

Background

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Obama Missile Defense Plan Puts America at Risk

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On February 2, 2009, Iran successfully launched a satellite into orbit using a rocket with technology similar to that used in long-range ballistic missiles. On May 20, 2009, Iran test-fired a 1,200-mile solid-fueled ballistic missile. North Korea attempted to launch a satellite on April 6, 2009, which, while failing to place the satellite in orbit, delivered its payload some 2,390 miles away in the Pacific Ocean. This was followed by a North Korean explosive nuclear weapons test on May 25, 2009. The ballistic-missile threat to the U.S. and its friends and allies is growing. Under these circumstances, common sense would dictate that the Obama Administration support full funding for the U.S. missile defense program.

What does the Administration do? On April 6, 2009, Secretary of Defense Robert Gates announced that the Obama Administration's fiscal year (FY) 2010 broader defense budget would *reduce* the ballistic-missile budget by \$1.4 billion.¹ This reduction was applied against an undisclosed baseline. The defense budget itself was released on May 7, 2009.² The budget reveals that overall missile defense spending in FY 2010, including for the Missile Defense Agency (MDA) and the Army, will be reduced to \$9.3 billion from \$10.92 billion in FY 2009.³ This \$1.62 billion total reduction represents an almost 15 percent decline in U.S. military spending. This budget can be charitably described as a lackadaisical approach by the Obama Administration to meet the urgent requirement of defending Americans and U.S. friends and allies against ballistic-missile attack.

Talking Points

- On May 7, 2009, the Obama Administration announced its FY 2010 defense budget—which reduces missile defense spending by \$1.62 billion. The result will be a missile defense program that once again lags behind the missile threat.
- The Senate can maintain progress in missile defense by restoring funding to the program. The House has rejected amendments to restore funding.
- The programs that require funds include the Ground-based Midcourse Defense (GMD) interceptors (including those to be placed in Poland and an anti-missile radar in the Czech Republic) and the Multiple Kill Vehicle (MKV).
- The Senate could also strengthen missile defense by transferring portions of the sea-based program to the Navy, establishing an East Coast test bed, and preserving the Airborne Laser (ABL) program and the NCADE airborne anti-missile interceptor.
- Congress must confront the Obama Administration over its opposition to placing missile defense interceptors where they can be most effective—in space.

This paper, in its entirety, can be found at:
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This weak response by the Obama Administration comes at a time when polls show that Americans, by overwhelming margins, want the federal government to protect them against missile attack. A May 7–10, 2009, poll conducted by Opinion Research Corporation for the Missile Defense Advocacy Alliance reveals that 88 percent of the respondents believe that the federal government should field a system for countering ballistic missiles capable of carrying weapons of mass destruction.⁴

Unfortunately, the limits in the overall defense budget adopted by Congress make restoring funding to the missile defense program difficult. Nevertheless, Congress should seek both near- and long-term approaches to funding the missile defense program. Congress should also explore options for strengthening missile defense by better using the resources that are available under an admittedly inadequate defense budget.

Further, Congress and the American people need to be reminded that while the United States has made progress in positioning missile defense systems in the field in recent years, the U.S. remains highly vulnerable to this threat. This is no time for the U.S. to slow the pace of developing and deploying effective defenses against ballistic missiles. Indeed, the Obama Administration and Congress need to accelerate the effort by focusing on developing and deploying the systems that offer the greatest capability.

A detailed proposal for proceeding with the most effective systems was issued by the Independent Working Group on missile defense earlier this year.⁵ The proposal specifically refers to space-based and sea-based defenses as the most effective compo-

nents of the layered missile defense system design advocated by the Bush Administration. While the sea-based systems have continued to make progress in recent years, the effort to develop and deploy space-based interceptors has continued to languish. In accordance with the recommendations of the Independent Working Group, Congress should take the following steps:

- Attempt to restore funding to the overall missile defense program to build additional interceptors in Alaska, California, and Europe for countering long-range missiles;
- Support the Multiple Kill Vehicle (MKV) system (which allows more than one kill vehicle to be launched from a single booster) that the Obama Administration wants to terminate;
- Adopt language for preserving options for the continued development of the Airborne Laser (ABL) system;
- Provide support for continued pursuit of boost-phase missile defenses using modified air-to-air missiles;
- Strengthen the Obama Administration's own proposals for aggressive pursuit of sea-based missile-defense systems; and
- Adopt a finding that identifies ballistic missiles that transit space as space weapons.

