



When a British officer of the guard and six soldiers killed five American colonists in what came to be known as the “Boston Massacre,” they were arrested and indicted for murder. With emotions running high, it was difficult to get a lawyer to represent them.

John Adams, who later became President, agreed to take the case.* During his argument at the trial, Adams said, “Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence.”

The defendants were acquitted of murder in spite of the public anger and “passions” that had been aroused against them.

Similarly, while National Missile Defense (NMD) stirs emotions today, the decisions of policy makers must be based upon the facts rather than on “our wishes, our inclinations, or the dictates of our passions....”

In this chronology, the facts about the Clinton administration’s actions on ballistic missile defense, and NMD in particular, are set out. To put the administration’s actions in context the report begins with a brief examination of related activities in 1991 and 1992. For example, in January of 1991, President Bush reoriented the SDI program to a defense against limited long-range threats; in

February of 1991, the deaths of 28 soldiers at Dhahran during Operation Desert Storm focused our nation’s attention on the ballistic missile threat and led to passage of the Missile Defense Act of 1991 later that year; in September of 1991 President Bush called upon the Soviet Union to allow a limited NMD, and in October of 1991 President Gorbachev agreed to have his representatives immediately begin discussing the idea with their American counterparts. In 1992, at the United Nations, President Yeltsin called for a joint effort on a Global Protection System, which was followed by a June 1992 Bush-Yeltsin summit on the issue of both strategic defenses and offensive reductions. Several U.S.-Russian working groups were subsequently established on the subject. Proposals and counter-proposals were made, without acrimony, in a spirit of cooperation and openness. Indeed, these negotiations coincided with conclusion of negotiations on the START II Treaty.

Today, the atmosphere between the two countries on this issue couldn’t be more different. Instead of proposals and counter-proposals, we have an American proposal – made over eight months ago – and Russian refusal to discuss, let alone negotiate over, the issue. Instead of an understanding that strategic defenses and offensive reductions are not mutually exclusive, we have Russian insistence that U.S. deployment of NMD will lead to an offensive arms race. Instead of comity there is an atmosphere of accusation and distrust.

continued . . .

* In his *Diary and Autobiography*, Adams states: “The Part I took in Defence of Cptn. Preston and the Soldiers, procured me Anxiety, and Obloquy enough. It was, however, one of the most gallant, generous, manly and disinterested Actions of my whole Life, and one of the best Pieces of Service I ever rendered my Country. Judgement of Death against those Soldiers would have been as foul a Stain upon this Country as the Executions of the Quakers or Witches, anciently. As the Evidence was, the Verdict of the Jury was exactly right.” (Adams, John. *Diary and Autobiography of John Adams*. L.H. Butterfield, Editor. Cambridge, MA: The Belknap Press of Harvard University Press, 1961.)

Stubborn Things traces with facts the path from comity to distrust. Readers of this report will note several trends, among them the Clinton administration's denial of the emerging ballistic missile threat and reluctance to come to terms with a changed environment; its chronic under-funding of ballistic missile defense programs, beginning with sharp reductions early in its first term, and exacerbated by additional cuts in the Democrat-controlled Congress (see charts in Appendix A); its emphasis on arms control over military capability; and its opposition to the missile defense initiatives of the post-1994 Republican Congress.

The failure of the Clinton administration to consider seriously any technologies for NMD other than those most superficially compatible with the ABM Treaty is also documented. The result is a proposed ground-based missile defense that is the nearest-term answer to the emerging ICBM threat. While it will be an important part of any NMD, this single-site approach will be inadequate, by itself, to protect against the emerging threats.

It is a stubborn fact that the National Missile Defense problems the United States is encountering today are the result of decisions made by the Clinton administration since January of 1993.



THAD COCHRAN
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Committee on Governmental Affairs

President Bush Focuses The Strategic Defense Initiative (SDI) On Limited Ballistic Missile Strikes (January 29) In his State of the Union address, President Bush announces, “I have directed that the SDI program be refocused on providing protection from limited ballistic missile strikes – whatever their source. Let us pursue an SDI program that can deal with any future threat to the United States, to our forces overseas, and to our friends and allies.”¹ As a result, U.S.

missile defense programs are grouped together under a new title – GPALS, for Global Protection Against Limited Strikes. The purpose of GPALS is to protect, on a continuous basis, the American people and U.S. interests worldwide against both strategic- and theater-range threats. The threshold requirement of GPALS is to protect against ballistic missile threats of up to a few tens of warheads.²

Twenty-Eight American Soldiers Killed By Iraqi Ballistic Missile Attack (February 25) Twenty-eight American soldiers are killed by an Iraqi Scud missile attack on their barracks at Dhahran, Saudi Arabia, during Operation Desert Storm.³

Senate Armed Services Committee Approves Bipartisan Missile Defense Act (July 17) The Senate Armed Services Committee reports the Missile Defense Act of 1991 by a vote of 16-4 as part of the FY '92 Defense Authorization Act.⁴ The

Missile Defense Act, introduced by Senators John Warner and Committee Chairman Sam Nunn after the Gulf War, makes it U.S. policy to deploy by FY '96 a cost-effective, operationally-effective, and ABM Treaty-compliant ABM

system designed to protect the U.S. against limited ballistic missile threats. Four Democrats – Senators Glenn, Gore, Kennedy, and Levin – vote against the act.⁵

President Bush Invites Soviets To Join The U.S. In Permitting Missile Defenses Against Limited Threats (September 27) President Bush announces major unilateral initiatives affecting U.S. tactical and strategic nuclear forces, including reductions, cancellations, and removal of systems from alert status. He calls upon the Soviet leadership to respond with equally bold steps and invites them “to join us in taking immediate con-

