

Testimony of Michael Krepon, President, The Stimson Center,
before the House Committee On National Security,
Hearings on Ballistic Missile Defense,
March 14, 1996

Mr. Chairman and Members of the Committee,

I welcome the opportunity to testify today on the subject of missile defenses. Many, many, years ago, I had the privilege of working for a Member of this Committee, Floyd Hicks. Judge Hicks was a superb cross-examiner and a fine public servant. He taught me a great deal. So this room is very familiar to me, even if many of the faces here are not.

The topic of today's hearing is, of course, extremely timely and important. How do we best protect the citizens of our country from the dangers posed by weapons of mass destruction, while spending tax dollars sparingly and wisely?

To answer this question, we must first note that, in many important respects, succeeding administrations have made significant gains in combating and reducing the dangers posed by weapons of mass destruction:

- - Extraordinary nuclear arms reduction treaties have been negotiated that are dramatically reducing deployed forces. Entire categories of weapons have been entirely destroyed or decommissioned. - All but a very few countries have now stopped producing weapon-grade fissionable material.
- The Nuclear Non-Proliferation Treaty has recently been extended indefinitely. Companion treaties exist for other weapons of mass destruction, although the Biological Weapons Convention requires a verification protocol, and the Chemical Weapons Convention has yet to enter into force, as it awaits the Senate's and Duma's consent to ratification.
- Many states of proliferation concern have either joined the NPT or embraced equivalent constraints in recent years, most notably Argentina, Brazil, South Africa, Ukraine, Kazakstan, Belarus, and Algeria.
- Most countries able to export missile and nuclear technologies have agreed not to supply states that do not adhere to non-proliferation norms.
- Countries that once had ballistic missile programs of concern, such as Argentina, Brazil, and South Africa, have now agreed to adhere to the guidelines of the Missile Technology Control Regime.
- North Korea's dangerous nuclear program has apparently been frozen, and its export of medium-range ballistic missiles to countries of proliferation concern could place in grave jeopardy foreign financing of desperately needed nuclear power reactors for civilian use.
- Saddam Hussein's programs to produce weapons of mass destruction have been uncovered. Captured weapons and key equipment have been dismantled and destroyed. Periodic inspections continue on Iraqi soil.
- A truly comprehensive nuclear test ban treaty that will reinforce other efforts to devalue dangerous nuclear weapons is within reach.

This is only a partial, but quite impressive, list of accomplishments over the past decade. On the other hand, significant concerns remain, and some problems have become more troubling in recent years.

- U.S. relations with both Russia and China have deteriorated and could worsen. This is unlikely to result in ballistic missile attacks against the United States, but could easily translate into more, or more serious, transactions with states of proliferation concern.
- There are quite large and dispersed stockpiles of nuclear material in the former Soviet Union. While much progress has been made to secure these stocks, some facilities remain poorly guarded and must be inviting targets for those who wish to acquire the means of spreading nuclear terror.
- Recent gains in states such as North Korea and Iraq are not set in concrete. Reverses could occur at any time. Other states, such as Iran, Libya and Syria, stubbornly remain outside of international norms. While these states are unlikely to acquire intercontinental ballistic missiles, they have other means of causing harm.
- While most regions are moving away from proliferation, South Asia is moving in the wrong direction.
- Chemical and biological weapons are easier to acquire than nuclear weapons. The first use of crude chemical weapons as an instrument of urban terror by a subnational group occurred one year ago in Japan--a very disturbing precedent.

What, then, is the balance sheet? Net assessments are subject to debate because we face both positive and negative trend lines. My assessment is that advances in non-proliferation over the past decade clearly outweigh setbacks. Many key states have joined non-proliferation regimes, and only one state has tried (unsuccessfully) to leave. Efforts are underway to strengthen these regimes. Troubling nuclear weapon programs have decreased in number. While short-range ballistic missile and crude cruise missile programs have spread, sophisticated and longer-range missile programs remain few in number. The best judgment of the U.S. intelligence community is that new potentially hostile states are not likely to develop their own intermediate- or longer-range ballistic missiles over the next fifteen years. All of this is welcome news.

There is no room for complacency, however. The illicit purchase of nuclear materials from the former Soviet Union constitutes a clear and present danger to U.S. and international security. The acquisition and use of chemical and biological weapons by states or subnational groups also constitute a clear and present danger to U.S. and international security. Unlike threats from intermediate- and intercontinental-range ballistic missiles that may be fifteen years away, the threats posed by terrorist acts involving nuclear, chemical and biological material are here and now.

Thus, the sense of urgency that some Members of Congress have placed on defending against North Korean missiles that may or may not be able to reach the Aleutian Islands appears misplaced. Instead, I urge this Committee to focus its energies on constructing better preventive defenses against more pressing problems, such as the urban terrorists who struck the Federal Building in Oklahoma City and the World Trade Center in New York with truck bombs. We need better preventive defenses against rogues who might use BW or CW to disable city centers or subway systems.

