

BACKGROUND

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President Obama's Missile Defense Program Falls Behind the Threat *Baker Spring*

Abstract

President Barack Obama has proposed a woefully inadequate budget for missile defense for FY 2013, neglecting his duty to defend the United States against foreign military threats. This is consistent with the President's overall neglect of missile defense and his willingness to subordinate missile defense to his policies for arms control and nuclear disarmament. With ballistic missile capabilities continuing to expand worldwide, Congress has a constitutional obligation to the American people to ensure that the federal government does all it can to field an effective defense against missile attacks.

The American people place a fundamental trust in the federal government that it will do all within its power to defend them against foreign military threats. This trust is just as applicable to threats from ballistic missiles as any other type of weapon. However, President Barack Obama apparently thinks very little of his responsibility to honor this trust. In an unguarded comment to outgoing Russian President Dmitri Medvedev in Seoul, South Korea, on March 26, 2012, President Obama made it clear that after the presidential election he will exhibit more “flexibility” in accommodating Russian objections to the U.S. expanding its missile defense capabilities. President Obama was apparently hoping that between now and the election in November he could fool the American people into believing that he would do his utmost to defend them against ballistic missile attack. Instead, it is now clear that whatever commitments he makes to the American people on ballistic missile defense in the coming months will be jettisoned after the election in favor of commitments to the Russian government to curtail U.S. and allied missile defense capabilities.

Accordingly, Representative Michael Turner (R-OH), Chairman

TALKING POINTS

- President Barack Obama's commitment to missile defense has never been steadfast.
- The President's recent comment to Russian President Dmitri Medvedev that he will show more flexibility in accommodating Russian objections to even modest U.S. missile defense capabilities makes this lack of commitment even more obvious.
- The Obama Administration's proposed \$9.7 billion budget for missile defense in fiscal year 2013 is inadequate, and Congress should find ways to increase it to about \$11 billion.
- The most prominent programmatic weaknesses in the Administration's missile defense proposal are the lack of balance between regional defenses for U.S. forward-deployed military and U.S. allies and defense of the U.S. homeland against both shorter-range and longer-range missiles and the lack of a plan for placing robust missile defense capabilities in space.
- Congress has an obligation to step in to ensure the federal government does all it can to field an effective defense against missile attacks.

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of the House Strategic Forces Subcommittee, demanded in a March 26, 2012, letter to the President that he provide an “urgent explanation of your comments to President Medvedev in Seoul this morning.”¹ On March 27, a similar letter was signed by 43 Senators.² Finally, Speaker of the House John Boehner sent a letter to the President on March 28, 2012, voicing his concern.³ The objections stated in these letters are justified because the President’s comment exhibits a breathtaking level of cynicism and dishonesty.

Those already familiar with President Obama’s missile defense program and budget for fiscal year (FY) 2013 and beyond may be angry and disappointed at his exchange with President Medvedev, but they should not be surprised by its substance. The President’s overall missile defense program and budget, which was presented in February, are inconsistent with a commitment to build a U.S. ballistic missile defense system that is as capable as technology permits. First, the overall program is underfunded. Second, the Administration has only half-heartedly pursued several specific missile defense programs. Third, President Obama has willingly subordinated the missile defense program to his

policies for arms control and nuclear disarmament.

An Inadequate Missile Defense Budget

On February 13, 2012, the Obama Administration released its proposed missile defense budget and program for FY 2013 and beyond. It requests \$9.7 billion for the overall program in FY 2013,⁴ including \$7.75 billion for the Missile Defense Agency (MDA).⁵

KEEPING THE U.S. MISSILE DEFENSE PROGRAMS AHEAD OF AMERICA’S ADVERSARIES WILL REQUIRE REVERSING THE OBAMA ADMINISTRATION’S UNDERFUNDING OF MISSILE DEFENSE AND RETURNING THE NATION TO THE PATH TOWARD MORE ROBUST DEFENSES.

