

# Backgroundunder

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## Congress Fails to Undo President Obama's Damage on Missile Defense

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**Abstract:** *In passing the FY 2012 defense authorization and appropriations bills, Congress missed an ideal opportunity to reverse the damage that the Obama Administration inflicted on U.S. missile defense programs in 2010. Congress specifically failed to move the U.S. toward a more defensive nuclear posture, protect U.S. missile defense options against the President's arms control agenda, or prepare layered U.S. missile defenses against potential threats, including an EMP attack or an Iranian attack on the East Coast. To properly defend against the missile threat, the U.S. needs to build on the Navy's proven Aegis missile defense system, integrate other vital components into the missile defense system, and develop and deploy space-based missile defenses.*

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At the end of 2011, Congress adopted and President Barack Obama signed the National Defense Authorization Act (NDAA)<sup>1</sup> and an appropriations bill for the defense accounts for the remainder of fiscal year (FY) 2012.<sup>2</sup> Taken together, these two laws established and funded the programs and policies to develop and field missile defense systems for the U.S. and its allies. Regrettably, this legislation barely begins to reverse the damage to the missile defense program inflicted in FY 2010.

The Obama Administration and Congress seriously weakened the missile defense program in FY 2010.<sup>3</sup> During FY 2011, they failed to recover the lost ground.<sup>4</sup> Early in 2011, the Obama Adminis-

### Talking Points

- In the National Defense Authorization Act and defense appropriations legislation for FY 2012, Congress had an opportunity to begin reversing the damage that the Obama Administration inflicted on the missile defense program in 2011.
- While the House of Representatives took some initial steps to repair this damage, the Senate was less sympathetic to missile defense in the relevant legislation, and the final bills failed to reverse the damage.
- Only in the area of sustaining and expanding missile defense cooperation with Israel did Congress take significant steps to strengthen missile defense beyond the Obama Administration's tepid proposal.
- The most capable missile defense architecture could intercept attacking ballistic missiles in all three phases of flight: the boost/ascent, midcourse, and terminal phases. The U.S. has deployed limited capabilities to intercept missiles in the midcourse and terminal phases.

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tration presented its missile defense program and budget for FY 2012, which again failed to make up for the ground lost during FY 2010.<sup>5</sup> Accordingly, the question arises whether this Congress has started to repair the damage to the missile defense program caused by the Obama Administration and earlier Congresses. While expecting the 112th Congress to repair all of the damage in one year would be unreasonable, it is reasonable to expect Congress to begin the repairs in the FY 2012 defense authorization and appropriations legislation. It has not.

### Legislation and the Objective Missile Defense Program: A Comparison

The following analysis of the key components of the NDAA and the relevant appropriations measures compares what Congress legislated with what it should have done with 11 prominent components of missile defense. While these 11 components do not cover the full array of missile defense-related provisions in the new laws, they are among the most significant.

**Overall Funding Levels.** President Obama's FY 2012 defense budget request on February 14, 2011, was inadequate to recover lost ground and place the missile program on a path to surpassing the

projected expansion of the missile threat to the U.S. and its allies.<sup>6</sup> The President's request proposed spending \$10.7 billion on missile defenses in FY 2012. Regrettably, Congress authorizes missile defense programs at a lower overall funding level (\$10.5 billion) in the NDAA than the Administration's request.<sup>7</sup> By way of comparison, the earlier House version of the NDAA would have provided more than \$100 million above the Administration's requested level. The conference report on the bill explains that it does not provide a consolidated number for the missile defense program. Nevertheless, the overarching funding level for missile defense is consistent with the projected \$10.5 billion funding level.

To put the missile defense program back on track during FY 2012, Congress needed to authorize at least \$11.5 billion. While such an increase was within reach, Congress made the task much more difficult by imposing a spending cap on national security programs for FY 2012 under the Budget Control Act, including caps on the broader defense program and the narrower missile defense program.<sup>8</sup> As a result, missile defense will not be adequately funded in FY 2012 and possibly not even in subsequent years.

