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FLAWED INTELLIGENCE REPORT NO GUIDE FOR MISSILE THREAT

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Very soon, both the House of Representatives and the Senate will debate identical versions of the Defend America Act of 1996. The Defend America Act commits the nation to deployment of a national missile defense system by 2003. It is similar to the provision in the FY 1996 defense authorization bill vetoed by President Bill Clinton on December 28, 1995. How Members of Congress vote on this bill will rest primarily on their understanding of the immediacy of the missile threat. Members who see the threat as present and growing will likely vote in favor of the bill; those who see the threat as remote are likely to vote against it.

In November 1995, the U.S. intelligence community issued an intelligence assessment describing the ballistic missile threat to the United States.¹ Among other things, it concluded that there is little threat of a missile attack on the U.S. during the next 15 years. President Clinton and congressional opponents of the Defend America Act use this assessment to justify their opposition to deploying a national missile defense as soon as possible. Since this assessment is crucial to the coming debate on missile defense, and since the vote on this legislation may well determine the future of U.S. security against missile threats, the assessment deserves thorough analysis.

Normally, it is impossible for the public to pass judgment on the content of intelligence assessments because they are classified. In the case of the intelligence assessment on the missile threat, however, the same summary version that was provided to President Clinton has been published.² Thus, the public has an opportunity to decide whether the assessment is credible.

An evaluation of this intelligence assessment reveals that it is not credible. In fact, it contains a number of flaws. The authors of the assessment:

1 This assessment, called a National Intelligence Estimate (NIE), was dated November 1995. For a summary version of the NIE, called the "President's Summary," see "Do We Need a Missile Defense System?" *The Washington Times*, May 14, 1996, p. A15. The intelligence community includes the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, the intelligence arms of the military services, and other smaller agencies.

2 "Do We Need a Missile Defense System?"

- X **Inexplicably discount the threat posed today by long-range missiles in China and Russia.** The intelligence community concluded that the U.S. will not face a missile threat for the next 15 years. But this inexplicably discounts the already existing threat posed by Russia and China. The assumption is that because these countries already have long-range missiles, nothing new will happen in the next 15 years to change the level of the threat. But things can change, and very quickly. This is particularly true regarding the emergence of hostile intent toward the U.S.

The immediacy of Chinese hostility was revealed earlier this year when Chinese officials were quoted as saying that China could take military action against Taiwan without the U.S. intervening because U.S. leaders “care more about Los Angeles than they do about Taiwan.”³ This was nothing less than a thinly veiled threat to attack the U.S. with long-range nuclear missiles if it intervened on behalf of Taiwan.

Another potential nuclear threat is posed by Russia—as Clinton’s Pentagon already has admitted. In fact, the intelligence report’s findings on Russia blatantly contradict a fundamental conclusion of the Clinton Administration’s own 1994 Nuclear Posture Review, its official statement of nuclear arms policy. This statement recognizes the volatility of the U.S. relationship with Russia.⁴ It even includes an option for “hedging” against a reversal in U.S.-Russian relations by arguing that America may have to exceed limits imposed by arms control agreements with the Russians if Moscow again becomes hostile. Russia is a strategic wild card—a fact which the authors of this intelligence report blithely ignore. In short, the report’s “findings” are fundamentally at odds with the Clinton Administration’s own nuclear policy.

- X **Write off Alaska and Hawaii as territory to defend against missile attack.** The finding that the U.S. will not face a missile threat for 15 years is based on examining the missile threat to “the contiguous 48 states and Canada.” Alaska and Hawaii are not considered. Why this is done becomes clear when it is revealed that North Korea is developing a missile, the *Taepo Dong 2*, that could reach Alaska and Hawaii. North Korea could deploy this missile in three to five years. It is truly remarkable that the Clinton Administration appears to believe that the people of Alaska and Hawaii are strategic second-class citizens who deserve less protection than New Yorkers or Californians. It is even more remarkable that the President appears to believe that Canadians deserve more protection than Alaskans and Hawaiians.
- X **Are overly optimistic about how long it will take rogue states to develop long-range missiles.** The intelligence estimate states: “We [of the intelligence community] are likely to detect any indigenous long-range missile program many years before deployment.” But the intelligence community has a poor track record in detecting illicit weapons programs. It failed, for example, to detect major portions of Iraq’s nuclear weapons program. International inspections of Iraq’s nuclear program following the Persian Gulf War revealed that it was far larger and far more advanced than the U.S. intelligence community had predicted before the inspections.⁵ Saddam Hussein was only months away from deploying an explosive nuclear bomb, not years away as the intelligence community had predicted.

3 Patrick Tyler, “As China Threatens Taiwan, It Makes Sure U.S. Listens,” *The New York Times*, January 24, 1996, p. A3.

4 U.S. Department of Defense, “DOD Review Recommends Reduction in Nuclear Force,” News Release No. 541-94, September 22, 1994.

5 For a detailed description of Iraq’s nuclear weapons program, see hearing, *Nuclear Proliferation: Learning from the Iraq Experience*, Committee on Foreign Relations, U.S. Senate, Senate Hearing No. 102-422, 1992.