Defending America: Some Progress, Much Danger

The Bush Administration made significant progress toward an effective defense against ballistic missiles. The greatest advances were in the policy area. President George W. Bush kicked off the effort

1. Press release, "DOD News Briefing With Secretary Gates From the Pentagon," U.S. Department of Defense, April 6, 2009, at <http://www.defenselink.mil/transcripts/transcript.aspx?transcriptid=4396> (June 23, 2009).
2. Press release, "DOD Releases Fiscal 2010 Budget Proposal," U.S. Department of Defense, May 7, 2009, at <http://www.defenselink.mil/releases/release.aspx?releaseid=12652> (June 23, 2009).
3. "Fiscal Year 2010 Budget Request," U.S. Department of Defense, May 7, 2009, pp. 3–34, at <http://www.defenselink.mil/comptroller/budget.html> (June 23, 2009).
4. "2009 Missile Defense Tracking Study," Missile Defense Advocacy Alliance, May 2009, at [http://www.missiledefenseadvocacy.org/data/files/2009%20-%20national%20poll/2009%20missile%20defense%20report-final.ppt#330,1,2009 Missile Defense Tracking Study](http://www.missiledefenseadvocacy.org/data/files/2009%20-%20national%20poll/2009%20missile%20defense%20report-final.ppt#330,1,2009%20Missile%20Defense%20Tracking%20Study) (June 23, 2009).
5. Independent Working Group, *Missile Defense, the Space Relationship, & the Twenty-First Century: 2009 Report* (Cambridge, Mass.: Institute for Foreign Policy Analysis, 2009), at <http://www.ifpa.org/pdf/TWG2009.pdf> (June 23, 2009).

to change the Clinton Administration's policies of shrinking missile defense with a speech on May 1, 2001, to the faculty and students of the National Defense University.⁶ In this speech, President Bush signaled his intention to put missile defense at the heart of the effort to transform the military and position it to meet the security needs of the 21st century.

President Bush followed up this speech by changing missile defense policy with a dramatic announcement on December 13, 2001, that the U.S. was withdrawing from the 1972 Anti-Ballistic Missile (ABM) Treaty with the former Soviet Union.⁷ The ABM Treaty blocked any development, testing, and deployment of effective defenses against ballistic missiles.

On January 9, 2002, the U.S. Department of Defense (DOD) announced the findings of the Nuclear Posture Review, a strategic policy that made defenses a part of a new strategic triad.⁸ Under this policy, defenses were paired with offensive conventional and nuclear strike capabilities, and a robust technology and industrial base to meet U.S. strategic needs.

Finally, on May 20, 2003, the White House released a description of a presidential directive signed earlier by President Bush that related to his policy for developing and deploying a layered missile defense system as soon as possible to defend the people and territory of the United States, U.S. troops deployed abroad, and U.S. allies and friends.⁹ When implemented, this layered defense will be able to intercept ballistic missiles in the boost, midcourse, and terminal phases of flight.

The Bush Administration also made significant advances in increasing funding levels for missile defense research, development, and deployment. In FY 2001, during which the last Clinton budget was

released, funding for the Ballistic Missile Defense Organization (now the Missile Defense Agency) was \$4.8 billion. This higher level of funding was achieved only because of aggressive congressional support for ballistic missile defense in the face of a reluctant Clinton Administration. In FY 2002, under the first Bush budget, funding increased to \$7.8 billion. The projected expenditure level for the current fiscal year for a broader missile defense program, which extends to the services, is \$10.92 billion—the product of the last Bush Administration budget.