The proposed FY 2013 missile defense budget is inadequate, as Chairman Turner made clear in his opening statement at the March 6 hearing on the missile defense program before the House Strategic Forces Subcommittee. Representative Turner stated:

The President’s FY13 submission is, in fact, lower than the

President’s own FY10 budget request by over \$100 million. Remember, slide 1 shows that the FY10 request from the Obama Administration was \$1.6 billion less than the previous President recommended and slide two shows it was less even than President Obama’s own budget request for FY10.⁶

Chairman Turner also pointed out: “What’s more, the MDA FY13 [future years defense plan] projection for FY13-16 is \$3.6 billion less than even President Obama’s FY12 projection for FY13-16 [from] just last year and \$2 billion less than the previous administration projected for FY13.”⁷

Just making up lost ground is not enough. Keeping the U.S. missile defense programs ahead of America’s adversaries will require reversing the Obama Administration’s underfunding of missile defense and returning the nation to the path toward more robust defenses that would protect and defend the U.S., its friends, and its allies and dissuade potential enemies from investing in offensive missile capabilities. To that end, the Independent Working Group’s 2009 report is an excellent resource for Congress as it considers

1. Press release, “Turner: Obama’s Plans for Missile Defense Won’t Stand Up to Electoral Scrutiny,” Office of Representative Michael Turner, March 26, 2012, <http://turner.house.gov/News/DocumentSingle.aspx?DocumentID=286957> (accessed March 26, 2012).

2. Jon Kyl et al., letter to President Barack Obama, March 27, 2012, http://www.missiledefenseadvocacy.org/data/images/20120327_-_senators_letter_to_potus_on_md%5b1%5d.pdf (accessed April 17, 2012).

3. John A. Boehner, letter to Barack Obama, March 28, 2012, http://www.speaker.gov/UploadedFiles/Letter_to_POTUS_03_28_2012.PDF (accessed April 17, 2012).

4. U.S. Department of Defense, “Program Acquisition Costs by Weapon System,” February 2012, p. 4-2, http://comptroller.defense.gov/defbudget/fy2013/FY2013_Weapons.pdf (accessed March 26, 2012).

5. Missile Defense Agency, “Missile Defense Agency (MDA) Fiscal Year 2013 Budget Outline,” February 13, 2012, <http://www.mda.mil/global/documents/pdf/budgetfy13.pdf> (accessed March 26, 2012).

6. Michael Turner, majority statement on Fiscal Year 2013 National Defense Authorization Budget Request for Missile Defense, March 6, 2012, <http://armedservices.house.gov/index.cfm/2012/3/fiscal-year-2013-national-defense-authorization-budget-request-for-missile-defense> (accessed April 24, 2012).

7. Ibid.

missile defense legislation as part of the National Defense Authorization Act for FY 2013.⁸

Implementing all of the following programmatic recommendations will require Congress to increase the FY 2012 missile defense budget to about \$11 billion in FY 2013—roughly \$1.3 billion above the Administration’s budget request. However, budget increases of this magnitude will be nearly impossible under the spending caps imposed by the Budget Control Act of 2011, much less under the act’s sequestration provisions. This demonstrates the point that the Budget Control Act generally does not permit Congress to allocate sufficient resources to defense. However, the budget resolution (H. Con. Res. 112) adopted by the House of Representatives under the leadership of Representative Paul Ryan (R-WI), Chairman of the House Budget Committee, would provide \$3.3 billion above the Administration’s budget request for the core defense program. This would leave room for the House to increase funding for a high-priority program such as missile defense.

