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Seeking the Right Balance in U.S.–Russia Missile Defense Cooperation

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Section 1228 of the House version of the National Defense Authorization Act (H.R. 1540), sponsored by Representative Mo Brooks (R–AL), would impose an absolute ban on sharing sensitive missile defense technology with Russia, including the technology for performing hit-to-kill intercepts of attacking ballistic missiles.

On the other hand, the provision would permit the sharing of non-sensitive technology with Russia after the Administration certifies that the technology will not be proliferated to third countries and that Russia is providing reciprocity. As such, Section 1228 is a carefully balanced legislative guide to pursuing missile defense cooperation with Russia.

The “Reset” Policy Toward Russia and Missile Defense Cooperation. The Obama Administration has been pursuing missile defense cooperation agreements between the U.S. and Russia and between NATO and Russia as part of its policy to “reset” the U.S.–Russia bilateral relationship. The Administration’s efforts to reach these agreements have not advanced very far because Russia is demanding a lopsided agreement that will give it direct control—and therefore a veto—over the use of U.S. and NATO missile defense systems.

Russia is interested not in cooperating with the U.S. and NATO in the area of missile defense but in limiting or curtailing the capabilities of U.S. and NATO missile defense systems. While the Administration has stated that it will not accept agreements

with Russia that limit U.S. and allied missile defense options,¹ it has declared its intention to limit U.S. missile defense capabilities to the extent necessary to preserve the strategic balance between the U.S. and Russia.² This is code for keeping the American people vulnerable to Russian nuclear-armed ballistic missile attacks.

A separate and broader complication the Obama Administration has created for itself is that reset policy generally is unbalanced in Russia’s favor. Under this policy, the Administration has accepted a strategic nuclear arms control treaty with Russia, called the New Strategic Arms Reduction Treaty (New START), that forces unilateral U.S. reductions in strategic nuclear forces. It has also permitted the Russians to continue its policy of intimidating its neighbors, most particularly the Republic of Georgia. Finally, it has served to encourage Russia to return to the confrontational foreign policy of the Soviet Union during the Cold War toward the U.S. and its allies.

In this context, Russia has not demonstrated a level of commitment and trust commensurate with

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an agreement granting it access to sensitive technology. It is all too likely that the Russians would use such access not to advance missile defense cooperation but to find ways to undermine the effectiveness of U.S. missile defense capabilities. Further, Russia's track record regarding the transfer of important military capabilities to irresponsible states like Iran is spotty at best.

Genuine Missile Defense Cooperation. Section 1228, however, is careful not to establish a comprehensive ban on missile defense cooperation with Russia. Indeed, a properly balanced agreement with Russia in this area is strongly in the interest of both the U.S. and Russia. In a world edging toward the widespread proliferation of nuclear weapons and ballistic missile delivery systems, both the U.S. and Russia should be seeking fundamentally defensive strategic postures.

The U.S.–Russian relationship cannot be said to be on a positive footing when it is based on the ability of both sides to annihilate the other with nuclear weapons. Further, Russia should have no interest, any more than the U.S., in leaving its population vulnerable to a nuclear attack by any particular state that may come to possess such weapons and the means to deliver them. Indeed, both countries have arrived at the opposite policy regarding potential threat posed by nuclear-armed terrorists. In this area, the George W. Bush Administration established a much more balanced cooperative relationship with Russia.

The proper alternative for missile defense cooperation with Russia, at least initially, is to take the

effort out from under the reset policy and pursue an arrangement of coordinated missile defense deployments. Under this approach:

- The U.S. and Russia would not have to agree on a comprehensive list of potential missile threats while remaining in control of their missile defense assets and capabilities. This avoids the difficult complications of designing shared command and control arrangements.
- Each government could make unequivocal commitments to its people that its highest priority is to provide for their protection directly and not rely on the other party to meet this responsibility.
- It would be relatively easy for the Administration to meet the reporting and certification requirements found in Section 1228.

Independent Cooperation. The U.S. and Russia are facing fundamentally different circumstances for tailoring their strategic deterrence postures in the post–Cold War world. Both countries would be better served by strategic postures that are more defensive. It is preferable to both that they move toward more defensive strategic postures together and in the spirit of cooperation. Nevertheless, it would still be a better outcome for the two countries to move in this direction independently of each other than to continue the Cold War postures based on the threat of mutual annihilation.

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1. U.S. Department of Defense, Ballistic Missile Defense Review Report, February 2010, p. 34, at http://www.defense.gov/bmdr/docs/BMDR%20as%20of%2026JAN10%200630_for%20web.pdf (December 7, 2011).
2. *Ibid.*, p. 13.