On the other hand, the American people remain vulnerable to ballistic missile attack because missile defense programs have lagged behind advances in policy, funding, and the missile threat. To some extent, this was unavoidable. A policy for deploying effective missile defenses had to precede the fielding of the defenses, and the necessary funding must be in place to move the programs forward. However, Americans remain vulnerable because opponents of missile defense have forced the Bush Administration and proponents in Congress to compromise on the most effective options.¹⁰

The most important of these regrettable compromises is the failure to revive the technologies necessary to complete the development and ultimately to deploy the Brilliant Pebbles space-based interceptor, pioneered by the Reagan and George H. W. Bush Administrations. Congress weakened this rapidly advancing concept in 1991,¹¹ and President Bill Clinton killed it in 1993. The Bush Administration's failure to revive these technologies was noted early on by Ambassador Henry Cooper, former director of the Strategic Defense Initiative Organization, in a 2001 letter to Lt. General Ronald Kadish, then Missile Defense Agency Director.¹² The Brilliant Pebbles option remains dormant today.

6. George W. Bush, "Remarks by the President to Students and Faculty at National Defense University," May 1, 2001.

7. George W. Bush, "Remarks by the President on National Missile Defense," December 13, 2001.

8. J. D. Crouch, "Special Briefing on the Nuclear Posture Review," U.S. Department of Defense, January 9, 2002, at <http://www.defenselink.mil/transcripts/transcript.aspx?transcriptid=1108> (April 18, 2007).

9. The White House, "National Policy on Ballistic Missile Defense Fact Sheet," May 20, 2003.

10. Baker Spring, "The Still Enduring Features of the Debate Over Missile Defense," Heritage Foundation *Backgrounder* No. 2004, February 6, 2007, at http://www.heritage.org/Research/NationalSecurity/upload/bg_2004.pdf.

11. Missile Defense Study Team, *Defending America: A Near- and Long-Term Plan to Deploy Missile Defenses* (Washington, D.C.: The Heritage Foundation, 1995), p. 45.

The sea-based systems for countering ballistic missiles have fared better than the space-based programs. The system is based on giving the Aegis weapons system for air defense deployed on Navy cruisers and destroyers a capability to track and intercept ballistic missiles. The interceptors consist of late-model and new-model Standard Missiles. By the end of FY 2008, 18 Aegis had been upgraded to give them ballistic missile defense capabilities.¹³ Finally, the Navy is fielding the existing Standard Missile-2 Block IV for countering short-range missiles in the terminal phase of flight.¹⁴

Despite the progress with sea-based missile defense systems, they should be more advanced. An accelerated approach to fielding sea-based ballistic missile defenses was described by Ambassador Cooper and Admiral J. D. Williams in *Inside Missile Defense* on September 6, 2000.¹⁵ This approach advocated building on the existing Aegis infrastructure by increasing the interceptor missile's velocity to achieve a boost-phase intercept capability. It would also require changing the operational procedures that the Navy is permitted to use to perform missile defense intercepts.

The question before Congress today is whether the Obama Administration's missile defense proposal will build on the progress made in the Bush Administration—or undermine it. The outlook is not promising.

America's Vulnerability to Missile Attack: A Failure of Government

The compromises that missile defense proponents in the Bush Administration and Congress have made in deference to the minority of Americans who are opposed to missile defense have resulted in a program that fails to meet the most basic obligation that the Constitution assigns to the

federal government: to “provide for the common defense.” The American people want to be defended, and if they fully understood how vulnerable they remain to missile attack—and that this vulnerability is the result of a tendency to accommodate the unrepresentative minority's demands for a policy that sustains U.S. vulnerability—their confidence in the nation's leadership would surely be shattered.¹⁶

This misunderstanding is the result of a widespread acceptance of the rhetoric from political leaders who *claim* they seek to defend the American people, which includes President Obama. Americans may come to understand the extent of their vulnerability only after an attack.

In general terms, the debate over missile defense has reached a stalemate in which the proponents have won the debate at the rhetorical level and the opponents have prevailed in preventing the rapid fielding of effective defenses. The lesson for congressional proponents of missile defense is that rhetorical support is not enough. Support for missile defense must be defined by the willingness to put readily available technologies in the field as quickly as possible. This means that missile defense proponents in Congress, first and foremost, must encourage Americans to demand, unequivocally, that the Obama Administration and Congress as a whole do their utmost to defend them. Currently, it is clear that neither is doing all that should be done.