1. National Defense Authorization Act for Fiscal Year 2012, Public Law 112–81.
2. Consolidated Appropriations Act, 2012, Public Law 112–74. The defense appropriations were incorporated into an omnibus appropriations bill.
3. Baker Spring, "Obama Missile Defense Plan Puts America at Risk," Heritage Foundation *Backgrounder* No. 2292, June 29, 2009, at <http://www.heritage.org/research/reports/2009/06/obama-missile-defense-plan-puts-america-at-risk>.
4. Baker Spring, "The Obama Administration's Ballistic Missile Defense Program: Treading Water in Shark-Infested Seas," Heritage Foundation *Backgrounder* No. 2396, April 8, 2010, at <http://www.heritage.org/research/reports/2010/04/the-obama-administrations-ballistic-missile-defense-program-treading-water-in-shark-infested-seas>.
5. Baker Spring, "Sixteen Steps to Comprehensive Missile Defense: What the FY 2012 Budget Should Fund," Heritage Foundation *Backgrounder* No. 2552, May 3, 2011, at <http://www.heritage.org/research/reports/2011/05/sixteen-steps-to-comprehensive-missile-defense-what-the-fy-2012-budget-should-fund>.
6. U.S. Department of Defense, "Fiscal Year 2012 Budget Request: Program Acquisition Costs by Weapon System," February 2011, pp. 4-1–4-11, at [http://comptroller.defense.gov/defbudget/fy2012/FY2012\\_Weapons.pdf](http://comptroller.defense.gov/defbudget/fy2012/FY2012_Weapons.pdf) (March 18, 2011), and U.S. Department of Defense, Missile Defense Agency, "MDA Fiscal Year 2012 Budget Outline," February 2011, at <http://www.mda.mil/global/documents/pdf/budgetfy12.pdf> (December 28, 2011).
7. Press release, "Senate Armed Services Committee Completes Conference of National Defense Authorization Act for Fiscal Year 2012," U.S. Senate, Committee on Armed Services, December 12, 2011, p. 25, at <http://www.armed-services.senate.gov/press/NDAA%20FY12%20Conference%20Press%20Release.pdf> (December 28, 2011).
8. Baker Spring, "Understanding the Debt Deal and Defense," The Heritage Foundation, *The Foundry*, August 2, 2011, at <http://blog.heritage.org/2011/08/02/understanding-the-debt-deal-and-defense/> (December 28, 2011).

## How the National Defense Authorization Act for Fiscal Year 2012 Constrains America’s Defenses Against Missile Attack

The final version of the National Defense Authorization Act (NDAA) the President signed on December 23, 2011, fails to provide adequate funding for developing and deploying the defenses America needs to protect its people, its territory, its troops, and its allies from ballistic missile attacks.

Components of a Program to Protect and Defend Against Missile Attacks	Fails	Room to Improve	Done Well	How NDAA and President Obama’s Plans Measure Up
Adequate funding	●			NDAA authorizes \$1 billion less than the level needed to make up lost ground since President Obama took office .
A more defensive strategic posture	●			The House version would prevent the Administration from changing our nuclear deterrent strategy from targeting enemies' means of attack to targeting their population. NDAA has no such provision.
Layered missile defenses	●			The House version included funding for a space-based missile defense feasibility study.The final version of NDAA contains no such provision and fails to fund boost/ascent-phase missile defenses.
No limits on U.S. defenses from arms control policies/agreements	●			The House version prevented the Administration from trading away U.S. missile defenses in arms control negotiations.The Senate’s version in NDAA was less constricting, but the President stated he considers that provision in NDAA non-binding.
Capabilities to counter electromagnetic pulse (EMP) attacks	●			The House version required the Secretary of Defense to submit a report on how the U.S. is addressing the EMP threat.The final version contains no provisions for deploying even current capabilities to counter this threat.
More ground-based (GMD) interceptors	●			Currently, the U.S. has only up to 30 ground-based interceptors operationally ready to defend the nation from missiles launched from Iran and North Korea.The House version funded at least one more GMD interceptor: NDAA removed this funding.
Advanced Aegis-deployed SM-3 interceptors for defense against long-range missiles	●			NDAA provides no funding to deploy SM-3 interceptors to defend against long-range missile attacks before 2020.
More standard missile (SM) interceptors for Aegis ships.		●		NDAA provides funding for additional SM-3 interceptors but scales back authorization for procuring new SM-3 Block II-B interceptors that would be capable of countering long-range ballistic missiles.
Missile defense sites on the East Coast and the Gulf of Mexico		●		NDAA directs the Administration to examine positioning a missile defense site on the East Coast, but not the Gulf Coast, to protect against future ship-based ballistic missile threats.
Full commitment to the Medium Extended Air Defense System (MEADS) program		●		MEADS is a joint program with Germany and Italy to develop a system of theater defenses to replace the aging PATRIOT system. NDAA places a limitation on funding that is causing U.S. partners in Europe to question U.S. commitment to their protection against shorter-range missiles.
More cooperation with Israel			●	NDAA exceeded the President’s request for funding layered missile defenses for Israel.

