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THE PENTAGON MISSILE DEFENSE REPORT: ANOTHER ATTEMPT TO DELAY DEFENDING AMERICA

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What if President Kennedy had declared that America wanted to put the first man on the moon, but not until all the technical risks were eliminated? America would very likely have lost that race.

The spirit of determination and initiative that Kennedy and the country showed in that effort was clearly alive last year when Congress passed the National Missile Defense Act (P.L. 106-38) and declared that a national missile defense system would be deployed “as soon as is technologically possible.” It did so despite a Defense Department panel’s report alleging excessive “technical risk” in the missile defense program. This conclusion was overstated and rightly ignored by Congress. Congress and the President, who signed the Act into law on July 22, 1999, acknowledged that the ballistic threat to America is real and growing and, until such a system is deployed, Americans remain vulnerable to attack.

Unfortunately, the Panel on Reducing Risk in Ballistic Missile Defense Flight Test Programs, chaired by former Air Force Chief of Staff Larry Welch, has issued a new report in which it essentially reaches the same conclusion. Although the report has yet to be released, the press reported that it recommends delaying the decision to deploy if the development program suffers setbacks. This is tantamount to recommending that the law enacted last year be ignored. The technical panel appears to have forgotten its mandate, which is to recommend how to

achieve missile defense, as well as its responsibility to follow the law, not undermine it.

Congress should ignore the panel’s second faulty assessment. President Bill Clinton made the decision to deploy a national missile defense when he signed the National Missile Defense Act into law. That he later stated he would not make a deployment decision until next summer (at the earliest) does not change this basic legal fact. Rather than focusing on reducing the technological risks in moving forward with missile defense, the panel chose to challenge the decision to deploy. It is an affront to Congress as well as American citizens who remain vulnerable to even one ballistic missile.

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The Report’s Shortcomings. The report of the Welch Panel, which includes military and civilian members of the defense sector, fails to advance efforts to mount a national missile defense for the United States. But it does offer Congress an opportunity to highlight the growing threat from ballistic

missile proliferation and to point out the panel's significant miscalculations that led to shortcomings in its report. These include:

- **The Panel exceeded its mandate by implicitly challenging the decision to deploy.** The National Missile Defense Act appropriately recognizes that deploying missile defenses will be implemented only as the technology to do so develops. For this reason, it does not state deployment will be made by a certain date. The Welch Panel would rescind the deployment decision merely because technical risks exist. If its concern had been addressing technical risks and not reversing the decision to deploy, the panel would have identified technological barriers to deployment and proposed steps to remove them.
- **The Panel ignored the fact that Administration policy is increasing the very technical risks it decries.** The Administration unilaterally observes restrictions imposed by the 1972 Anti-Ballistic Missile (ABM) Treaty on the testing, development, and deployment of missile defense systems, despite the fact that the treaty is no longer legally binding. This policy of restricting testing increases the risk of failures and allows the threat of attack to outpace development. The Welch Panel should have pressed for an unfettered testing program to increase technical capabilities.
- **The Panel assumes that accelerated deployment programs will end in failure.** The Welch Panel's recommendation to delay the deployment decision assumes that accelerated weapons programs almost always end in failure. This is not the case. The Navy's successful Polaris missile project in the 1950s and 1960s was the product of an accelerated development and deployment program, which fielded the Polaris missile in just under four years. Indeed, an accelerated program can improve the chances for success by removing bureaucratic impediments. Instead of advocating delay, the Welch Panel should have advocated a streamlined management procedure modeled after the Polaris program.
- **The Panel ignored alternative deployment plans.** The Welch Panel accepted the Administration's plan for a national missile defense, which focuses on deploying a very limited number (no more than 100) ground-based interceptors at a single site. Sea-based deployments are excluded because of restrictions in the ABM Treaty. Yet a sea-based option is likely to reduce the level of technical risk in this program by taking advantage of the Navy's years of experience and \$50 billion investment in the Aegis air defense system. A sea-based system could be initially deployed while other systems are in development.
- **The Panel drafted its report before the successful intercept test of the ground-based system for countering long-range missiles.** The pessimism expressed in the report regarding the "hit-to-kill" interceptor system under development was premature. On October 2, 1999, this technology was used to successfully intercept a long-range target missile over the Pacific Ocean. The report should have been revised to account for that success.

Conclusion. The Welch Panel has twice attempted to change national policy and delay deployment of a national missile defense system. To ensure that it does not exceed its mandate again, Congress should explicitly direct the panel 1) to recognize that the decision to deploy a national missile defense has been made, 2) to limit its analysis to identifying the technological barriers to deployment of a limited missile defense as soon as possible, and 3) to recommend the steps for moving forward. If the panel ignores these instructions, Congress should eliminate its funding. Delaying missile defense until the technical risks are eliminated will not make the threat of attack go away and will do little to ensure that Americans win the race against time.

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