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## SECRETARY COHEN'S MISSILE DEFENSE PROPOSAL: BREAKTHROUGH OR HOLLOW PROMISE?

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Last week, U.S. Secretary of Defense William Cohen outlined a new proposal to protect the American people against missile attack. In promising to spend \$10.5 billion on missile defense over six years (a \$6.6 billion increase), Secretary Cohen affirmed that indeed "there was a threat" to Americans from ballistic missiles, something he and the Clinton Administration had refused to do in the past. Secretary Cohen promised to make a decision next year on whether to begin a deployment of a missile defense system, which would not be completed until 2005. Moreover, he promised to proceed with a missile defense system even if it did not conform with the 1972 Anti-Ballistic Missile (ABM) Treaty between the United States and the now-defunct Soviet Union, which prohibits a missile defense of the territory of the United States.

Secretary Cohen's admission represents a significant breakthrough. For years, backers of missile defense have argued that the threat of ballistic missiles to America is a clear and present danger. And they have pointed out that the ABM Treaty is a barrier to defending Americans that must be overcome. In his speech, Secretary Cohen effectively conceded both points. His admission is welcome, and he is to be commended for making this necessary change in policy.

But as has so often been the case with the Clinton Administration, appearances may be deceptive. What appears to be given or promised can, at any point in the future, be withdrawn. Promises have evaporated in a haze of equivocation,

re-interpretation, and sometimes even outright reversal of policy.

This is part of the danger with accepting Secretary Cohen's latest announcement about missile defense at face value. Already the White House has started to distance itself from Secretary Cohen's plan. National Security Council staffer Robert Bell claimed that Cohen's proposal had not been approved by the White House. Backpeddling frantically, the White House has been quick to insist that Secretary Cohen's plan is not Reagan's "Star Wars," and that the ABM Treaty is still binding and in force.

At about the same time that Secretary Cohen held his press conference announcing his missile defense plan, President Bill Clinton sent a letter to Russia's President, Boris Yeltsin, insisting that the United States remains committed to the ABM Treaty and that no decision to deploy had been made. Moreover, shortly before Secretary Cohen's press conference, National Security Adviser Samuel Berger insisted that the ABM

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Treaty remains a “cornerstone of our security,” code for keeping the ABM Treaty at all costs.

President Clinton is right that his Administration has not yet made a decision to begin construction of a missile defense system. That decision will come next year, if at all. More important, the Administration actually has delayed the time in which the deployment would be completed. In the President’s previous plan, deployment was to be completed by 2003; under the “new” plan, deployment will come two years beyond that, in 2005. It is odd, to say the least, that reaching a conclusion that the threat is more imminent than previously admitted would produce a decision to delay, rather than accelerate, the deployment of a missile defense system for U.S. territory.

But the most serious danger with accepting Secretary Cohen’s missile defense proposal as a commitment to defending America is not that President Clinton may not allow his Secretary of Defense to keep his implicit promise to build a missile defense system; instead, it is that Secretary Cohen’s promise may in itself be hollow.

Secretary Cohen’s plan rests on the assumption that the ABM Treaty is still legally valid and thus binding on the United States. But as the Senate leadership and many eminent legal scholars have argued, the ABM Treaty disappeared with the Soviet Union. The Soviet Union ceased to exist in 1991, and neither Russia alone nor a combination of the newly independent states is capable of fulfilling the obligations of the ABM Treaty.

The Clinton Administration implicitly conceded this point when it negotiated a new agreement with Russia, Belarus, Kazakhstan, and Ukraine as the ABM Treaty’s legal successors to the Soviet Union. If the ABM Treaty with the Soviet Union is still valid, why would the Administration negotiate a new agreement defining new treaty partners? This new ABM agreement, signed in New York in September 1997, has yet to be ratified by the Senate, as required by the Constitution. Until this is done, no

restrictions on the testing, development, and deployment of missile defense systems should be imposed on the United States in the name of complying with the old ABM Treaty.

It is difficult to escape the conclusion that Secretary Cohen’s announcement and the White House’s subsequent cool response are more about saving the ABM Treaty than building a missile defense system. True, Secretary Cohen claimed that withdrawing from the ABM Treaty with six months’ notice is an option if the Russians refuse to cooperate. But he and other Administration officials have made it clear that their real aim is not to get rid of the ABM Treaty, but instead to preserve it. They may want to amend it, changing it only slightly to permit a mere thin-shield defense for America that possibly includes one or two ground-based missile defense sites. More effective strategic defenses, based on sea and space systems, still would be outlawed.

America cannot be defended effectively if space and naval systems are off-limits to a nationwide missile defense system. The old choice still remains: Build the best system to protect as many Americans as possible, or adhere to the ABM Treaty that prevents the United States from doing so.

Secretary Cohen’s announcement is a welcome acknowledgment that this choice exists. It shows that the Clinton Administration is moving in the right direction. Moreover, it also will make it impossible for President Clinton and others to dismiss and marginalize the issue of missile defense, as they so often have tried to do in the past.

But President Clinton and Secretary Cohen still refuse to make the choice. And until they do make that choice, their promises to defend America will ring hollow, leaving Americans once again with the impression that their government cannot be trusted.

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