Table I • B 2650 [heritage.org](http://heritage.org)

**Policy Guidance for a More Defensive Strategic Posture.** The NDAA fails to enact U.S. policies leading to a more defensive strategic posture. According to the resolution of ratification of the New Strategic Arms Reduction Treaty (New START), the sense of the Senate is that “a paramount obligation of the United States Government is to provide for the defense of the American people, deployed members of the United States Armed Forces, and United States allies against nuclear attacks to the best of its ability.”<sup>9</sup> The Senate declaration further states that “policies based on ‘mutual assured destruction’ or intentional vulnerability can be contrary to the safety and security of both countries, and the United States and the Russian Federation share a common interest in moving cooperatively as soon as possible away from a strategic relationship based on mutual assured destruction.”<sup>10</sup>

The NDAA was an appropriate vehicle for affirming the Senate declaration and starting to move toward a more defensive strategic posture. Such a posture, based on both offensive and defensive strategic forces, should hold at risk enemies’ means of strategic attack on the U.S. and its allies. This means maintaining counterforce strategic targeting capabilities and eschewing the countervalue targeting requirements at the heart of a mutual assured destruction policy.<sup>11</sup>

The earlier House version of the NDAA contained a provision sponsored by Representative Doug Lamborn (R-CO) that addressed the nuclear side of the strategic equation by blocking the Obama Administration from making any changes in nuclear employment strategy away from counterforce targeting and toward countervalue targeting without a required report to Congress.<sup>12</sup>

Missile defenses are inherently counterforce weapons. A combination of counterforce nuclear capabilities and missile defenses are essential components of a defensive strategic posture that holds at risk the means of strategic attack possessed by active and potential enemies of the U.S. and its allies. Regrettably, the final version of NDAA<sup>13</sup> dropped the reference to preserving counterforce targeting. Thus, compared to the earlier House version, Congress chose to give the Obama Administration greater freedom to pursue countervalue targeting options, even though such options directly contradict the declaration in the New START resolution of ratification that rejected policies of mutually assured destruction.

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***The ideal missile defense interceptor for destroying all but the shortest-range attacking missiles would be deployed in space.***

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**A Layered Missile Defense Architecture.** The most capable missile defense architecture could intercept attacking ballistic missiles in all three phases of flight: the boost/ascent, midcourse, and terminal phases. The U.S. has fielded capabilities to counter ballistic missiles in the midcourse and terminal phases, but it has nothing in the field to counter ballistic missiles in the boost/ascent stage. The ideal missile defense interceptor for destroying all but the shortest-range attacking missiles would be deployed in space.

Given the material advantages to deploying space-based missile defense interceptors, the earlier House version of the NDAA appropriately contained \$8 million to study the feasibility of space-based missile defense interceptors.<sup>14</sup> The NDAA address-

9. *Congressional Record*, December 22, 2010, pp. S10984–S10985.

10. *Ibid.*

11. A nuclear force dedicated to counterforce targeting is designed to hold at risk an enemy’s nuclear force and its supporting infrastructure. A countervalue nuclear posture is designed to hold at risk enemy population and economic centers.

12. National Defense Authorization Act for Fiscal Year 2012, H.R. 1540 RH (as reported in the U.S. House of Representatives), 112th Cong., 1st Sess., § 1056, at <http://www.gpo.gov/fdsys/pkg/BILLS-112hr1540rfs/pdf/BILLS-112hr1540rfs.pdf> (January 31, 2012).