While the Obama Administration’s budget for missile defense programs is inadequate, ballistic missile capabilities are

continuing to expand worldwide. For example, China has an estimated 170 to 180 nuclear-armed ballistic missiles and has deployed roughly 1,100 conventionally armed missiles opposite Taiwan.⁹ These include the DF-21D, a missile that can hit large U.S. surface ships and has reached an “initial operational capability.”¹⁰ Iran has missiles with a range of 1,200 miles, which can reach targets anywhere in the greater Middle East.¹¹ North Korea has roughly 1,000 ballistic missiles of varying ranges.¹² North Korea made its intent even more clear by attempting to launch a long-range rocket on April 12, 2012.¹³ In 2011, Russia announced plans to procure 36 new intercontinental ballistic missiles (ICBMs) and two new missile submarines.¹⁴ It appears that Russia is executing these plans. Clearly, the Administration’s missile defense program will lag behind the predictable expansion of ballistic missile capabilities around the world.

Programmatic Weaknesses and Congressional Remedies

Given the inadequate resources devoted to missile defense in the Obama Administration’s budget request, the glaring weaknesses of the Administration’s missile defense program are no surprise. However,

Congress has an opportunity to limit the damage when it drafts the National Defense Authorization Act for FY 2013. The following are the seven most important weaknesses, along with suggested remedies:

The Administration’s missile defense program exhibits an imbalance between defending the U.S. homeland against missile attack and defending forward-deployed U.S. forces and allies against such attacks.

The Obama Administration missile defense program is overwhelmingly biased against defending the American homeland against long-range missile attacks. This bias is most prominent in the MDA’s funding profile, as Representative Turner stated during the March 6 hearing on missile defense.¹⁵ According to Representative Turner, the MDA’s funding profile for FY 2012 through FY 2017 shows that the Obama Administration plans to spend more than three times as much on regional missile defense as on defending the homeland.

Given this imbalance, Congress is all but compelled to respond by increasing the commitment to homeland defense. Rebalancing the missile defense program does not mean that the U.S. is abandoning its

8. Independent Working Group on Missile Defense, the Space Relationship, & the Twenty-First Century, “2009 Report,” Institute for Foreign Policy Analysis, January 2009, p. xii, <http://www.ifpa.org/pdf/IWG2009.pdf> (accessed March 28, 2012).

9. Bruce Klingner, “The Case for Comprehensive Missile Defense in Asia,” Heritage Foundation *Backgrounder* No. 2506, January 7, 2011, <http://www.heritage.org/Research/Reports/2011/01/The-Case-for-Comprehensive-Missile-Defense-in-Asia>.

10. Ibid.

11. Theodore R. Bromund and James Phillips, “Containing a Nuclear Iran: Difficult, Costly, and Dangerous,” Heritage Foundation *Backgrounder* No. 2517, February 14, 2011, <http://www.heritage.org/Research/Reports/2011/02/Containing-a-Nuclear-Iran-Difficult-Costly-and-Dangerous>.

12. Klingner, “The Case for Comprehensive Missile Defense in Asia.”

13. Bruce Klingner, “North Korean Missile Launch Demands Strong U.S. Response,” Heritage Foundation *Issue Brief* No. 3567, April 12, 2012, <http://www.heritage.org/research/reports/2012/04/north-korean-missile-launch-demands-strong-us-response>.

14. Mikhail Formichev, “Russian Military to Buy 36 ICBMs, 2 Missile Subs in 2011,” RIA Novosti, March 18, 2011, http://en.rian.ru/military_news/20110318/163075432.html (accessed April 5, 2012).

15. Turner, majority statement.

commitment to defend its forward-deployed forces or its friends and allies against missile attack. Indeed, it recognizes that a strong alliance structure depends on upholding the principle that the security of all alliance members is indivisible. By securing the U.S. position to assist its allies, a strong defense of the U.S. homeland will bolster America's commitment to defend its friends and allies. Accordingly, Congress needs to increase the 30 interceptors based in Alaska and California to 44 interceptors, as originally planned by the Bush Administration. The plan should also include procuring enough additional interceptors for testing. This would increase funding for the GMD program by roughly \$200 million above the Administration's requested level for FY 2013. Congress should also include language in the report accompanying the National Defense Authorization Act stating that it intends to increase Ground-based Midcourse Defense (GMD) program funding after FY 2013, in contrast to the Administration's projections.