FY '92 Bush Administration Missile Defense Funding*

	Budget Request	Democrat Congress Approp.	Difference
National Missile Defense	\$2.287 billion	\$1.987 billion	-13%
Total Ballistic Missile Defense	\$5.081 billion	\$4.150 billion	-18%

*All funding figures presented in this report are derived from historical funding data provided by the Ballistic Missile Defense Organization, unless otherwise noted. Figures for "Total Ballistic Missile Defense" include funding in the Air Force budget for the Airborne Laser and Space-Based Laser.

crete steps to permit the limited deployment of non-nuclear defenses to protect against limited ballistic missile strikes – whatever their source – without undermining the credibility of existing deterrent forces.”⁶

Bush Administration Offers Proposal In Geneva On Missile Defense Deployments (October 3)

At the U.S.-Soviet Defense and Space Talks in Geneva, the United States announces it is “prepared to discuss limits on the scope and timing of defense deployments” to permit the U.S. and USSR to implement the planned GPALS (Global Protection Against Limited Strikes) system while preserving confidence in each side’s deterrent forces.⁷

President Gorbachev States He Is Ready To Discuss U.S. Proposal On ABM Systems (October 5)

Soviet President Gorbachev announces unilateral nuclear force reductions and responds to President Bush’s invitation of September 27, stating, “we are ready to discuss the U.S. proposal on non-nuclear ABM systems.”⁸

Governor Clinton Says Latest Gorbachev Proposals Can Produce Greater Savings (October 7)

Governor Clinton, pursuing the Democratic nomination for president, states, “This last set of proposals by Gorbachev opens the possibility of far greater savings, and those savings ought to be reinvested in the internal strength of this country. That will be the national security issue of the 1990s.”⁹

Democrat-Controlled Congress Cuts Funding For Space-Based Interceptor Program By 71% (November 13)

Senate and House conferees report out a Defense Department Authorization bill which cuts funding for Space-Based Interceptors by 71% below the Bush administration request, from \$1.6 billion to \$465 million. The conferees’ decision represents a Senate compromise with the House of Representatives, which had previously voted to eliminate all funding for the Space-Based Interceptor program.¹⁰

Governor Clinton Calls Ballistic Missile Defense “Futile,” Supports Only Research And Development Permitted By The ABM Treaty (December 12)

Governor Clinton states, “Since President Reagan unveiled his Star Wars proposal... our nation has spent \$26 billion in the futile pursuit of a fool-proof defense.... Democrats in Congress have recommended a much more realistic attainable goal: defending against very limited or accidental losses of ballistic missiles. This goal would allow... research and development on missile defense within the framework of the ABM Treaty...”¹¹ Eleven months earlier President Bush had decided to scale back the Strategic Defense Initiative (SDI) from a defense against a large-scale attack to protection against limited strikes.¹²

Soviet Union Ceases To Exist (December 25)

Soviet President Gorbachev resigns, transferring control over armed forces and nuclear arsenal to Russian President Boris Yeltsin.

President Boris Yeltsin Proposes Joint Creation Of A Global System Of Defense (January 29-31)

Russian President Yeltsin states, “We are ready jointly to work out and subsequently to create and jointly operate a global system of defense in place of SDI.”¹³ Two days later, Yeltsin reiterates the proposal in a speech to the U.N. Security Council, stating, we “could make use of high technologies developed in Russia’s defense complex.” This is the first time a Russian leader publicly acknowledges a common interest in developing defenses against ballistic missiles while at the same time calling for further offensive nuclear reductions.¹⁴

Presidents Bush And Yeltsin Discuss Global Defenses At Camp David, U.S. Endorses Yeltsin’s Idea (February 1)

At Camp David, Presidents Bush and Yeltsin discuss the proposal on global defenses and agree to continue the dialogue. In Moscow later in the month, Secretary of State Baker informs Russian Foreign Minister Kozyrev that the U.S. shares Yeltsin’s vision of a global system and is prepared to work together toward that goal.¹⁵

Governor Clinton Says Even Modest Changes To The ABM Treaty “Are Not Needed” (March)

Governor Clinton writes in the March edition of *Arms Control Today* that he “would only consider modest changes in it [the ABM Treaty] that clearly enhanced U.S. security interests and were negotiated in good faith with Russia... At present, such changes are not needed.”¹⁶

FY '93 Bush Administration Missile Defense Funding

	Budget Request	Democrat Congress Approp.	Difference
National Missile Defense	\$2.751 billion	\$2.090 billion	-24%
Total Ballistic Missile Defense	\$5.425 billion	\$3.805 billion	-30%

Washington Summit Reflects Historic Shift In U.S. And Russian Approach To Strategic Offensive And Defensive Forces (June 17)

Presidents George Bush and Boris

Yeltsin reach agreement – recorded in a Joint Understanding – on a START II framework for substantial further reductions in strategic offensive arms, including the elimination of all multiple-warhead ICBMs.¹⁷ In a sharp departure from previous precedent, they agree to such reductions without any linkage to the ABM Treaty in any of the summit documents.¹⁸ At the same time, they agree, in a separate “Joint Statement on a Global Protection System,” to pursue ballistic missile defense cooperation on a priority basis.¹⁹ The agreement to cooperate in the development of ballistic missile defense capabilities and technologies is also incorporated into another summit document – a “Charter for American-Russian Partnership and Friendship.”²⁰