The Obama Missile Defense Proposal

In accordance with its overall reduction in the missile defense budget, the Obama Administration is proposing to scale back or terminate a number of missile defense programs. The news is not all bad, however, as the Administration is also proposing to boost funding and activities in limited areas, despite

12. Ambassador Henry F. Cooper, letter to Lt. General Ronald Kadish, July 16, 2001.

13. Lt. General Patrick J. O'Reilly, testimony before the Strategic Forces Subcommittee, Armed Services Committee, U.S. House of Representatives, May 21, 2009, at http://www.mda.mil/mdalink/pdf/hasctestimony_052109.pdf (June 24, 2009).

14. Baker Spring, “Ten Years Later, a Successful Demonstration of a Sea-Based Terminal Defense Against Ballistic Missiles,” Heritage Foundation *WebMemo* No. 1125, June 13, 2006, at <http://www.heritage.org/Research/BallisticMissileDefense/wm1125.cfm>.

15. Henry F. Cooper and Admiral J. D. Williams, “The Earliest Deployment Option—Sea-Based Defenses,” *Inside Missile Defense*, September 6, 2000.

16. “2009 Missile Defense Tracking Study,” Missile Defense Advocacy Alliance.

the reductions in the overall program. The programmatic proposals in the Obama Administration missile defense plan are:

Proposal 1: Cap the number of fielded interceptors for countering long-range missiles at 30.

The missile defense program that the Obama Administration inherited from the Bush Administration projected the fielding of 44 ground-based midcourse defense (GMD) interceptors for countering long-range missiles in Alaska and California. Additionally, the Bush Administration signed an agreement with the Czech Republic on July 8, 2008, to field a missile defense radar in that country, and with Poland on August 14, 2008, to field an additional ten variants of the GMD interceptor in that country. The Obama Administration's missile defense budget would cap the interceptors in the U.S. at 30. Regarding the program for fielding the interceptors in Poland, the Obama Administration's budget permits only the continuation of planning and design work. Funding for other elements of the program for Poland and for the fielding of an anti-missile radar in the Czech Republic is deferred. Future policy reviews will determine the future of fielding both the interceptors and radar in Europe.

Proposal 2: Terminate the MKV program for defeating countermeasures in the midcourse stage of flight. The MKV program is designed to house more than one kill vehicle on each interceptor missile. This would permit the interceptor to destroy both warheads and decoys released by the attacking missile in the midcourse stage of flight. Secretary of Defense Gates cited technical problems with the program as the reason for its proposed termination.¹⁷

Proposal 3: Terminate the Kinetic Energy Interceptor (KEI) program for intercepting ballistic missiles in the boost-phase stage of flight. The KEI program would use a powerful ground-based rocket to achieve the high velocities necessary to destroy an attacking missile in the earliest stage of flight, called the boost phase. The advantage of destroying a missile in the boost state is that it will

simultaneously destroy the decoys and countermeasures that pose significant problems for midcourse defenses. Again, technical difficulties appear to be behind the Obama Administration's proposal to terminate the program.

Proposal 4: Defer the purchase of a second Airborne Laser (ABL) aircraft, also designed to intercept ballistic missiles in the boost-phase stage of flight. The ABL program mounts a powerful laser on a modified Boeing 747 aircraft to destroy attacking ballistic missiles in the boost phase. In this case, the Obama Administration proposes to curtail, not terminate, the program. The program would retain the existing aircraft and pursue a research and development effort designed to determine the ABL's effectiveness, with an intercept test slated for later this year. Secretary Gates has expressed concerns about operational problems with the aircraft.¹⁸

Proposal 5: Eliminate funding for the space test bed for missile defense. The worst news in the Obama Administration's missile defense budget is that it provides no funding for the space test bed. Since ballistic missiles initially fly toward space and ultimately through it, space is the ideal location to field defensive systems for countering ballistic missiles. This point is emphasized in the update report of the Independent Working Group (IWG).¹⁹ The documents released by the Department of Defense provide no appropriate justification for why the Obama Administration is terminating support for the space missile defense test bed.