Further, the U.S. needs a better geographic balance in its homeland missile defense capabilities. The current GMD system is focused more on countering North Korean long-range missiles and defending the western portions of U.S. territory. Existing Department of Defense (DOD) and NASA facilities should be extended to provide missile defense testing and deployment options for

U.S. Aegis ships along the East Coast and an Aegis Ashore site along the Gulf Coast. The overall capability of such a system would also provide the foundation for countering short-range ballistic missiles launched from ships off the U.S. coast. This threat includes missiles that could carry electromagnetic pulse (EMP) warheads. The Independent Working Group proposed an East Coast test range in its January 2009 report.¹⁶ In January 2011, NASA's Wallops Island launch facility on Virginia's Eastern Shore and three East Coast Navy ships participated in a missile defense tracking exercise.¹⁷ This is a step in the right direction toward establishing a broader missile defense testing and exercise facility on the East Coast. Since then, Independent Working Group members have concluded that the Gulf Coast also needs protection, which could be provided by locating an Aegis Ashore site in this area.

Congress also needs to recognize that it has another avenue for restoring balance between regional missile defense and homeland missile defense: pursuing missile defense systems that can protect both the U.S. homeland and vital regions. This would start with the sea-based system. With software modifications, new command and control arrangements, and access to off-board sensor data, the existing Standard Missile-3 (SM-3) Block IA interceptor could intercept long-range ballistic missiles in the late midcourse phase.¹⁸

The successful interception of an out-of-control U.S. satellite in early 2008 demonstrated this capability. Specifically, Congress should direct the Navy to conduct an intercept test using either a Block IA or Block 1B missile against a long-range target missile as soon as technically feasible. Further, a constellation of space-based missile defense interceptors could protect both the U.S. homeland and various regions around the world.

A CONSTELLATION OF SPACE-BASED MISSILE DEFENSE INTERCEPTORS COULD PROTECT BOTH THE U.S. HOMELAND AND VARIOUS REGIONS AROUND THE WORLD.

The Obama Administration's missile defense program makes an inadequate commitment to space-based missile defense capabilities. The Obama Administration has yet to acknowledge that space-based missile defense interceptors would provide the best possible protection to both the U.S. and its allies against missile attack. Given that the 2010 Ballistic Missile Defense Review Report states that the U.S. does not intend to deploy a missile defense system that could counter Chinese and Russian long-range missiles,¹⁹ it is reasonable to conclude that the Obama Administration erroneously believes that space-based interceptors would be destabilizing.

The proper congressional response to the Administration's

16. Independent Working Group on Missile Defense, "2009 Report," p. 130.

17. GlobalSecurity.org, "Aegis Ballistic Missile Defense System Completes Tracking Exercise," January 28, 2011, <http://www.globalsecurity.org/space/library/news/2011/space-110128-lockheed-martin02.htm> (accessed April 12, 2012).

18. Vice Admiral J. D. Williams, "Improving Aegis Ballistic Missile Defense Command and Control," Heritage Foundation *Special Report* No. 89, May 2, 2011, pp. 10-11, <http://www.heritage.org/Research/Reports/2011/05/Improving-Aegis-Ballistic-Missile-Defense-Command-and-Control>.

19. U.S. Department of Defense, "Ballistic Missile Defense Review Report," February 2010, p. 13, http://www.defense.gov/bmdr/docs/BMDR%20as%20of%2026JAN10%200630_for%20web.pdf (accessed April 12, 2012).

unwillingness to pursue an acquisition program for space-based interceptors is to require it to do so by law. Another feasibility study for space-based interceptors is not necessary, although it could prove marginally helpful. Under the Brilliant Pebbles program, an exhaustive series of such studies conducted in the late 1980s and early 1990s found no “show stoppers” in terms of effectiveness and cost that would preclude deployment of space-based interceptors.²⁰ In accordance with these studies, the Pentagon’s Defense Acquisition Board approved an acquisition plan for Brilliant Pebbles in 1990, and the Under Secretary of Defense for Acquisition directed execution of the plan.²¹ Further, two contractor teams expressed their willingness to accept firm fixed price contracts for the delivery of the interceptors under the plan.²²