Presidents Bush And Yeltsin Agree At Summit To Develop A Global Protection System Concept (June 17) Presidents Bush and Yeltsin also issue a “Joint Statement on a Global Protection System” at the Washington summit:

“The Presidents continued their discussion of the potential benefits of a Global Protection System (GPS) against ballistic missiles.... The two Presidents agreed that their two nations should work together with allies and other interested states in developing a concept for such a system as part of an overall strategy regarding the proliferation of ballistic missiles and weapons of mass destruction. Such cooperation would be tangible expression of the new relationship that exists between Russia and the United States.... The two Presidents agreed it was necessary to start work without delay to develop the concept of the GPS.... [T]hey agreed to establish a high-level group to explore on a priority basis the following practical steps [including].... The development of a legal basis for cooperation, including new treaties and agreements and possible changes to existing treaties and agreements necessary to implement a Global Protection System.”²¹

Governor Clinton Says SDI Is One Of Three Areas To Provide The Bulk Of Defense Cuts (July 13) In an interview at the Democratic National Convention, Clinton says that “reorienting the SDI program” is one of three areas that would provide “the bulk” of his proposed \$60 billion defense spending reductions below that planned by the Bush administration for fiscal years ’93 – ’97.²²

Bush Administration Proposes ABM Treaty Amendments To Facilitate A Global Protection System (July 13-14) At a U.S.-Russian high-level group meeting, the U.S. proposes ABM Treaty amendments to reflect agreement that: (1) neither space-based sensors nor the use of information they provide should be limited; (2) development and testing of ABM systems without regard to basing mode or physical principle is permitted; (3) limits on the number of deployment areas and deployed

interceptors would be relaxed; (4) ABM Treaty ambiguities that result in legal impediments to the development and deployment, sale, or export of theater missile defense systems would be clarified; and (5) technical data and hardware could be exchanged among participants in a Global Protection System, with treaty restrictions on such transfers lifted. At the meeting, U.S. and Russian representatives agree to establish working groups on the Global Protection System Concept, Technology Cooperation, and Non-Proliferation.²³

Missile Defense Act Of 1991 Amended Significantly By Senate Armed Services Committee (July 24) The Senate Armed Services Committee votes to cut SDI funding by \$1.1 billion from President Bush’s request, changes the deployment date for an initial ABM site from 1996 to 2002, reduces funding for the Brilliant Pebbles space-based interceptor by 48% below the President’s request, and reestablishes standard Department of Defense acquisition procedures that will slow development of an ABM system. The bipartisan consensus on missile defense unravels as an amendment offered by Senator Malcolm Wallop to fully authorize the administration’s request of \$5.4 billion for SDI in FY ’93 is rejected on a party-line vote.²⁴

Candidate Clinton’s Campaign Advisors Fore-shadow Clinton ABM Policies (September 7) Democratic presidential nominee Bill Clinton’s campaign advisors indicate that Clinton, if elected, would cut SDI funding by 50%, eliminate research on space-based sensors and the Brilliant Pebbles space-based interceptor, focus on defenses against tactical ballistic missiles and, with respect to limited defense of the U.S., would be unlikely ever to agree to deploy such a system.²⁵

Candidates Clinton And Gore Rule Out Space-Based “Brilliant Pebbles” But Support Research On Limited ABM Defenses (September) In their book *Putting People First*, Clinton and Gore outline their arms control and ABM Treaty plans. They would:

- “Focus our research and development on the goal of a limited missile defense system within the strict framework of the ABM Treaty. Deployment of a massive space-based defense such as Brilliant Pebbles is not necessary.”
- “Support research on limited missile defense systems to protect the United States against new long-range missile threats.”
- “Conduct all such activities in strict compliance with the Anti-Ballistic Missile (ABM) Treaty.”²⁶

Bush Administration Proposes ABM Treaty Amendments In The Standing Consultative Commission (SCC) (October 26-November 6)

In concert with the high-level discussions with the Russian government concerning a Global Protec-

tion System, the U.S. representatives to the ABM Treaty’s Standing Consultative Commission explore several fundamental changes to the ABM Treaty that would permit the development and deployment of strategic defenses in accordance with the U.S. Global Protection Against Limited Strikes (GPALS) architecture. Russian SCC representatives ask questions and present the Russian government’s position. In addition, the U.S. SCC delegation proposes that the sides agree to a single “demonstrated” standard for distinguishing between ABM systems and non-ABM systems. Specifically, U.S. representatives propose that testing of non-ABM systems be allowed against target vehicles with velocities of up to 5 kilometers/second without conflict with the ABM Treaty.²⁷

Presidents Bush And Yeltsin Sign The START II Treaty (January 3) While negotiations over amending the ABM Treaty continue, Presidents George Bush and Boris Yeltsin sign the START II Treaty. The treaty codifies the Joint Understanding signed by the two Presidents at the Washington Summit on June 17, 1992. When implemented, it will eliminate all multiple-warhead ICBMs and substantially reduce the total number of strategic nuclear weapons deployed by both countries by two-thirds below pre-START levels.²⁸

President Clinton and Vice President Gore Inaugurated (January 20)

Strategic Defense Initiative Organization (SDIO) Annual Report Says The Bush Administration's Discussions With Russia On A Global Protection System (GPS) Show "Progress And Promise" (January 26)
The SDIO An-

ual Report to Congress for 1992 states, "Discussions with Russia and our Allies on moving toward a cooperative Global Protection System are showing both progress and promise.... The work of the High-Level Group and its Working Groups suggest that Russian views on a number of impor-

tant elements of a GPS have moved closer to those of the United States.... [T]he United States and Russia have seen no insurmountable problems, including the ABM Treaty, to implementation of a GPS. The Russian government has made clear its desire to continue the dialogue on the GPS concept...."²⁹

