the history of the world. Not only has the ABM Treaty failed to prevent the proliferation of missiles and nuclear weapons, but there is solid evidence that the lack of effective defenses against missile threats has provided a powerful motivation for nations to acquire their own offensive missile capacity. As Secretary Rumsfeld told the North Atlantic Assembly on June 7, “Our *lack* of defenses against ballistic missiles creates incentives for missile proliferation” (emphasis added). An effective missile defense, as Secretary Rumsfeld further stated, will “dissuade countries from pursuing dangerous capabilities in the first place.”

### **A New Strategic Framework: Policy Recommendations**

American policy should be based upon a reasoned approach to the modern world, not archaic doctrine. The following three approaches should guide America’s implementation of the National Missile Defense Act of 1999:

- **Move Beyond 1972 and the Outdated ABM Treaty.** Because the 1972 ABM Treaty no longer has relevance to the threats facing America in the 21<sup>st</sup> century, the United States should seek a new understanding with the Russian Federation that will permit our armed services to defend our people, territory, and soldiers. Failing this, the United States should proceed with the deployment of an effective missile defense, consistent with Article XV of the ABM Treaty.
- **Provide American Leadership for the Common Security of Our Allies.** President Bush has already commenced genuine consultation with Russia, China, and our Asian and European allies and friends. These consultations reflect the fact that America’s New Strategic Framework has moved beyond merely *national* missile defense to embrace an effective common defense for America, our forces overseas, and our friends and allies abroad. Increasingly, the nations of the world are appreciating that missile defense threatens no legitimate interest of any nation.
- **Promote Defense As the Best Deterrence.** President Bush recently stated: “We need new concepts of deterrence that rely on both offensive and defensive forces.... Defenses can strengthen deterrence.” Reliance on defensive measures not only strengthens the existing regimes of arms control and international cooperation, but also adapts U.S. policy to the realities of a world that has changed beyond recognition since 1972.

### **A Call for Bipartisanship in Defending America**

Although Republicans have led the effort for missile defense, in the past this has been a bipartisan issue. In the wake of the Iraqi missile attacks during the Gulf War, President George H. W. Bush worked with bipartisan majorities of the then-Democratic Congress to achieve the Missile Defense Act of 1991, which made it a national goal to “deploy an anti-ballistic missile system ... that is capable of providing a highly effective defense of the United States against limited attacks of ballistic missiles.” The National Missile Defense Act of 1999 was enacted by large, bipartisan majorities in Congress and signed into law by President Clinton. Over the past

decade, Congresses and Presidents of both parties have come together to promote missile defense policies that will implement one of the bedrock commands of the Constitution: “to provide for the common defense.” Unhappily, the new Democratic majority in the Senate appears to be attempting to walk away from this historic bipartisan consensus, and to keep the American people trapped in the logic of MAD and hostage to the “arms control” of Iraq’s Saddam Hussein and North Korea’s Kim Jong-Il. Now, more than ever, Republican leadership is necessary to carry out the national policy of missile defense upon which America’s security, and that of all of our allies and friends, so depends.