The sense of urgency some Members of Congress feel for defending the United States against long-range ballistic missiles appears similarly misplaced. While the threat of such an attack is deemed to be quite low, the threat posed by short-range ballistic and cruise missiles to forward-deployed U.S. forces, allies and friends is significant. The

Department of Defense and the defense contractor community have yet to solve this pressing problem. As a matter of budgetary prudence, I am not inclined to move full speed ahead on more difficult and less pressing BMD problems until the solution to short-range, threatening missiles is well in hand.

National missile defenses constitute the last line of defense against the most sophisticated and improbable threats to the American people. The last line of defense is also a very difficult line to defend.

If the front lines of defense are weak, the last line of defense will be porous, no matter how much extra money this Committee authorizes for NMD.

The front lines of defense are the sum total of the non-military means our country employs to reduce the dangers posed by weapons of mass destruction. The front lines of defense include our intelligence efforts, diplomacy, export controls, the Nunn-Lugar program, arms reduction treaties and non-proliferation regimes. These front lines of defense have been short-changed in recent years. Spending large sums of money for the last line of defense while short-changing the front lines of defense is extremely unwise, and potentially very dangerous.

The first line of defense against the proliferation of these dangerous weapons and their means of delivery begins with early detection of troubling programs and continuing attention to subnational groups or states of proliferation concern. Once detection has occurred, this line of defense requires intense oversight of commercial transactions as well as the indigenous development, testing, and production of dangerous weapons.

Proliferation is a global problem, requiring multilateral solutions. Just as the United States cannot be a global policeman, so, too, we cannot be a global traffic cop. If we're going to succeed in combating proliferation, we'll need strong alliances. We need friends that will help isolate adversaries. We need help to convince states not to provide the building blocks of weapons of mass destruction to countries of proliferation concern. We need persuasive and firm diplomacy once detection occurs. Export control regimes don't work on automatic pilot. We need to work on the regional security issues that prompt some states to acquire WMD. Diplomacy isn't a dirty word in the fight against proliferation. It makes little sense to trash the State Department and the Arms Control and Disarmament Agency while spending large sums for ballistic missile defenses. By weakening the front lines of defense, we make it that much harder for the last line of defense to succeed. Global agreements against the acquisition or spread of weapons of mass destruction are essential to combat the proliferation problem. Global agreements set international norms against possession or use of weapons of mass destruction. Norms can be broken, of course, but norms also make international sanctions more feasible. Treaties require teeth in the form of routine and challenge inspections. It makes little sense to oppose ratification of the Chemical Weapons Convention or the negotiation of a verification protocol for the Biological

Weapons Convention, while promoting defenses against missiles that may carry chemical or biological weapons.

Threat reduction can take many forms. The most direct line of defense against nuclear danger is negotiated, verified reductions in nuclear forces that can, if used, cause incalculable damage to our country. Does it make sense to be for missile defenses and against a START III or START IV treaty? We need greater transparency. of nuclear stockpiles. We need to make reductions irreversible. Secretary of Defense Perry talks about "defense by other means." Defense spending that facilitates threat reduction in the former Soviet Union is a wise investment for everyone concerned. Senators Nunn and Lugar paved this road, which now branches off to include interactions between nuclear weapon laboratories. Some argue that these investments are unwise, and that they simply allow the Kremlin to budget more for defense modernization. But spending in Russia for defense modernization-- although at significantly lower levels--will occur in any event; spending to dismantle weapons and increase their physical security is far from assured.

No single one of these front lines of defense is sufficient; all must work in concert to make up for each one's deficiencies. If all of the front lines of defense are breached, then we must rely on properly trained and equipped conventional forces, operating alone when necessary, but preferably in concert with allies and friends. The second line of defense--conventional forces--is, of course, the statutory responsibility of this Committee. Only when our conventional forces are unable to deter or defeat the launch of missiles must we then turn to our third and last line of defense: the interception of these missiles or their warheads in flight.

I realize that this Committee's jurisdiction lies primarily in the last two lines of defense. All members of Congress, however, have a solemn responsibility to oversee defense preparedness. I believe we, as a nation, will not succeed in combating the spread and use of WMD unless we view the problem whole. We can't simply focus our energy and funding on the last fifteen minutes--or fifteen seconds--of the problem, when ballistic missiles are on their way or when their re-entry vehicles are subject to intercept. We need to strengthen all three lines of defense. If we address the problem whole, in a balanced and prudent way, we can protect taxpayer wallets aswell as our country.