President Clinton Orders \$2.5 Billion Ballistic Missile Defense Funding Cut From The Bush FY '94 Budget Request (February 2) In a Memorandum for Service Secretaries – containing policy and program guidance setting out President Clinton's defense program – Defense Secretary Aspin directs SDIO to reduce its FY '94 budget

request to the FY '93 level. The memorandum also establishes theater missile defense (TMD) as first priority and national missile defense (NMD) as second priority, with any possible NMD deployment beginning no earlier than

2002. The Brilliant Pebbles space-based interceptor program is reduced to a technology research program, and the Brilliant Eyes space-based sensor development is slowed pending further review. This is the initial step in adjusting the entire FY '94-'99 Future Years Defense Program (FYDP).³⁰

FY '94 Missile Defense Budget Requests

	Final Bush Admin. Budget Plan*	Clinton Admin. Request	Decrease Amount	Decrease Percent
National Missile Defense	\$3.017 billion	\$1.195 billion	-\$1.822 billion	-60%
Total Ballistic Missile Defense	\$6.347 billion	\$3.763 billion	-\$2.584 billion	-41%

*The final Bush administration budget, submitted in early 1993 for Fiscal Year '94, included proposed spending levels for Fiscal Years '94 - '99.

SDIO Is Ordered To Freeze The Selection Process For The Ground-Based Interceptor (February 17) DoD's interim acquisition chief, Victor Reis, instructs the SDIO Director, Major General Malcolm O'Neill, to defer the source selection process involving three contractor teams' design proposals for the NMD ground-based interceptor (GBI). The three demonstration/validation proposals are returned unopened to the contractor teams one day before the submission deadline. SDIO-proposed budget cuts would also eliminate the prototype ground-based interceptor.³¹

CIA Director Warns Of Likely Third World ICBM Programs Within 10 Years (February 24) CIA Director James Woolsey testifies to the Senate that "over

the next ten years we're likely to see several third world countries at least establish the infrastructure and develop the technical knowledge that's necessary to undertake ICBM and space-launch vehicle development. A short-cut approach that's prohibited by the Missile Technology Control Regime and by the Non-Proliferation Treaty would be for such third world countries to buy ICBMs or major components covertly together with suitable nuclear warheads or fissile materials. Anything such as that would, of course, speed up ICBM acquisition by such nations."³²

Clinton Administration Proposes Budget Cuts That Would Halt All U.S.-Russian Technical Cooperation On The Global Protection System (GPS) (February 27) In response to Secretary Aspin's instructions, the SDIO proposes \$10.5 billion in cuts through FY '99. One effect of those

cuts would be to halt all U.S.-Russian technological cooperation on strategic defenses begun through the U.S.-Russian GPS Technical Working Group in 1992.³³

Clinton Administration Is Not Prepared To Resume Discussing Global Protection System (GPS) Cooperation With Russia (late February)

In early contacts with the new administration, Russian officials raise the issue of continuing cooperation on GPS. However, the administration is

unprepared to discuss this Bush-Yeltsin initiative, responding that it is under review. The Clinton administration never resumes these talks.³⁴

Commander-In-Chief Of U.S. Space Command

Calls For National Missile Defense To Protect Against "Undeterrable" Adversaries (March 23) Air Force General Charles Horner, Commander of U.S. Space Command and North American Aerospace Defense Command, advocates in a letter to Secretary of Defense Aspin that the U.S. should field a "credible" ballistic missile defense that includes space-based interceptors and a national missile defense capability. He states that the ballistic missile threat will continue to grow and "ultimately we could face an undeterrable adversary with nuclear ICBMs..."³⁵

Clinton Administration Initiates ABM Policy Review (March) The new administration initiates an interagency policy review of the ABM Treaty and ballistic missile defense strategy (Policy Review-31). The review's completion is expected by the end of June.³⁶

FY '94 Missile Defense Appropriation

	Clinton Admin. Budget Request	Democrat Congress Approp.	Difference (%)
National Missile Defense	\$1.195 billion	\$650 billion	-46%
Total Ballistic Missile Defense	\$3.763 billion	\$2.764 billion	-27%

Yeltsin Raises SDI Cooperation At Vancouver Summit, An Issue Under Review By The Administration (April 4) Presidents Clinton and Yeltsin issue a Joint Statement in Vancouver that addresses security cooperation, but not missile defense cooperation. On non-proliferation, it states, “The Presidents agreed that it is necessary to achieve the earliest possible resolution of questions about cooperation in non-proliferation of missiles and missile technology in all its aspects, in accordance with the principles of existing international agreements.” One report on the summit states that Yeltsin endorsed cooperation on global anti-missile defenses. SDIO Director O’Neill testifies to Congress on May 4 that Yeltsin’s 1992 initiative on a global protection system came up at the Vancouver summit, and that it is a major item in the White House policy review. O’Neill states, “We anticipate there will be more cooperative research with the Russians.”³⁷

Defense Secretary Les Aspin – Sponsor Of The 1991 Missile Defense Act – Calls It A “Model Of Ambiguity” (April 20) In Senate testimony on April 20, 1993, Secretary Aspin agrees that the Missile Defense Act of 1991 “was a model of ambiguity.”³⁸ This act established the goal of deployment of a highly effective defense of the U.S. against limited ballistic missile attack, and called for the commencement of negotiations to amend the ABM Treaty.