Proposal 6: Increase funding for the Terminal High Altitude Area Defense (THAAD) interceptor, including for procurement. Not all the news regarding the Obama Administration's missile defense program is bad. THAAD is designed to destroy short- and medium-range ballistic missiles at higher reaches of the atmosphere and just outside the atmosphere. The proposal increases funding for the THAAD program by \$235 million from the FY 2009 level. Included in the proposal is a provision to procure 26 THAAD interceptors in FY 2010.

17. Press release, "DOD News Briefing with Secretary Gates From the Pentagon."

18. *Ibid.*

19. Independent Working Group, *Missile Defense, the Space Relationship, & the Twenty-First Century: 2009 Report*, pp. 37–48.

Proposal 7: Increase funding for the sea-based ballistic missile defense, including for conversion of additional ships to give them missile defense capabilities and procurement of Standard Missile-3 (SM-3) interceptors. Similar to THAAD, the Obama Administration missile defense program proposes to increase funding for the sea-based missile defense system. Currently, the Aegis system is designed to counter intermediate- and short-range missiles in both the midcourse and terminal phases of flight for the defense of U.S. troops positioned abroad and U.S. allies. The increase is one of almost \$690 million over the FY 2009 level, when procurement funding is included. The budget will permit the conversion of six additional Aegis ships to give them a missile defense capability. It will also permit the fielding of Standard Missile-2 Block IV missiles for countering short-range missiles in the terminal stage of flight and the ongoing acquisition of Standard Missile-3 Block I interceptors for midcourse engagement. Finally, it will permit qualitative improvements in the Standard Missile interceptor family of missiles.

Proposal 8: Emphasize ascent-phase missile defense systems over boost-phase systems. While it is not completely clear how the Obama Administration will proceed in this regard, it claims that it is using this budget to increase emphasis on ascent-phase defenses over boost-phase defenses. Ascent-phase defenses would destroy attacking ballistic missiles after their rocket motors have burned out, but before they release decoys or countermeasures.

Seven Steps for Effective Missile Defense

Putting in place a missile defense program for the U.S. that matches the rhetorical support for this capability, particularly given the strengthened position of missile defense opponents, will require achieving certain programmatic goals. At the outset of the Bush Administration, support for missile defense required changing prevailing national

security and arms control policies. The emphasis now, however, needs to be on protecting the overall missile defense program. Accordingly, missile defense supporters in Congress need to take seven specific steps.

Step 1: Attempt to restore overall funding to the missile defense program, including for the expansion of the number of interceptors in Alaska, California, and Europe. The missile defense program simply cannot provide an adequate defense unless it is properly funded. The Obama Administration's \$1.62 billion reduction from the FY 2009 level for the overall missile defense program is unwarranted, especially given the recent missile launches by both Iran and North Korea.

Fortunately, a bipartisan group of House members introduced H.R. 2845 on June 11, 2009, to preserve the 44 GMD interceptors to be located in Alaska and California and an unspecified number of interceptors elsewhere.²⁰ The legislation also provides \$500 million for this purpose. This legislation led to multiple efforts in the House Armed Services Committee and on the House floor to restore missile defense funding. Unfortunately, none succeeded. Now, the attention must turn to the Senate.

The problem at this point in the legislative process is that the overall defense budget number, which is clearly inadequate, is now set.²¹ This means that any additional funds for the missile defense accounts must be offset by reductions on other defense accounts. It will be very difficult, but not impossible, to find such offsets that both avoid affecting other defense priorities and garner majority support in the Senate. Possible sources of offsets could be non-missile defense programs in the area of defense-wide research and development and a variety of operations and maintenance accounts. This would permit the inclusion of the provisions of H.R. 2845 in the National Defense Authorization Act for fiscal year 2010.

20. Office of Representative Trent Franks (R-AZ), "Franks Introduces Bipartisan Bill to Protect the Homeland from North Korean and Iranian Missiles," June 12, 2009, at http://www.house.gov/apps/list/press/az02_franks/NK_Iranian_BMDbill.html (June 25, 2009).