13. Public Law 112–81, § 1046.

14. H.R. 1540 RH, § 235.

es the future of the Medium Extended-range Air Defense System (MEADS) program, but appears to omit the \$8 million for the study.

**Limits on U.S. Missile Defense Options.** During the Senate's consideration of New START, the Administration's representatives pledged to Members of the Senate that it would not permit arms control to limit U.S. missile defense options,<sup>15</sup> even though New START itself includes several provisions imposing such limitations. The treaty's most sweeping limitation is in the preamble.

While the Obama Administration is purportedly discussing missile defense cooperation with the Russian government, press reports indicate that the discussions are really about how the two governments can cooperate in limiting U.S. missile defense options and capabilities.<sup>16</sup> One element of these discussions that has recently concerned Members of Congress was Obama Administration plans to share missile defense technology with Russia, which Russia could use to defeat U.S. missile defense systems more effectively or provide to other countries for the same purpose. Accordingly, the House version of the NDAA prohibited the sharing of sensitive missile defense data with Russia and limited sharing of less sensitive data.<sup>17</sup> The Obama Administration objected to the provision.<sup>18</sup> Despite exhaustive efforts by Senator Mark Kirk (R-IL), the final version of the NDAA is closer to the weaker Senate position.<sup>19</sup>

President Obama wasted no time in undoing even this language by issuing a signing statement with the NDAA saying that he would treat Section 1244 as not binding on him.<sup>20</sup> This signing statement is nothing less than a poke in the eye to Congress on arms control matters. Since President

Obama is inviting a confrontation with Congress in this area, Congress ought to oblige him.

First, the Senate Minority Leader should designate a fellow Senator as his personal arms control observer. Further, he should arrange to furnish this observer with adequate staff and insist that both the Member and the staff have unlimited access to all current U.S. arms control negotiations, including negotiating instructions, relevant diplomatic cables, and backstopping activities. While much of this material is and should remain classified, the observer and his staff would be fully capable of handling the material appropriately. This is justified because such material is essential to the Senate conducting proper oversight on arms control and ultimately making informed judgments on the ratification of future arms control treaties. The Administration made such actions even more necessary by withholding the New START negotiating record from the Senate during the ratification debate.

**Electromagnetic Pulse (EMP) Attacks.** The conference report accompanying the NDAA omitted language from the House report on the bill that would require the Secretary of Defense to report on the state of Department of Defense (DOD) planning to address EMP events.<sup>21</sup> This includes EMP events caused by high-altitude nuclear explosions, which would constitute an EMP attack on the U.S. or its allies. Capable ballistic missile defenses could defend against such attacks by destroying the missile before its warhead is detonated.

Nevertheless, the earlier report language is considered to be carried over under the conference report and therefore remains applicable to the Secretary of Defense.

15. For example, see Hillary Clinton, testimony in hearing on the U.S.–Russian START Treaty, Committee on Foreign Relations, U.S. Senate, May 18, 2010, at <http://www.jcs.mil/speech.aspx?id=1384> (January 6, 2012).

16. Bill Gertz, "Secret Talks with Russia Focused on Missile Defense," *The Washington Times*, November 30, 2010, at <http://www.washingtontimes.com/news/2010/nov/30/secret-talks-with-russia-focused-on-missile-defens/> (January 10, 2012).

17. H.R. 1540 RH, § 1228.

18. "Conferees Tone Down Missile Defense Data Prohibition Language," *Inside Missile Defense*, December 14, 2011, p. 1.

19. Public Law 112–81, § 1244.

20. Barack Obama, "Statement by the President on H.R. 1540," The White House, December 31, 2011, at <http://www.whitehouse.gov/the-press-office/2011/12/31/statement-president-hr-1540> (January 10, 2012).

21. *National Defense Authorization Act for Fiscal Year 2012*, H. Rep. 112–78, 112th Cong., 1st Sess., pp. 202–203.