- X **Unwisely downplay the potential impact of foreign assistance on the missile threat to America.** They conclude that foreign assistance is a “wild card” that could be used by developing countries to accelerate their missile programs. Chinese assistance, for example, reportedly helped Iraq extend the range of their Soviet Scud-B missiles.⁶ The post-Gulf War inspections in Iraq revealed that the Iraqi Atomic Energy Commission relied on a wide variety of foreign sources to accelerate its nuclear weapons program. The foreign sources include corporations in the U.S. and Germany. This is one reason why the U.S. was surprised by the scope and advanced state of the Iraqi program. United Nations inspector David Kay commented on October 17, 1991, that “there is no region of the world that you will find that did not contribute to [the Iraqi nuclear weapons] program.”⁷
- X **Underestimate the impact of space launch vehicle development on missile proliferation.** The intelligence estimate states that “if a country were to purchase an SLV [space launch vehicle], converting it to an ICBM [intercontinental ballistic missile] would involve technological obstacles roughly as challenging as those involved in an indigenous ICBM program.” This statement is surprising since space launch vehicle and missile components are very similar. Of the eight essential components of a ballistic missile, all but one—the warhead—are found in somewhat modified forms in space launch vehicles.⁸ Thus, the transfer of space launch vehicle components is virtually certain to assist countries in developing missiles.

Downplaying the potential impact of widely available space launch vehicle technology on missile development programs reflects the intelligence community’s historic tendency to underestimate the pace of technological advancement in foreign weapons programs. Fifty years ago, U.S. intelligence failed to predict Soviet acquisition of atomic bomb technology. The Soviet Union tested its first atomic weapon in August 1949, years earlier than was predicted. America was shocked for a second time in 1957 when the Soviet Union launched its *Sputnik* satellite. Predicting that a missile threat to America is 15 years away indicates the same sort of complacency that resulted in surprise at the Soviet atomic test in 1949 and *Sputnik* launch in 1957.

- X **Are completely unrealistic about the potential sale of long-range missiles and space launch vehicles.** The intelligence assessment concludes: “We expect countries that currently have ICBMs will not sell them.” This finding is contradicted by historical experience. China sold intermediate-range missiles to Saudi Arabia in 1988 and Pakistan in 1993. Why the intelligence community is so certain that China would not sell long-range missiles is a complete mystery. Moreover, even the Clinton Administration recognizes that Russia will be marketing its ballistic missiles as space launch vehicles. On September 28, 1995, the Clinton Administration agreed to modify the 1991 Strategic Arms Reduction Treaty (START) to lift restrictions on converting missiles to space launch vehicles.⁹ It did this to satisfy the Russians, who want to sell modified SS-25 *Sickle* long-range ballistic missiles as space launch vehicles. In short, the Administration agreed to modify an existing arms control treaty precisely to permit the kind of proliferation which is dismissed so easily in the intelligence estimate, and which it supposedly opposes so vehemently in its declared anti-proliferation policy. Apparently the Russians are beginning to implement this policy. Press reports on a

6 *Ballistic Missile Proliferation: An Emerging Threat* (Arlington, Va.: System Planning Corporation, 1992), p. 63.

7 *Nuclear Proliferation: Learning from the Iraq Experience*, pp. 20-21.

8 For a comparison of missile and SLV components, see Missile Defense Study Team, *Defending America: A Near- and Long-Term Plan to Deploy Missile Defenses* (Washington, D.C.: The Heritage Foundation, 1995), p. 10.

9 Bill Gertz, “U.S. Relaxes START, Raising Missile Fears,” *The Washington Times*, November 9, 1995, p. A1.

classified Pentagon study reveal that Russia is selling SS-18 *Satan* ICBM components to the Chinese as space launch vehicle technology.¹⁰

- X **Inexplicably dismiss the threat of accidental or unauthorized missile launches against the U.S.** The intelligence assessment states: "We conclude that the current threat to North America from unauthorized or accidental launch of Russian or Chinese strategic missiles remains remote and has not changed significantly from that of the past decade." Yet Russia and China are undergoing great political turmoil. Any fracturing of either country's political leadership cannot help but cause a break in the chain of command governing nuclear weapons. This is precisely what happened when an attempted *coup d'etat* against Soviet President Mikhail Gorbachev took place in 1991. Nobody knew who had control of the Soviet nuclear arsenal during that time. Such political crises occur frequently, with little or no warning. It is all but impossible to understand why the intelligence community is so confident that the threat of accidental or unauthorized missile launches is so remote.

Conclusion

The intelligence assessment of the missile threat to the United States contains so many flaws, contradictions, and ambiguities that critics naturally wonder about its objectivity. There are deep suspicions in Congress and the expert community that political leaders in the Clinton Administration intervened in the intelligence process to get the answer they wanted. Indeed, the Clinton Administration made a decision in 1993 to cut the national missile defense budget by some 80 percent. The Administration may have felt pressured to justify this decision by encouraging an intelligence assessment that minimized the threat of a missile attack on the U.S. The U.S. General Accounting Office, an investigative arm of Congress, is trying to determine whether the Clinton Administration did in fact intervene. If it is found that the Administration "cooked" this assessment, then President Clinton's veto of the FY 1996 defense authorization bill will appear to be not merely an act of willful ignorance, but the *coup de grâce* in a shameless plan of deception.

Whether the intelligence assessment is objective or not is now a matter for Congress to decide. However, for purposes of the debate on the Defend America Act, it is enough to know that the possibility exists that this assessment was "cooked," that it is fatally flawed, and that it is therefore a poor guide to policy.

Congress should not rely on this assessment as an excuse for deferring the decision to deploy a national missile defense system. Further delay in deployment could result in a surprise missile attack against which the U.S. would have no defense, and which could cost many American lives. If this were to occur, Members of Congress would not be able to hide their responsibility. The time for Congress to live up to this responsibility is now, before it is too late.

¹⁰ Bill Gertz, "China's Arsenal Gets a Russian Boost," *The Washington Times*, May 20, 1996, p. A1.