ADAPTING U.S. MISSILE DEFENSE POLICY TO EVOLVING THREATS

The remarks below were delivered at a symposium on "Adapting U.S. Missile Defense Policy to Evolving Threats" hosted by the National Institute for Public Policy on May 15, 2024. The symposium examined growing missile threats to the U.S. homeland and considered options for countering those threats. It also identified both short-term and longer-term efforts to improve deterrence against coercive nuclear threats from Russia and China.

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Let me begin by making a few preliminary comments.

First, U.S. homeland missile defense policy has long adhered to the Cold War notion that mutual vulnerability is stabilizing. The 1972 ABM Treaty codified this notion. The idea that the United States should remain defenseless against missile threats in the interest of "stability" remained intact for three decades, until President George W. Bush withdrew the United States from the ABM Treaty in 2002. Two years later, the United States deployed an initial and rudimentary homeland missile defense system intended to defend against rogue state missile threats from countries like North Korea. But it remained U.S. policy to focus on defending against limited threats.

This emphasis on limited threats remains official policy to this day. In fact, this year's National Defense Authorization Act (NDAA), signed by President Biden last December, explicitly declares that the United States will "rely on nuclear deterrence to address more sophisticated and larger quantity near-peer intercontinental missile threats to the homeland of the United States."[1]

I believe it is past time to reconsider this policy.

It perpetuates a Cold War approach that is unresponsive to, and out of sync with, contemporary realities. As both Russia and China expand their nuclear arsenals and make unprecedented nuclear threats against the United States and the West, ignoring the possibility of coercive Russian and Chinese nuclear threats is imprudent and dangerous—and may actually *encourage* opportunistic aggression by either or both acting in concert.

This was recognized by the bipartisan congressional Strategic Posture Commission, which recommended that "The United States develop and field homeland IAMD [Integrated Air and Missile Defense] that can deter and defeat coercive attacks by Russia and China."[2]

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[1] Section 1663 of the *National Defense Authorization Act for Fiscal Year 2024*, Public Law 118-31, December 22,2023, available at https://www.congress.gov/118/plaws/publ31/PLAW-118publ31.pdf.

[2] Madelyn R. Creedon, Jon L. Kyl, et al., *America's Strategic Posture: The Final Report of the Congressional Commission on the Strategic Posture of the United States*, October 2023, pp. x, 72, 105, available at https://www.ida.org/-/media/feature/publications/a/am/americas-strategic-posture/strategic-posture-commission-report.ashx.

Consistent with the Commission's recommendations, Congress should seriously revise U.S. missile defense policy to align it with current strategic realities and to bolster deterrence against such coercive threats. Indeed, the Congress has such an opportunity in the FY2025 NDAA. Moreover, the House Armed Services Committee just released its proposed NDAA for the upcoming fiscal year, which would call on the Secretary of Defense to report to Congress on plans to implement the Commission's recommendations.[3]

Second, the United States has always emphasized the need to stay ahead of the rogue state missile threat. Yet, as those threats increase and become more sophisticated, U.S. missile defenses must also adapt and improve in ways that may provide some degree of latent capability against nuclear peer threats as well.

We will likely reach an inflection point where the desire to effectively counter expanding rogue state missile threats on the one hand may be seen as inconsistent with policy direction NOT to defend against Russian and Chinese missile threats on the other and to continue to rely on deterrence to prevent coercive peer nuclear threats. This tension may impact the willingness of industry to improve U.S. missile defense capabilities, if providing some protection against Russian and Chinese missile attacks is perceived as running counter to U.S. policy established in law.

In addition, the Department of Defense has acknowledged that U.S. defenses against hypersonic missile threats are "inadequate."[4] This also suggests that U.S. missile defense efforts are not keeping up with evolving threats.

Third, and importantly, it is time to invest more in space-based defenses. This was another of the Strategic Posture Commission's recommendations. The Commission called for "new approaches" for missile defense, "including the use of space-based and directed energy capabilities, as simply scaling up current programs is not likely to be effective."[5]

Indeed, technology has advanced significantly since the 1980s and defending the homeland from space can provide a more effective defensive capability than relying exclusively on terrestrial-based systems. In fact, the evolution of threats using multiple warheads, decoys, and other sophisticated means argues for space-based systems capable of defeating missiles in their boost and ascent phases, where they are arguably easier to detect and more beneficial to counter, rather than limiting shot opportunities to the mid-course and terminal phases of flight.

Despite continued criticism by some against "militarizing" space, a more robust space-based homeland missile defense posture can not only help deter attacks in the first place but can improve protection of the United States should deterrence fail, for whatever reason.