**Ground-Based Midcourse (GMD) Interceptors.** The NDAA does not explicitly ask the DOD to explore options for increasing the number of fielded GMD interceptors. Pursuant to the 2010 Ballistic Missile Defense Review Report, the DOD is formulating a hedging strategy for providing a more robust missile defense capability to protect U.S. territory against long-range missiles. This may include accelerating the fielding of additional GMD interceptors, either the two-stage version that could be placed in Europe or the three-stage version that could be added to the existing fields in Alaska and California or at an additional location on U.S. territory.

The NDAA contains a provision that requires a DOD report on this hedging strategy.<sup>22</sup> Further, this final version authorizes \$1.16 billion in funding for the GMD program, which is the level requested by the Administration. The House version would have provided an additional \$100 million to the GMD program, including funding to increase the number of fielded interceptors.

**Upgrade of the Standard Missile Interceptor.** The NDAA does not provide for upgrading the Navy's Standard Missile to protect the U.S. homeland. The Obama Administration's European Phased Adaptive Approach for developing and fielding Aegis BMD systems is planning not to upgrade the associated Standard Missile interceptor to counter long-range ballistic missiles until 2020. This upgraded model is the Standard Missile 3 Block II-B (SM-3 II-B).

The NDAA provision on the hedging strategy for protecting U.S. territory against long-range missile attack<sup>23</sup> does not offer an option for accelerating the availability of the Standard Missile 3 to counter long-range missiles with earlier models of the interceptor (SM-3 I-A, SM-3 I-B, and SM-3 II-A). Rather, it points to the option of accelerat-

ing the development of SM-3 II-B to permit fielding it before 2020.

Upgrading the earlier models is the more appealing option. The SM-3 I-A is already in the Navy's inventory. In an April 2011 test over the Pacific Ocean, it intercepted and destroyed an intermediate-range missile in a way that demonstrates this model's ability to intercept long-range missiles in the late midcourse phase of flight.<sup>24</sup> Successful pursuit of this option could provide additional protection to U.S. territory in a matter of months, instead of waiting some eight years under the SM-3 II-B option. The U.S. needs to forward deploy missile defense engagement radar and to improve the overall command and control structure of the Aegis weapons system.<sup>25</sup>

The Senate Appropriations Committee's version of an earlier defense appropriation bill for FY 2012 (H.R. 2219) explicitly addressed this issue by transferring funding away from the Block II-B development program—effectively deferring it—to development of the Block I-B and Block II-A models. Regrettably, it did not direct that the transferred funds be used to develop and test these models to make them capable of countering long-range missiles. The final bill retains this transfer of funds, but also fails to direct that the early models of the Standard Missile be made capable of countering long-range missiles.

**Procurement of Standard Missile Interceptors.** The Obama Administration has admitted that the demand for missile defense interceptors by the regional combatant commanders will outstrip the supply in the near term.<sup>26</sup> The Administration plans to procure 341 Standard Missile interceptors for ballistic missile defense by FY 2016. Increasing the procurement to 436 missiles would be a healthy response to the increased demand.

22. Public Law 112–81, § 234.

23. *Ibid.*

24. Baker Spring, “Sea-Based Missile Defense Test Success a Major Step Forward,” The Heritage Foundation, *The Foundry*, April 15, 2011, at <http://blog.heritage.org/2011/04/15/sea-based-missile-defense-test-success-a-major-step-forward/> (January 4, 2012).

25. Vice Admiral J. D. Williams (Ret.), “Improving Aegis Ballistic Missile Defense Command and Control,” Heritage Foundation *Special Report* No. 89, May 2, 2011, at <http://www.heritage.org/research/reports/2011/05/improving-aegis-ballistic-missile-defense-command-and-control>.

26. U.S. Department of Defense, “Ballistic Missile Defense Review Report,” February 2010, p. 23, at [http://www.defense.gov/bmdr/docs/BMDR%20as%20of%2026JAN10%200630\\_for%20web.pdf](http://www.defense.gov/bmdr/docs/BMDR%20as%20of%2026JAN10%200630_for%20web.pdf) (January 6, 2012).