Accordingly, Congress could include a provision in the National Defense Authorization Act for FY 2013 that directs the Under Secretary of Defense for Acquisition, Technology and Logistics to execute an updated acquisition plan to acquire space-based interceptors under the Brilliant Pebbles program. Structurally, this directive

should take the same form as the memorandum signed by the Under Secretary in 1990. This same provision should instruct the Under Secretary of Defense Comptroller to include the required funding to support the acquisition plan in the FY 2014 defense budget request and the accompanying future years defense plan. Acquiring a 1,000 interceptor constellation (with one replacement interceptor for each), excluding launch and operating costs, would cost approximately \$17 billion.²³ Finally, the provision should authorize the spending of roughly \$300 million in FY 2013 to begin the acquisition plan.

Congress should also consider rationalizing the MDA’s program for fielding sensor satellites for space-based missile defense. Currently, the MDA is operating two Space Tracking and Surveillance System (STSS) demonstration satellites.²⁴ Public reports indicate that these demonstration satellites are performing well.²⁵ Nevertheless, the MDA plans to develop a new system called the Precision Tracking Space System (PTSS) and is requesting almost \$300 million for this purpose in FY 2013.²⁶ Given the positive performance of the STSS satellites,

it is unclear why MDA feels compelled to move to the PTSS satellites. In fact, the House Armed Services Committee recommended terminating funding for PTSS development in the FY 2012 defense authorization bill.²⁷ Congress could take the funds that the Administration is requesting for PTSS and use them to begin building a constellation of STSS satellites on a spiral development basis.

The Obama Administration is moving to terminate MEADS. While the Obama Administration has pledged to cooperate with U.S. allies in developing and fielding ballistic missile defense (BMD) capabilities, its record has been spotty at best. One casualty is the Medium Extended Air Defense System (MEADS) program. On February 11, 2011, the DOD announced that the U.S. intends to walk away from the MEADS program, abandoning its international partners, Germany and Italy.²⁸ The DOD claims that it plans to exit the program by 2014 for budgetary reasons, programmatic shortcomings, and the existence of alternatives. In the interim, the U.S. continues to participate. For FY 2013, the MDA plans to spend \$400 million to demonstrate the system’s capabilities to identify elements

20. Independent Working Group on Missile Defense, “2009 Report,” pp. 28-29.
21. Under Secretary of Defense for Acquisition, “Memorandum for Director, Strategic Defense Initiative Organization; Chairman, Strategic Systems Subcommittee,” June 19, 1990.
22. Independent Working Group on Missile Defense, “2009 Report,” pp. 28-29.
23. *Ibid.*
24. Lieutenant General Patrick J. O’Reilly, unclassified statement before the Subcommittee on Strategic Forces, Committee on Armed Services, U.S. House of Representatives, March 6, 2012, pp. 10-11, http://www.mda.mil/global/documents/pdf/ps_oreilly_030612_HASC.pdf (accessed April 12, 2012).
25. Emelie Rutherford, “Northrop Grumman Hails STSS Satellite Birth-to-Death Tracking,” Defense Daily Network, March 28, 2011, <http://www.defensedaily.com/publications/dd/13009.html> (accessed April 12, 2012).
26. O’Reilly, unclassified statement, pp. 12-13.
27. Emelie Rutherford, “HASC Eyes F-35 Second Engine, Amphibious Vehicle, Missile Defense Changes,” Defense Daily Network, May 4, 2011, <http://www.defensedaily.com/publications/dd/13674.html> (accessed April 12, 2012).
28. U.S. Department of Defense, Office of the Secretary of Defense, “Medium Extended Air Defense System (MEADS) Fact Sheet,” http://www.acq.osd.mil/docs/U%20S%20MEADS_Decision_Fact_Sheet_Feb_11_2011.pdf?transcriptid=4648 (accessed April 12, 2011).