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[3] See section 1625 of the proposed House Armed Services Committee Chairman's Mark of *H.R. 8070-Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025*, available at https://docs.house.gov/meetings/AS/AS00/20240522/117296/BILLS-118HR8070ih.pdf.

[4] Testimony of John Hill, Deputy Assistant Secretary of Defense for Space and Missile Defense, cited in Guy Taylor, "Pentagon official admits U.S. hypersonic defenses 'inadequate'," *The Washington Times*, May 9, 2024, available at https://www.washingtontimes.com/news/2024/may/9/pentagon-official-admits-us-hypersonic-defenses-in/.

[5] Madelyn R. Creedon, Jon L. Kyl, et al., op. cit., p. 67.

In addition, there have been calls for the Missile Defense Agency to integrate advanced directed energy technologies for the air and cruise missile defense missions. Israel has been developing its "Iron Beam" directed energy system, which, if successful, could revolutionize the offense-defense cost equation in favor of the defense. Our panelists today have written and commented on the need for greater investment in advanced missile defense technologies, including directed energy and space-based systems, to meet emerging missile threats to the homeland. I look forward to their comments.

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Thank you, David. Good morning, everyone. Peppi is going to talk about our paper in some detail, especially our views on the implications of the shift in the threat environment for our future missile defense policies and programs. I will try to set the stage with a few general observations—and several lessons learned—from past homeland defense policies and programs, some dating to the Reagan Administration but that remain salient today.

President Reagan gave his SDI speech more than 40 years ago. Despite the mischaracterizations, SDI was never about building an impenetrable dome or shield—that was an image manufactured by critics in the arms control community and their supporters on the Hill and in the media. From the earliest days, then Senator Biden was in the anti-missile defense camp. I don't want to be snarky, but what was it that Secretary Gates said about Joe Biden? I raise this only because it bears directly on what we can expect if there is a second Biden term.

Anyway, from the outset of SDI, the purpose was to strengthen deterrence. To quote from a January 1988 SDIO report to Congress:

> The military objective of Phase I would be to enhance the US deterrence posture by being able to deny the Soviets their objectives in an initial ballistic missile attack. Achieving the Phase 1 objective would enhance deterrence in two ways. *One, it would decrease the Soviet confidence that the objectives of its initial attack would be met.* Two*, it would increase the likelihood that the US and its allies would be able to respond to aggression effectively.*
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> The deployment of the Phase I SDI would compel Soviet operational adjustments and compromises by reducing the confidence of Soviet planners in a favorable outcome of a Soviet ballistic missile attack.[6]

[6] Strategic Defense Initiative Organization, *Report to Congress on the Strategic Defense System Architecture*, January 1988, pp. 4-5, available at https://apps.dtic.mil/sti/tr/pdf/ADA195476.pdf. (Emphasis in original)

Keep this thought in mind when you think about Russian and Chinese coercive threats and, more broadly, about the role of defenses in a tri-polar deterrence context.

President Reagan was clear that his goal was to bring together the best of American science and technology capabilities to see if we could develop defenses that could reduce our reliance on nuclear weapons and move away from the concept of mutual assured destruction which he found highly dubious on both strategic and moral grounds.

The Bush-41 Administration inherited a much different strategic threat environment with the fall of the Soviet Union and the end of the Cold War. Yet, homeland missile defense remained a priority for both Russia and the United States—not as enemies but as potential partners. In fact, following President Yeltsin's UN proposal to create a global protection system, President Bush offered GPALS, a DOD program of record at the time, to be the United States contribution to Yeltsin's initiative. Many of you will remember that GPALS consisted of ground launched and space-based interceptors, the latter known as Brilliant Pebbles.

With Bill Clinton's election, and based solely on politics and ideology, there was a 180-degree turn on strategic defenses, despite no real change in the strategic environment. On day one of the administration, Secretary Aspen announced to the press that he was "taking the stars out of Star Wars," killing all components of GPALS. For the next 8 years, at every U.S.-Russian summit, the two leaders described the Cold War era ABM Treaty—a treaty that codified mutual assured destruction—as the cornerstone of strategic stability. In fact, the Clinton team tried but failed to strengthen the ABM Treaty by negotiating so-called demarcation provisions that would ensure that theater capabilities could not have the ability to intercept strategic missiles. What could go wrong with that goose chase?