SDIO Intends To Promote Early NMD Deployment Option In The Bottom-Up Review (April 29) Strategic Defense Initiative Organization (SDIO) officials devise three national missile defense options for submission to Defense Secretary Aspin for inclusion in the Bottom-Up Review. An SDIO official states that it is SDIO’s intention to convince members of the Bottom-Up Review steering committee to proceed with the first option of deploying an initial limited missile defense system for the United States around the 2004 timeframe. “Our position is that we ought to get on with NMD.... Defending the homeland is just

as important as theater [missile defense] even though the threat may not be as immediate.”³⁹

Administration Announces Changed Missile Defense Priorities (May 4) In testimony before the Senate, SDIO Director Major General O’Neill explains that the NMD program is being downgraded to second priority below TMD and that the Brilliant Pebbles space-based interceptor program is cancelled, with residual space-based interceptor funds shifted to the advanced technology program. These actions are consistent with the guidance set out in Secretary of Defense Aspin’s February 2 memorandum to service secretaries. However, O’Neill points out additional decisions that were not set out in that guidance memorandum, e.g., that NMD is restricted to ground-based interceptor technology and that the date for an option for deployment is delayed from 2002 to no sooner than 2004.⁴⁰

The Strategic Defense Initiative Is Terminated, The Strategic Defense Initiative Organization (SDIO) Is Renamed The Ballistic Missile Defense Organization (BMDO), And Theater Missile Defense (TMD) Is Given Top Priority (May 13) Defense Secretary Aspin announces the renaming of SDIO to BMDO and the shift of BMDO’s priority from NMD to TMD. He states, “we are here to observe... the end of the Star Wars era” and “these changes represent a shift away from a crash program for deployment of space-based weapons designed to meet a threat that has receded to the vanishing point.”⁴¹

THREAT — North Korea Conducts First Test Flight Of The No Dong Missile (May 29-30) This is the only known North Korean test of the No Dong missile as a single stage missile. Despite having flight-tested the No Dong only once, North Korea soon initiates deployment of the missile, which has a 1,300 kilometer range and is capable of striking targets in Japan. During the same period, North Korea launches three Scud short-range ballistic missiles.⁴²

U.S. Army Strategic Defense Commander Urges Early NMD Deployment To Protect Against Third World Threats (July 1) Lieutenant General Donald Lionetti, Commander, U.S. Army Strategic Defense Command, issues a report advocating an immediate NMD deployment decision leading to deployment of a single-site, ABM Treaty-compliant NMD against long-range ballistic missile threats from third world countries.⁴³

President Clinton Warns Of New Threats From Missile And Nuclear Proliferation (July 3) The President states in a radio address, “technologies of mass destruction that just a few years ago were possessed only by a handful of nations... are becoming more widely available. It is now theoretically possible for many countries to build missiles, to have nuclear weapons and other weapons of mass destruction. This is a new and different challenge that requires new approaches and new thinking.... I am committed to protecting our people, deterring aggression and combating terrorism. The work of combating proliferation of weapons of mass destruction is difficult and unending, but it is an essential part of this task. It must be done.”⁴⁴

“Narrow Interpretation” Of The ABM Treaty “Reaffirmed” (July 13) Acting Director of the Arms Control and Disarmament Agency Thomas Graham notifies Senator Claiborne Pell, Chairman of the Senate Foreign Relations Committee, of the administration’s reaffirmation of the “narrow” or “traditional” interpretation of the ABM Treaty. This interpretation reverses a twelve-year policy of the Reagan and Bush administrations, and effectively ends further development of space-based ABM systems.⁴⁵

DoD Launches Investigation Of SDI Allegations, Proves Charges False (August 18) The Department of Defense announces an investigation of allegations by former defense officials – none of whom is willing to be identified – that the Reagan administration falsified results of the Homing Overlay Experiment (HOE), an early SDI space test. Secretary Aspin subsequently concludes that

there had been an effort to deceive adversaries about SDI capabilities, but the successful HOE intercept in 1984 had not been rigged.⁴⁶

Administration Imposes Minimal Sanctions On China And Pakistan For M-11 Transfers (August 25) Despite clear evidence that China transferred 34 M-11 short-range ballistic missiles and associated equipment to Pakistan in November 1992, the Clinton administration refuses to place Missile Technology Control Regime (MTCR) Category I sanctions on China and Pakistan as required by law. Instead, the administration decides to place lesser Category II sanctions on Pakistan and China for the transfer of “missile-related items.” These sanctions prohibit the export of items on the MTCR list for two years. Under Secretary of State for International Security Affairs Lynn Davis states, “We do not have evidence that they [the Pakistanis] have an M-11 missile.”⁴⁷ Special Assistant to the Director of Central Intelligence for Nonproliferation Gordon Oehler testifies later (June 1998) that there was “no question” in the minds of the U.S. Intelligence Community in 1993 that actual M-11 missiles had been transferred to Pakistan.⁴⁸

NMD Is Downgraded To A Research And Development Program (September 1) The Defense Department’s Bottom-Up Review of U.S. defense strategy and programs is completed on September 1. The final report, endorsed by President Clinton and released October 15, confirms the administration’s reordering of U.S. BMD priorities (i.e., the Global Protection Against Limited Strikes program is downgraded to a limited NMD “technology readiness” program, and TMD acquisition is made the top priority). It emphasizes adherence to the ABM Treaty and slashes the 5-year missile defense program by 54%, from \$39 billion to \$18 billion.⁴⁹