that could be “harvested” for use in existing air defense architectures. For understandable, if misplaced, reasons, Members of Congress are skeptical about continuing to fund a program that the U.S. intends to exit.²⁹

In general terms, the DOD and congressional criticisms of the MEADS program do not stand up to scrutiny. The U.S. has already spent \$1.7 billion on the system under contract and has a total obligation of \$2.4 billion. Furthermore, Italy and Germany, two important U.S. allies, have shared the development costs from the outset. The program completed its design review in August 2010. More recently, MEADS had a successful flight test at the White Sands Missile Range in New Mexico on November 17, 2011.³⁰ Further, integration testing continues to advance.³¹ As a result, MEADS is pointing toward a more advanced battlefield missile defense system. For example, this system could provide a better defense against combined ballistic and cruise missile attacks.

Both Congress and the Obama Administration should reverse

course and state the intention to advance the MEADS program to procurement if Germany and Italy stand by their stated commitments to the program.

The Obama Administration is not planning to procure enough SM-3 interceptors. The Obama Administration’s missile defense program puts the Aegis missile defense system at the center of its Phased Adaptive Approach (PAA) to missile defense. Under the Administration’s proposed FY 2013 budget, it is asking for \$389 million to procure 29 SM-3 Block 1B interceptors in FY 2013.³² The Administration has proposed buying 397 SM-3 interceptors of all types by FY 2017.³³ Yet the Administration’s current plan falls short. The U.S. should be buying more SM-3 interceptors with the goal of having at least 500 SM-3 missiles in the inventory by FY 2017.

The Obama Administration commitment to boost-phase intercept capabilities is inadequate. Since the Obama Administration downgraded the Airborne Laser program and cancelled the Kinetic Energy Interceptor (KEI) program in FY 2010, the boost-phase missile

defense elements of the layered missile defense concept have lagged, and the Administration has done nothing to advance the development of space-based interceptors. Indeed, the MDA budget no longer includes a boost-phase line item. This is an abandonment of the layered missile defense concept that represents the most effective ballistic missile defense system for protecting the American people, U.S. forward-deployed forces, and U.S. allies.

Thus, it is not surprising that earlier this year the MDA moved to mothball the Airborne Laser.³⁴ In 2011, the MDA and Air Force had agreed to develop jointly the Airborne Weapon Layer, an airborne missile that could shoot down missiles in this early stage of flight.³⁵ It is based on the Network Centric Airborne Defense Element (NCADE), an earlier program that conducted a successful interception in 2009.³⁶ Nevertheless, the President’s proposed budget does not appear to include any funding for this technology in FY 2013.

The cost of the Obama Administration’s reluctance to pursue boost-phase missile defense

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29. Defense Daily Network, “McCain Seeks Data on Aircraft, Missile Programs,” April 9, 2012, <http://www.defensedaily.com/publications/smr/17333.html> (accessed April 12, 2012).
30. Ann Roosevelt, “A Successful First Flight Test for MEADS at White Sands Missile Range,” Defense Daily Network, November 18, 2011, <http://www.defensedaily.com/publications/dd/15878.html> (accessed April 12, 2012).
31. Ann Roosevelt, “MEADS Program Integrating Elements Ahead of Intercept Flight Test,” Defense Daily Network, April 3, 2012, <http://www.defensedaily.com/publications/dd/17246.html> (accessed April 12, 2012).
32. U.S. Department of Defense, Office of the Under Secretary of Defense (Comptroller), “Program Acquisition Costs by Weapon System,” February 2012, p. 4-3, http://comptroller.defense.gov/defbudget/fy2013/FY2013_Weapons.pdf (accessed April 12, 2012).
33. Missile Defense Agency, “Missile Defense Agency (MDA) Fiscal Year 2013 Budget Outline,” February 2012, p. 6, <http://www.mda.mil/global/documents/pdf/budgetfy13.pdf> (accessed April 12, 2012).
34. Ann Roosevelt, “Historic ABL Program Winds Down, Aircraft Heads to Storage,” Defense Daily Network, February 16, 2012, <http://www.defensedaily.com/publications/dd/16770.html> (accessed April 12, 2012).
35. Carlo Munoz, “Air Force, MDA Ink Agreement on New Ballistic Missile Program,” Defense Daily Network, March 28, 2011, <http://www.defensedaily.com/publications/smr/13046.html> (accessed April 12, 2012).
36. Ibid.