At present, I believe that many in Congress are pursuing an unbalanced approach to defending our country. We are spending extremely large sums for the last fifteen minutes of the problem, while short-changing the front lines of defense against weapons of mass destruction. Consider what could be achieved with a fraction of the \$450 million this Committee added on last year for national missile defenses, or the \$170 million the Committee added for the Navy. Upper Tier program:

- The Department of Energy's budget request to increase nuclear safety and security at Russian facilities is only \$95 million. For an additional \$25 million, the Congress can vastly increase security at six additional facilities.
- The budget for the Non-Proliferation Treaty's watchdog agency, the International Atomic Energy Agency, has been flat for over a decade. "Safeguard" activities at nuclear facilities now cost \$75 million. For an additional U.S. voluntary contribution of ten million dollars, the IAEA could hire fifty new inspectors.

- If the Senate consents to ratification of the Chemical Weapons Convention, the U.S. share to fund verification and other treaty activities will be less than \$20 million. For an additional voluntary contribution of \$10 million, the United States could provide for another sixty inspections annually under the CWC.
- The Federal Emergency Management Agency. is only now in the process of assessing its capability to deal with the consequences of terrorism involving weapons of mass destruction, although the conclusions of this assessment are already apparent: FEMA isn't ready, and the country isn't ready. The budgetary consequences of our national lack of preparedness have not begun to be addressed.
- The government agency with the best track record in negotiating treaties and creating norms against weapons of mass destruction--the Arms Control and Disarmament Agency--is facing extinction, its budget slashed by 30 per cent.
- Last year's budgetary request for Nunn-Lugar funding was cut twenty per cent. Many other examples could be cited to demonstrate the imbalanced nature of our national efforts to defend against weapons of mass destruction. The Clinton administration has been too stingy., in my view, in supporting the front lines of defense against dangerous weapons. The Congress' added generosity toward the last line of defense and increased stinginess for the front lines make for an extremely unbalanced program.

I believe that the Clinton administration's BMD program has the right priorities. The first order of business must be to field a defense system that actually works on the battlefield against short-to-medium- range ballistic missiles. As Under Secretary of Defense Paul Kaminski recently testified before this Committee, approximately ninety per cent of all ballistic missiles from potentially hostile countries will have rather short ranges. We lacked an effective missile defense system against these threats during the Gulf war, and it's about time we had one. If it takes more money to field such systems that work, let's do it.

As for more ambitious and costly theater missile defenses, we can afford to go slower and to be more protective of taxpayer wallets. The nature of this threat is extremely limited today, and the intelligence community projects the threat to remain extremely limited for the next fifteen years. It is not at all clear to me why we need separate Army THAAD and Navy Upper Tier programs to address this modest threat. If the Air Force, Navy and Marine Corps can collaborate on the next generation combat fighter, is it too much to ask for the Army and Navy to develop jointly a theater missile defense system? Alternatively, should we not ask the Pentagon to choose between these largely overlapping programs?

I believe the Clinton administration's plans for a "3 plus 3" program for national missile defenses is on the mark. Pushing NMD faster is unwise on budgetary and programmatic grounds. As Gen. Malcolm O'Neill has recently testified before this Committee, "near-term options might not field an initial system that could be evolved into a more effective defense." In light of the U.S. intelligence community's finding that the threat of an ICBM or SLBM attack on our shores is "remote" and "unlikely," why not take our time and let the technology. mature? If the Committee feels that additional funds are warranted for defenses, I urge you to direct these funds to the front lines, rather than to the last fifteen minutes of the problem.

The pursuit of multi-site NMD, as some have suggested, would be an anticipatory breach of the Anti-Ballistic Missile Treaty. Many on this Committee view the ABM Treaty as a "Cold War relic" that deserves to be placed on the ash heap of history. If the ABM Treaty served no useful purpose, and if the United States needed multi-site defenses against clear and present dangers, I would agree. But the Committee has before it the best assessment of the U.S. intelligence community, the key judgments of which are free of contention. Our intelligence community judges, to cite from the testimony of the Chairman of the National Intelligence Council, Richard N. Cooper, "that in the next 15 years no country, other than the major declared nuclear powers will develop a ballistic missile that could threaten the contiguous 48 states or Canada."

Simply put, the ballistic missile threat provides no compelling reason to trash President Nixon's handiwork. There are other fundamental reasons why the ABM Treaty remains useful and necessary. The Treaty constitutes a safety net against the free fall in U.S.-Russian relations. Remove the safety net, and many equations change for the worse, including our ability to field effective defenses. Our relations with Russia, like those with the Soviet Union, will always be uneven: as in the Cold War, we can co-operate in some areas while we strongly disagree on others. If we trash the ABM Treaty, co-operation will be minimal and tensions will be the norm.

The ABM Treaty is not sacrosanct. It should be a living document, like the U.S. Constitution, subject to ongoing interpretation and occasional amendment. This can be done without scrapping the Treaty. Finally, the ABM Treaty is needed because it facilitates the transition from offense to defense. Kill the Treaty, and you kill prospects for reductions far, far below START II levels--the kind of reductions needed for effective defenses. Kill the Treaty and you also kill prospects for the degree of U.S.-Russian cooperation necessary for a transition from offense to defendedominance.