21. Baker Spring, "The FY 2010 Defense Budget Request: Prelude to Another Procurement Holiday?" Heritage Foundation Backgrounder No. 2286, June 19, 2009, at <http://www.heritage.org/Research/NationalSecurity/bg2286.cfm>.

Step 2: Retain the MKV program. Both missile defense supporters and critics are concerned about countermeasures and decoys that can be used to confuse missile defenses in the midcourse stage of flight. The MKV program is one way to address this challenge. The program would develop smaller and lighter kill vehicles so that more than one can be mounted on a defense interceptor. On this basis, the interceptor can destroy both the warhead and the decoys in providing a more effective defense. The Obama Administration has chosen to terminate this program.

Congress can preserve the MKV and this can be achieved by one of two ways. The first way is to apply a portion of any permitted increase in the overall missile defense budget to the MKV program without the requirement to offset funds from elsewhere. The other way is to offset funding for the MKV program from elsewhere. Keeping the MKV program alive would require approximately \$300 million for one year because the broader budget is for FY 2010.

Step 3: Preserve the ABL program. The Obama Administration's missile defense proposal curtails the ABM program by canceling production of a second developmental aircraft. It proposes keeping the existing aircraft as a research and development program. In this case, the Obama Administration's concern about potential problems with the operational configuration of this system is appropriate. Nevertheless, the ABL program is the primary system in development for gauging the potentially dramatic improvements in combat capabilities derived from perfecting directed energy weapons.

Thus, Congress should direct the Department of Defense to pursue an aggressive research and develop effort regarding the aircraft. In future years, this may require additional resources. If the research and development results in dramatic breakthroughs, which it may very well do, Congress should then restore the full program, particularly if the advances include ways to address the Administration's operational concerns regarding the program.

Step 4: Field a system to protect U.S. coastal areas from sea-launched shorter-range missiles.

In the near term, lesser missile powers, including terrorist groups, could attack U.S. territory by launching a short-range Scud missile from a container ship off the coast. Congress should express its concern about this threat and direct the Navy to take steps to counter it.

The best near-term capability for the Navy to counter this short-range missile threat was identified in the report of the Independent Working Group and successfully demonstrated by the Navy earlier this year.²² The Navy conducted a test of the existing Standard Missile-2 Block IV as a terminal defense against a short-range missile near Hawaii in 2006.²³

Building on this successful test, Congress could direct the Navy to deploy the existing Standard Missile-2 Block IV interceptors on Aegis-equipped ships to provide a terminal defense against ballistic missiles. Further, Congress should provide the necessary funding to the Navy to conduct these development and deployment activities in the context of creating an East Coast test range for ballistic missile defense.

Step 5: Advance the Obama Administration's proposal for strengthening sea-based missile defenses by moving funding and management authority for these systems from the Missile Defense Agency to the Navy. While the Obama Administration's proposal for advancing sea-based missile defenses is fairly strong, it can be improved. It has long been the expectation that mature missile defense systems developed under the management of the Missile Defense Agency would be transferred to the services to manage remaining development and procurement activities. The sea-based systems developed by the Missile Defense Agency have matured to the point that such a transfer is warranted, as pointed out and recommended in the Independent Working Group's report.²⁴

There is no reason to wait any longer. Under the proper management by the Navy, the sea-based mis-

22. Independent Working Group, *Missile Defense, the Space Relationship, & the Twenty-First Century: 2009 Report*, p. 130.

23. Spring, "Ten Years Later, a Successful Demonstration of Sea-Based Terminal Defense Against Ballistic Missiles."

24. Independent Working Group, *Missile Defense, the Space Relationship, & the Twenty-First Century: 2009 Report*, pp. 129–130.

sile defense program should be able to perform ascent-phase intercepts. The Obama Administration is now emphasizing this capability in the broader missile defense program. Thus, it is consistent with the Administration's overall approach. Congress should mandate that the Navy have both management authority and the necessary funds, but also make it clear to the Navy that it may use the funds only for this purpose.

Finally, the progress in the development of the SM-3 family interceptors offers options for fielding these interceptors on land. In cases where fielding SM-3 interceptors provide optimal coverage, are less expensive than alternatives, and are effective against the posited threat, the fielding of land-based SM-3 should be pursued.