President Says Attacking Proliferation Of Weapons Of Mass Destruction And Ballistic Missiles Is Among The Most Urgent Priorities (September 27) In an address to the United Nations General Assembly, President Clinton identi-

fies new policies for stemming proliferation: pressing for an international agreement that would ban production of nuclear weapons materials; negotiating a Comprehensive Test Ban Treaty; quickly ratifying the Chemical Weapons Convention; strengthening the Biological Weapons Convention; thwarting the proliferation of ballistic missiles by strengthening the MTCR and transforming it into a set of rules commanding universal adherence; and strengthening export controls. Missile defense goes unmentioned.⁵⁰

Administration Reaffirms The ABM Treaty At Expanded Treaty Review Conference In Geneva (September 27 – October 1) The United States, Russia, Belarus, and Ukraine conduct a 5-year ABM Treaty review in Geneva. During the review, the U.S. explores two issues with the other participants: “Demarcation” – drawing a dividing line between strategic and theater missile defense systems – and “succession” – determining which states will succeed the Soviet Union as parties to the ABM Treaty. Such “demarcation” is considered necessary by some because TMD systems, by definition, are not subject to the ABM Treaty. The U.S. states its willingness to accept as treaty parties any of the Newly Independent States that want to be party to the treaty. In a Joint Communique, the four delegations reaffirm their commitment to the ABM Treaty, agree on the importance of maintaining its viability, and advocate continued efforts to strengthen it.⁵¹

Secretary Of Defense Says The New Possessors Of Nuclear Weapons May Not Be Deterrable (October 29) Addressing the new nuclear dangers of proliferation and terrorism during his announcement of the decision to conduct a nuclear posture review, Secretary of Defense Aspin states, “the old rules might not work in the current circumstances. In the past, we dealt with the nuclear threat from the Soviet Union through a combination of deterrence and arms control. But the new possessors of nuclear weapons may not be deterrable. They may have doctrines, histories, intentions and mindsets which are totally different from those of the former

Soviet Union. The traditional doctrine of nuclear deterrence presumes the other side is rational and that we can identify the responsible parties. In the future, we may face rogue states or terrorist groups with nuclear weapons so we can’t count on either of those assumptions. And as with the states of the former Soviet Union, we face the possibility of accidental or unauthorized use.”⁵²

Democrat-Controlled Congress Amends Missile Defense Act To Stress Treaty Compliance (November 30) The Missile Defense Act of 1991 is amended by the FY ’94 Defense Authorization Act to emphasize the need for U.S. compliance with the ABM Treaty, the development of the option to deploy a single-site, treaty-compliant ABM system, and the development of advanced theater defenses. It also urges negotiations to clarify the distinction between ABM and TMD systems.⁵³

DoD Identifies Nuclear Proliferation As The Top New Threat To America (December 7) Secretary Aspin states that there “is a new danger posed by the increased proliferation of nuclear weapons and other weapons of mass destruction.... The new nuclear danger is a more immediate physical threat to America.... The new nuclear danger we face is perhaps as little as a handful of nuclear weapons in the hands of rogue states....” To respond to this threat, Aspin announces the new Defense Counter Proliferation Initiative, stating, “we have reoriented the Strategic Defense Initiative... and refocused the program to concentrate on responding to theater missile threats that are the ones that are here today.” Aspin also states, “We’ve... proposed a clarification in the ABM Treaty that would allow us to develop and test a theater missile defense system, THAAD [Theater High Altitude Area Defense], to meet a real threat without undermining an important agreement. This is an essential element of our counterproliferation strategy.”⁵⁴ NMD goes unmentioned.

DoD Objects To Multilateralization Of The ABM Treaty, But Is Overruled (December 8) The Deputy Director of the Arms Control Asso-

ciation reveals the Clinton administration's thinking underlying the decision to multilateralize the ABM Treaty. He says the "offer to multilateralize [the treaty] the administration interprets as a very positive move... they argue... that this will make it quite difficult to ever amend the ABM Treaty in the future, so if there were ever an effort by a succeeding administration to try to do what the Reagan-Bush administration wanted to do to the ABM Treaty, with many partners to the ABM Treaty in the future, those kinds of amendments would be very unlikely to be carried through.... [T]he U.S. Defense Department for that reason opposed multilateralization.... Eventually, though, they were overruled."⁵⁵

Administration Withdraws 1992 Bush Initiatives On ABM Cooperation With Russia (November 29 – December 10) The administration presents its formal ABM Treaty policy to Russia, Belarus, and Ukraine at the Standing Consultative Commission (SCC) in Geneva. This policy reaffirms the "narrow interpretation" of the Treaty and abandons the Bush administration's Global Protection System initiatives undertaken in the 1992 talks between the Assistant to the President for Policy Planning, Dennis Ross, and Russian Deputy Foreign Minister Mamedov. The administration withdraws proposals that would permit NMD deployment at multiple sites and eliminate restrictions on 1) space-based sensors, 2) development

and testing of ABM systems (i.e., for all basing modes), and 3) transfer of ABM systems and components.⁵⁶

Administration Makes Proposals On Demarcation And Succession (November 29 – December 10) At the SCC in Geneva, the United States proposes to: 1) multilateralize the ABM Treaty by adding former Soviet states, and 2) agree to a "demonstrated" compliance standard for ABM/TMD demarcation (i.e., the parties would deem that TMD systems would not be subject to the ABM Treaty as long as they have not been tested against a ballistic target missile having a velocity greater than 5 kilometers/second).⁵⁷

President Approves Presidential Decision Directive (PDD-17) On Ballistic Missile Defenses And The Future Of The ABM Treaty (December 11) President Clinton formally approves a policy directive establishing the U.S. position to be pursued in negotiations with the Newly Independent States (NIS) on ABM Treaty succession and demarcation, including a "demonstrated capability standard" for ABM/TMD demarcation and an arrangement for multilateral succession to the ABM Treaty.⁵⁸ The "demonstrated capability standard" would deem TMD systems compliant provided they were tested (i.e., demonstrated capability) only against targets of theater range.