Recognizing this problem, the House of Representatives provided an additional \$50 million for Standard Missile procurement, but the Senate moved \$315 million from the Administration's \$565 million request for Standard Missile procurement to further research and development on the system. This transfer was retained in the conference report. The Senate Appropriations Committee chose to transfer funds from Block II-B development to increase the nearer-term production capacity for Standard Missile interceptors. This transfer is retained in the final version of the defense appropriations provisions in the omnibus appropriations bill. At this point, it is unclear how the Obama Administration will reconcile this inconsistency between the two laws.

**East Coast Missile Defense.** The Obama Administration maintains that the GMD interceptors deployed in Alaska and California can adequately defend U.S. territory against missile attack for the remainder of the decade. Nevertheless, the GMD interceptors in Alaska and California will need to operate at the edges of their performance envelopes to defend the East Coast against an Iranian long-range missile. Further, it is unclear whether these interceptors could counter an intermediate-range or long-range missile attack on the Southeast from Venezuela if Venezuela obtains missiles in the near future from an outside source, such as Iran. Finally, the GMD interceptors cannot defend against shorter-range missiles launched at the U.S. from ships off the coast, including missiles that could deliver an EMP strike.

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A provision in the NDAA addresses the Administration's hedge strategy and directs the Administration to examine the option of locating a missile defense site on the East Coast, but it does not contain an equivalent directive regarding the Gulf Coast.

Nor does it direct the Administration to consider its hedge strategy in response to a future ship-based ballistic missile threat. Most importantly, it does not direct the Administration to explore the option of increasing territorial missile defense capacity by deploying missile defenses on Navy cruisers and destroyers, thereby making the missile defense mobile and capable of countering an anticipated threat in any U.S. coastal region.

**Medium Extended-Range Air Defense System (MEADS) Funding.** In part because Senate appropriators sought to continue to fund U.S. participation in the MEADS program for the interim, Congress adopted a provision in the NDAA to fund the program under a "fencing" restriction.<sup>27</sup> The provision limits the DOD from obligating or expending more than 25 percent of the funds made available unless the Secretary of Defense submits to Congress a report detailing plans for continuing the program in a more limited way or terminating it.

In relation to its February 2011 budget request, the Obama Administration announced that it will not continue U.S. participation in the MEADS joint missile defense program with Germany and Italy beyond the current agreement. In 2011, Congress examined the possibility of terminating the program immediately.

The Administration's decision to drop out of the MEADS program is premature because the program is valuable to the general cause of missile defense cooperation between the U.S. and its allies and offers tangible benefits in protecting U.S. allies in Europe against shorter-range missiles, including missiles that Russia may deploy. Earlier congressional examinations found that terminating the program immediately cost more than continuing the program through the end of the current agreement. The best option for the U.S. and allied security is to continue the current program and get the most out of it.

**Missile Defense Cooperation with Israel.** The Obama Administration's February 2011 budget request proposed an inadequate \$106 million for the missile defense cooperation program with

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27. Public Law 112-81, § 235.

Israel. The enacted NDAA more than doubles the Administration's request by authorizing a cooperative program with Israel at more than \$216 million. The appropriators, not to be outdone, provided direct funding levels for the same program of almost \$236 million. How Congress addressed the matter of extending and expanding U.S. missile defense cooperation with Israel demonstrates what could have happened with the broader missile defense program during the 2011 legislative process if Congress had put its mind to it.

Further, the funding profile for this cooperation is consistent with a layered defense concept. It provides support for the lower-tier defense (the David's Sling system) to counter rockets and very short-range missiles and support for the upper-tier system (the Arrow) to counter intermediate-range missiles, such as those possessed by Iran. By taking these steps, Congress has demonstrated that it wants to cooperate with Israel in defending its people, territory, institutions, and infrastructure against rocket and missile attacks to the best of its ability. This cooperative relationship is free from rhetoric about imposing limits on technological advancement to prevent an arms race and calls for Israel to restrain its rocket and missile defense program to maintain a strategic balance between Israel and its mortal enemies, such as Hamas, Hezbollah, Syria, and Iran. There are no demands for self-defeating arms control agreements.