Step 6: Continue boost-phase missile defense programs by focusing on developing and fielding interceptors derived from modified air-to-air missiles. The Obama Administration's new emphasis on ascent-phase intercept capabilities has largely come at the expense of boost-phase systems, specifically with the termination of the KEI program and the curtailment of the ABL program. Nevertheless, strong arguments remain for retaining boost-phase options.

It is unclear from the Administration's budget presentation whether it supports development of the Network-Centric Airborne Defense Element (NCADE) program. NCADE would use a modified Advanced Medium-Range Air-to-Air Missile (AMRAAM) to perform missile defense intercepts in both the boost and ascent phases of missile flight. NCADE interceptors could be mounted on tactical aircraft or unmanned combat aerial vehicles (UCAVs). Missile Defense Agency director Lt. General Patrick O'Reilly has indicated in testimony before Congress that the current missile defense proposal contains \$3.5 million for the development of the NCADE system.²⁵ Congress should seek to provide at least this level of funding to the program.

Step 7: Refute the charge that space-based missile defense will "weaponize" space. Arms control advocates are currently focused on preventing the "weaponization of space." They base their proposals on the assertion that space is not already weaponized,²⁶ which is valid only if a proper definition of the term "space weapons" is irrelevant to the exercise of controlling them.²⁷ President Obama appears to have accepted the arguments of arms control advocates.

First, the President's missile defense budget provides no funding for the development of a missile defense test bed in space. Second, his Administration has opted to accept a highly biased Chinese and Russian proposal for a treaty on "preventing an arms race in outer space" as the basis for negotiations at the United Nations Conference on Disarmament.²⁸

The fact is that space was weaponized when the first ballistic missile was test-launched by Germany in 1942 because ballistic missiles travel through space on their way to their targets. The threat that these weapons pose to U.S. security and the U.S. population is undeniable. The superior effectiveness of space-based interceptors in countering ballistic missiles is based on the fact that ballistic missiles transit space. As a result, space-based interceptors are ideally located to intercept ballistic missiles in the boost phase.

Missile defense supporters in Congress need to force a debate on the charge that space-based ballistic missile defense interceptors would constitute an unprecedented move by the U.S. to weaponize space. They can do so by offering a simple amendment in the form of a congressional finding that all ballistic missiles that transit space are space weapons. Members of Congress that vote against such a finding would be forced to admit that they are so opposed to the idea of using space to protect the U.S. against missile attack that they are willing to deny a simple and irrefutable fact in order to con-

25. Lt. General Patrick O'Reilly, testimony before the Subcommittee on Strategic Forces, p. 24.

26. Jeffrey Lewis, "What If Space Were Weaponized? Possible Consequences for Crisis Scenarios," Center for Defense Information, July 2004, at <http://www.cdi.org/PDFs/scenarios.pdf> (June 24, 2009).

27. *Ibid.*, p. 12.

28. Walter Pincus, "U.N. Hopes to Ban Fissionable Material, Space-Based Weapons," *The Washington Post*, June 2, 2009, at <http://www.washingtonpost.com/wp-dyn/content/article/2009/06/01/AR2009060103668.html> (June 25, 2009).

tinue their opposition. It will serve to demonstrate how extreme this position has become.

Conclusion

As Iran and North Korea are demonstrating, there are clear trends in the increase of proliferation of both missiles and nuclear weapons. The Bush Administration put the missile defense program on a path to catching up with these proliferation trends. The Obama Administration seems inclined to put the program back on a path where it will lag behind these proliferation trends—and the threat. If it does so, the American people and the friends and

allies of the United States will be left vulnerable. Such vulnerability in today's and tomorrow's unpredictable world will be profoundly destabilizing.²⁹ It will increase the risk of nuclear war. Such a war would inflict death and destruction on the United States that would make the attacks of 9/11 pale in comparison.

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29. Nuclear Stability Working Group, *Nuclear Games: An Exercise Examining Stability and Defenses in a Proliferated World* (Washington, D.C.: The Heritage Foundation, 2005), at <http://www.heritage.org/upload/NuclearGames.pdf>.