The Bush-43 Administration came into office committed to withdrawing from the ABM Treaty and deploying a homeland defense against rogue missile threats, most notably North Korea. This was viewed as essential to countering emerging threats—threats that have now emerged. Prior to 9/11, this was the number one priority—and it succeeded on both counts, with Fort Greely reaching IOC in October 2004. This initial deployment was an important achievement but was accurately described at the time as a rudimentary capability against North Korean missiles in small numbers. The commitment was to move forward with spiral development to stay ahead of the threat—which we have failed to do. Today, 20 years later, and again this is my view, we have little more than a rudimentary capability against a threat that has outpaced our ability to deter and defend against. The reason why is not lack of funding or technology barriers—it is policy failures.

With the election of President Obama, and again without any significant change in the threat environment, we had another 180 on homeland defenses—with the cancellation of all Bush programs that were intended to keep pace with the rogue state threat—Airborne Laser (ABL), Kinetic Energy Interceptor (KEI) and Multiple Kill Vehicle (MKV). Homeland defense was more of a bargaining chip in the high-profile effort to achieve lower offensive numbers on the path to global zero. The Obama Administration even cancelled the third site in Europe, replacing it with the phased adaptive approach which included a fourth phase that called for the development and deployment of the SM-3 Block IIB, which was to have the ability to engage ICBM class missiles. But that program, entirely predictably, would also be cancelled.

One footnote on Fort Greely. I believe that, had we not deployed Ground-Based Interceptors (GBIs) in 2004, we would not have any homeland defense today. Obama would certainly not have deployed defense; and I doubt that the Trump team would have done so—in the latter's case, not because they didn't support homeland defenses but because they likely could not have overcome the antibodies in the interagency, especially in the Pentagon.

The Trump Administration, at least in my view, is best thought of as a lost opportunity regarding homeland missile defense. We had a president that said all the right things about the need for an effective defense of the homeland against threats from all sources—but the words bore no connection to the policies and programs of the DOD. I still marvel at the total disconnect between the President's statement at the Pentagon on the day the *Missile Defense Review* (MDR) was released and what was actually in the MDR. In any case, we ended up with the Next Generation Interceptor (NGI) as the future centerpiece of our homeland defense posture.

Now here is where I may differ with some of my friends: My view at the time—and today—is that NGI was the wrong answer and remains the wrong answer—even for defending against the rogue threat alone. While NGI will clearly be a major advancement over the current GBI force, you simply cannot scale up ground-based defenses to meet the deterrent and defense requirements that we have today—especially Russian and Chinese coercive threats. But the irony—I must concede—is that NGI—which importantly includes a multiple kill capability—may actually be the best that government can do given all the antibodies and all of the bad ideas that have held us back from pursuing an effective homeland defense for over 40 years.

So very briefly, what are these bad ideas—ideas that I fought against for my 26 years in government? The first is that homeland defenses are destabilizing—that they will create an arms race and incentives to strike first. While this idea has been around since before the ABM Treaty was negotiated in the Nixon Administration, it is—while admittedly seductive—simply counterfactual. But it was prevalent in the Clinton and Obama Administrations and, no doubt, in the Biden Administration. Here again, one has to ignore the facts and disbelieve your lying eyes. When we left the ABM Treaty, Putin announced that this was not a threat to Russia and that Russia would continue to make major reductions in its offensive forces.

Much more recently when Israel was attacked by Iranian drones, cruise, and ballistic missiles, its homeland defense systems worked spectacularly well—even according to the Biden Administration which praised the defensive operation. The result was anything but destabilizing. The Israelis took their time and decided on a very proportionate (and stabilizing) response. The Biden Administration has also supported Ukraine's air and missile defense capabilities in the name of providing stability. But don't for one minute think that these same officials will apply this view to U.S. homeland defenses. The old myths will never die with those wedded to ideological dogma.

I don't have time to deal with all of the other bad ideas—such as defenses won't work, or defenses cost too much. Recent events speak to them. But one other persistent and pernicious idea is the so-called militarization of space. Never mind all that Russia, China, and our other adversaries have been doing to militarize space, or even that our Joint Chiefs have

described space as a contested environment, President Biden has reportedly stated that he does not want to be the president that militarizes space. Speaking of space, you have to ask what planet is he living on? Talk about being wedded to a dangerously bad idea—there can be no better example.

Let me cut to the chase—and here I depart somewhat from the options we lay out in our paper. My position is that, to have an effective and affordable defense of the American homeland, and to strengthen deterrence of both rogues and Russian and Chinese coercive threats, we must aggressively pursue a space-based capability with thousands of small satellites (think Starlink) that provide both sensors and killers. I am confident, talking with experts who know the current state of technology, that this can be achieved in 4 to 6 years, or perhaps 5 to 8 years. What is important is that we begin now. Are we up to the task or will we continue to cling to the established pattern of failure? I will let others answer the question.

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