systems is evident. In 2007, General B. B. Bell, the top U.S. commander in South Korea, stated, “Intercepting these [North Korean] missiles during their boost phase while still over North Korean territory would be a huge combat multiplier for me.”³⁷

On April 12, 2012, North Korea attempted to launch a long-range rocket. Shooting down the rocket in the boost phase would have been an ideal response to the risk that this rocket posed to neighboring countries. Such a response would also have forced the North Koreans to bear the risks of the rocket’s destruction, while dramatically reducing the risks to the U.S. and its friends and allies, including Japan and South Korea. Regrettably, neither the Airborne Laser nor the Airborne Weapon Layer systems were available to perform a boost-phase intercept mission. Accordingly, Congress needs to reinvigorate development and deployment of the boost-phase missile defense program by pursuing airborne, sea-based, and space-based options.

The Obama Administration is ignoring missile defense options for addressing the EMP threat. The 2004 report of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack clearly showed that the electromagnetic pulse (EMP)

threat is extremely serious and that the U.S. is vulnerable to an EMP attack.³⁸ Nevertheless, the Obama Administration has not paid sufficient attention to the EMP capabilities of potential enemies. Thus, it has not designed effective missile defense capabilities, and its missile defense policies and plans do not establish specific mission requirements for responding to potential EMP attacks. Indeed, a September 2011 report of the Defense Science Board Task Force states that the early intercept of ballistic missiles, which is essential to defending against EMP attacks with ballistic missiles, “is not a particularly useful goal or protocol for design of a regional BMD system.”³⁹

THE ELECTROMAGNETIC PULSE (EMP) THREAT IS EXTREMELY SERIOUS AND THE U.S. IS VULNERABLE TO AN EMP ATTACK.

The Defense Science Board Task Force may not have considered the need to defend the U.S. homeland against an EMP attack using a short-range missile launched from a ship off the U.S. coast. The evidence of this is that the report asserts that current regional missile defense interceptors lack sufficient velocity to defend the U.S. homeland through

early intercepts. Specifically, the report states, “In addition, the feasibility of achieving the very high regional missile burnout velocity, depending upon siting, far in excess of what has currently been achieved, to provide this [missile defense] benefit over a large portion of the U.S. is uncertain.”⁴⁰

In fact, it is not uncertain at all. The Navy conducted a successful ascent-phase intercept test against a short-range missile with its Standard Missile interceptor in November of 2002.⁴¹ Upgrading the Aegis-based BMD system and establishing an East Coast test bed for missile defense would provide a substantive capability to address the EMP threat. Accordingly, Congress should adopt a sense of the Congress resolution that commends the Navy for its successful ascent-phase test.

The initial missile defense budget underfunds the cooperative program with Israel. In 2011, the MDA requested just \$106.1 million for the missile defense cooperation program with Israel. Congress responded by increasing the amount to almost \$236 million. This year, the Administration again wants to reduce funding for the U.S.–Israeli cooperative program, requesting less than \$100 million.⁴² Later, the Administration wisely chose to revisit the issue.⁴³

37. General B. B. Bell, quoted in John J. Miller, “Peace Through Light,” *National Review Online*, August 13, 2007, <http://www.nationalreview.com/nrd/article/?q=NGM3OWMwNTgyZDKxOGY0ZGFINDBiY2FjODhkMjQ3YmY> (accessed April 12, 2012).

38. Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack, “Executive Report,” 2004, http://empcommission.org/docs/empc_exec_rpt.pdf (accessed April 12, 2011).

39. Defense Science Board, “Science and Technology Issues of Early Intercept Ballistic Missile Defense Feasibility,” September 2011, p. 7, <http://www.acq.osd.mil/dsb/reports/ADA552472.pdf> (accessed April 12, 2012).

40. *Ibid.*, p. 23.

41. Navy News Service, “Sea-Based Missile Defense Test Successful,” Navy.mil, November 22, 2002, http://www.navy.mil/search/display.asp?story_id=4741&page=4 (accessed April 12, 2012).

42. Missile Defense Agency, “Missile Defense Agency (MDA) Fiscal Year 2013 Budget Outline,” p. 6.

43. Donna Cassata, “Pentagon Wants More Money for Israel’s Iron Dome,” Yahoo News, March 27, 2012, <http://news.yahoo.com/pentagon-wants-more-money-israels-iron-dome-175729653.html> (accessed April 12, 2012).

The U.S. has a long history of cooperating with Israel on missile defense. Given the threats that Israel faces and the demonstrated success of its Iron Dome anti-rocket system in the past year, this cooperation should continue at no less than present levels. At a minimum, Congress should increase FY 2013 funding to match FY 2012 funding. This would require a \$136 million increase over the Administration's request. Further, Congress should reserve the option of increasing funding through future special appropriations if circumstances warrant.

How Congress Can Strengthen Missile Defense

Congress can strengthen the Administration's missile defense program by:

- Increasing overall funding for the missile defense program in FY 2013 to \$11 billion;
- Restoring the balance between homeland and regional missile defense capabilities by increasing the number of fielded GMD interceptors to 44, testing early models of the Standard Missile against long-range targets, and developing missile defense systems that fulfill both homeland and regional missions;
- Directing approval of an acquisition plan for space-based missile defense interceptors based on the acquisition plan approved

for Brilliant Pebbles in 1990 and moving to build a constellation of STSS satellites;

- Reestablishing the procurement status for the MEADS program;
- Setting a goal of procuring no fewer than 500 Standard Missile interceptors by FY 2017;
- Restoring the commitment to build a layered missile defense system by developing sea-based, airborne, and space-based missile defense systems for boost-phase intercepts;
- Commending the Navy for its successful test of ascent-phase missile defense in 2002, which signaled that the U.S. will defend itself against an EMP ballistic missile attack launched from a ship off the coast; and
- Increasing funding for a missile defense cooperative program with Israel to about \$236 million in FY 2013, matching the funding level for FY 2012.

Conclusion

The federal government has a constitutional obligation to defend the American people to the best of its ability. Therefore, the Obama Administration is wrong to subordinate this obligation to commitments it has made or will make to foreign powers to limit U.S. missile defense capabilities. Nevertheless, President

Obama did exactly this in his conversation with Russian President Dmitri Medvedev on March 26, 2012.

Further, the Administration's willingness to slow progress in the U.S. missile defense program appears to reflect a view that the program could impede achievement of the President's goal of U.S. nuclear disarmament. The evidence for this conclusion long predates President Obama's exchange with President Medvedev in that the Administration has not adequately funded the missile defense program and has made specific program decisions that hold back progress.

Given the President's inclination to shirk his constitutional obligation to defend the American people against attack as well as U.S. treaty obligations to assist in the defense of U.S. allies, Congress has an obligation to step in to ensure the federal government does all it can to field an effective defense against missile attacks. This starts with adequately funding the missile defense program. It also requires directing the Administration to take the specific policy and programmatic steps that advance the deployment of a global, layered missile defense system that is as capable as the technology permits.

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