### A Lost Opportunity

In retrospect, the outcome of the legislative process for missile defense during 2011 demonstrates that the House of Representatives strongly favors fielding an effective missile defense capability to protect the U.S. and its allies. Select Members of the House Armed Services Committee and its Subcommittee on Strategic Forces, such as Chairman Howard P. "Buck" McKeon (R-CA), have demonstrated considerable leadership on this issue. Chairman of the Strategic Forces Subcommittee Michael R. Turner (R-OH) and his team of missile defense advocates, including Trent Franks (R-AZ) and Doug Lamborn (R-CO), undertook the necessary detailed work to advance the missile defense. Chairman of the Subcommittee on Seapower and Projection Forces Todd Akin (R-MO) has been seeking to advance the mis-

sile defense capabilities of the Navy in the context of the Navy's multimission responsibilities.

By contrast, their Senate counterparts have offered more tepid support for missile defense, more in line with the Obama Administration's policy of seeking strict limits on U.S. missile defense capabilities based on outmoded concepts of strategic stability and deterrence and the desire to advance highly questionable arms control goals. Clearly, Chairman of the Senate Armed Services Committee Carl Levin (D-MI) is not as strong a supporter of missile defense as Chairman McKeon. Even though the Senate is less friendly toward missile defense than the House, some Senators advocate for missile defense, including Senator Jon Kyl (R-AZ), James Inhofe (R-OK), Jeff Sessions (R-AL), and Mark Kirk (R-IL). Senator Kirk has focused on thwarting Russian efforts to curtail U.S. missile defense capabilities through the arms control process. Chairman of the Senate Appropriations Committee Daniel K. Inouye (D-HI) has been a consistent supporter of the sea-based missile defense program.

However, for the missile defense program to advance on a consistent basis, Congress must commit to providing the U.S. and its allies with the best technologically possible protection against missile attacks. It has demonstrated that it is capable of doing this, even in the face of a reluctant Administration, by extending and expanding missile defense cooperation with Israel. Its actions in this area should become the template for future congressional efforts to advance the missile defense program.

### Changing Course

Nothing less than a bold departure from the Obama Administration's missile defense plans will adequately serve the strategic interests of the United States. In a world of proliferating nuclear weapons and ballistic missiles, America and its allies and friends need a comprehensive missile defense system that protects people and vital interests from attack. Deploying such a layered system would require three steps:

1. **Expanding and continually improving the Navy's proven Aegis missile defense system.** Congress has ample opportunity to improve the Aegis system's capabilities. One option is to

enable early models of the Standard Missile 3 interceptors to counter long-range ballistic missiles in the late midcourse stage. The second opportunity is to improve the SM-3's ability to intercept short-range ballistic missiles in the ascent phase. The interceptor demonstrated this basic capability in a 2002 test. It needs smaller and lighter "kill" vehicles to enable it to defend against short-range ballistic missiles carrying an electromagnetic pulse (EMP) warhead and launched from a ship off the U.S. coast.

2. **Expanding advanced integration of the components of a layered missile defense system, including ground-based interceptors.** A comprehensive, layered missile defense capability requires a network of systems with land, sea, air, and space capabilities. Two links in this network are the sensors that detect and track ballistic missiles in flight and the interceptors that destroy them. The third link is the command and control system that takes the targeting data furnished by the sensors and feeds that data to the interceptors in a timely fashion.
3. **Develop and deploy space-based missile defenses, particularly space-based interceptors, to counter ballistic missile attacks.** All but the very shortest-range ballistic missiles travel through space. Thus, the most capable missile defense system would locate interceptors where

the missiles would fly—in space. Brilliant Pebbles technology could be revived, which would ultimately permit the deployment of space-based interceptors.

## Conclusion

Saying that missile defense is as easy as one-two-three would be an oversimplification. Nevertheless, this three-step plan would move the U.S. missile defense program in the direction of meeting America's comprehensive security needs in a world in which the threats from proliferation and modernization of nuclear weapons and ballistic missiles are growing.

Meanwhile, Congress needs to act decisively to limit the damage the Administration could inflict on the missile defense program through its aggressive arms control agenda. The Senate Minority Leader should designate a fellow Senator as his personal arms control observer. This observer should be furnished with adequate staff and be given unlimited access to the arms control negotiations in which the U.S. is participating, including classified materials.

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