Secretary Of Defense Says Proliferation Requires “New Strategies Should Deterrence Fail”

(January) Secretary of Defense Aspin states that proliferators acquiring missiles and weapons of mass destruction “may have acquired such weapons for the express purpose of blackmail or terrorism and thus have a fundamentally different calculus not amenable to deterrence.... New deterrent approaches are needed as well as new strategies should deterrence fail.”⁵⁹

Secretary Of Defense Highlights Counterproliferation As A NATO Summit Goal

(January 7) Secretary of Defense Aspin explains that counterproliferation is one of the three major initiatives for the January 10 NATO summit meeting. He states, “proposition number one is that all NATO mem-

bers recognize that the... threat of proliferation of weapons of mass destruction... affects all of us. Second proposition: That the alliance needs to address both the political and the military aspects of that proliferation problem. Third proposition: That we need to begin to work immediately on a comprehensive approach to this issue.... [I]n short, we need to add counterproliferation to the arsenal of nonproliferation. Counterproliferation means that there... is a military dimension to this thing, not just a diplomatic problem.... NATO is, after all, a defensive alliance, and what is it that we’re worried about? Clearly, one of the things is pro-

liferation.... This summit initiative will put that higher on the agenda.”⁶⁰

Clinton Administration Deems The Theater High Altitude Area Defense (THAAD) TMD System Non-Compliant With The ABM Treaty

(January 12) The Department of Defense concludes in a report to Congress that the THAAD TMD system would violate the ABM Treaty. Explaining this conclusion, BMDO Director O’Neill subsequently testifies to Congress that, “it is the position of this administration that the THAAD, if it were cued by a space-based sensor, would have

to be considered as an ABM system when it went to field testing... until we have clarified the demarcation, THAAD is considered to be an ABM system.”⁶¹ To date, the Russian Government has not questioned

THAAD’s compliance with the ABM Treaty, nor does it at any time in the future.

Russia Proposes – And U.S. Rejects – TMD Interceptor Velocity Limits

(January 24-February 4) In the demarcation negotiations, Russia accepts the U.S.-proposed demonstrated capability standard of 5 kilometers/second target missile velocity, but also insists that target missile range be limited and TMD interceptors be restricted to a maximum velocity of 3 kilometers/second. This Russian proposal would permit some lower-velocity U.S. TMD systems (i.e., THAAD, PAC-3, and

	Final Bush Admin. Budget Plan	Clinton Admin. Request	Decrease Amount	Decrease Percent
National Missile Defense	\$4.204 billion	\$226 million	-\$3.978 billion	-95%
Total Ballistic Missile Defense	\$7.614 billion	\$3.274 billion	-\$4.340 billion	-57%

Navy lower-tier) but not the higher-velocity Navy upper-tier system or an Air Force concept for an air-launched boost-phase interceptor. The U.S. rejects the proposal.⁶²

ACDA Director Promises No “End-Run” Around Congress On ABM Treaty “Clarifications” (March 10)

In testimony before the Senate, ACDA Director John Holum states, “what the final agreed clarification is called, as a legal matter, must properly await the outcome of the negotiations. We can’t discern the form until we know the substance.... [T]he administration will not bypass or end-run Congress in this matter. The President has directed the Administration to consult closely with Congress before any decision is taken as to whether any SCC agreement on the boundary between ABM and TMD systems requires the approval of the Senate.”⁶³ Senators serve notice that they are skeptical of the administration’s proposed treaty changes and warn the administration not to try to put them into effect without Senate approval.⁶⁴

CIA Confirms North Korea Is Developing Two Longer Range Ballistic Missiles (March 17)

Director of Central Intelligence James Woolsey confirms that North Korea is developing two new intermediate-range ballistic missiles designated the Taepo Dong-1 and Taepo Dong-2. Woolsey states that the new missiles “could put at risk all of Northeast Asia, Southeast Asia and the Pacific area, and if exported to the Middle East, could threaten Europe as well.”⁶⁵

All Republican Senators Support Original U.S. Demarcation Proposal (March 25)

All forty-four Republican senators write President Clinton to express strong support for the original U.S. TMD demarcation proposal by the Clinton administration, previously proposed by the Bush administration (i.e., a standard by which systems are deemed compliant with the ABM Treaty provided they have

“demonstrated capability” against target missiles of no more than 5 kilometers/second velocity), stating that it is “an important positive step”, and warn against the dangers of compromising this position.

	Clinton Budget Request	Democrat Congress Approp.	Difference (%)
National Missile Defense	\$226 million	\$82 million	-64%
Total Ballistic Missile Defense	\$3.274 billion	\$2.821 billion	-14%

The senators also state that there is “an emerging consensus in the Senate” that any agreement “to substantively modify the ABM Treaty” should be submitted to the Senate for advise and consent.⁶⁶

ACDA Director Calls The ABM Treaty A “Sacred Text” Of Arms Control (April 25)

In a speech delivered in the United Kingdom, ACDA Director John Holum states, “I turn now to a growing menace [proliferation] that has led some people mistakenly to surmise that we are lessening our commitment to one of the sacred texts of arms control – the antiballistic missile, (or ABM) Treaty.... As a broad proposition, I think that arms control generally has more to offer our national security today than do more weapons systems. We look first to arms control and second – where it has failed or simply come on the scene too late – to defenses.”⁶⁷

BMDO Director Says THAAD Test Program Is Dependent Upon Russian Agreement (May 11)

In testimony before the Senate, BMDO Director O'Neill states, "There will be an issue with THAAD's testing that will require some clarification of THAAD as a TMD system as opposed to potentially an ABM system." He indicates that if negotiators haven't resolved their demarcation differences, "I will have to ask for policy guidance in terms of what my constraints on my research program would be."⁶⁸ Brooks Shelton, Deputy Director of Non-Nuclear Arms Control Policy in the Office of the Secretary of Defense, testifies, "[The administration] is proceeding along the lines that [the ABM negotiations] will be successful."⁶⁹ Despite this policy position, O'Neill states that THAAD's "'theoretical' ABM capability, however, would not be militarily significant in light of system limitations and operational considerations. That is, in real-world scenarios, THAAD could not perform its defensive mission against strategic-class missiles, even in limited engagements.... In sum, THAAD simply would not suffice as an ABM system; it would be easily overwhelmed by the Russian strategic missile force."⁷⁰

ACDA Director Declares Clinton Administration Policy Of Defense Through Arms Control (June 10)

In a speech to a conference on "Law and National Security," ACDA Director John Holum states, "The Clinton administration's policy aims to protect us first and foremost through arms control... and second, by legally pursuing the development of theater defenses for those cases where arms control is not yet successful."⁷¹

Senate Disputes Administration's Ruling That THAAD Is Not Compliant With ABM Treaty (June 14)

The Senate Armed Services Committee Report on the FY '95 Defense Authorization Act states that the first several flight tests of the THAAD interceptor would not violate the ABM Treaty despite the administration's January determination to the contrary. The report states that the

administration had determined THAAD would have "significant intercept probability" against some strategic targets only when the full system, including battle management software, is in place. The report states, "the committee will find it difficult to accept a position that the initial flight test of an interceptor missile, which does not involve any physical target vehicle, can be found to be a 'noncompliant' event. The committee would also question the operational military significance of a 'defensive system' which is incapable of defending itself from attack." The committee requests that the administration adopt reasonable standards for the THAAD demonstration/validation phase system compliance review.⁷²

Navy And Air Force Chiefs Urge JCS Chairman To Oppose Interceptor Velocity Limits (June 16)

Chief of Naval Operations Admiral Jeremy Boorda and Air Force Chief of Staff General Merrill McPeak write to the Chairman of the Joint Chiefs of Staff, General John Shalikashvili, regarding the recent Russian proposal to limit the velocity of TMD interceptors. They state, "We urge continued JCS opposition to performance limits [on TMD interceptor velocity]. Accepting such limits could have the effect of locking us into our current defensive technology, while offensive threats continue to evolve."⁷³

U.S. Negotiator Indicates There Is No ABM Treaty Succession Without A Formal Agreement (June 21)

The acting U.S. Commissioner to the Standing Consultative Commission, Stanley Riveles, states, "On the issue of state succession to the [ABM] Treaty there is general agreement on the basic principles. All of the Newly Independent States are regarded as potential Parties to the Treaty. Actual succession by any of the potential parties will require an affirmative, voluntary commitment by each of the successor states. There will almost certainly be a formal instrument which will record succession, the status and commitment of the Parties."⁷⁴

U.S. Reverses Policy, Proposes TMD Interceptor Velocity Limits At High-Level Talks (July 11-13) In high-level talks in Moscow, the administration proposes – against the advice of Admiral Boorda and General McPeak – a limit on land-based TMD interceptor velocity of 3 kilometers/second, and interim interceptor velocity limits – allowing testing but not deployment – of 4.5 kilometers/second for sea-based interceptors and 5.5 kilometers/second for air-based interceptors. On July 20, ACDA Director Holum states, “our basic approach was well-received [in Russia, Ukraine, and Belarus].”⁷⁵

ACDA Director States That ABM Treaty’s Importance Will Increase As Offenses Are Reduced (July 20) John Holum states, “as the numbers of offensive forces go down, the importance of the treaty goes up – because the impact of any defenses would be proportionately greater.”⁷⁶

Deputy Defense Secretary Says The Taepo Dong-2, If Fielded, Would Potentially Threaten Alaska And Hawaii (August 11) In Senate testimony, Deputy Secretary of Defense John Deutch states, “if the North Koreans field the Taepo Dong-2 missile, Guam, Alaska, and... Hawaii would potentially be at risk.”⁷⁷

Thirty Nine Republican Senators Express Concerns To The President About ABM Negotiations (September 19) In a letter to President Clinton concerning negotiations on ABM succession and demarcation, thirty nine senators state, “we are troubled by continuing reports which indicate that the administration may not be planning to submit such agreements to the Senate for advice and consent. In our view, any agreement on ABM Treaty succession or TMD demarcation would, in fact, ‘substantively modify’ the Treaty and hence would require Senate advice and consent.”

“We are also troubled by the continuing erosion in the U.S. TMD demarcation position.... [O]n March 25, 1994, all Republican Senators wrote to

you to express strong support for the original U.S. proposal and to warn against the dangers of compromising this position. Since then, we have seen the U.S. negotiation team table one compromise after another.... We are particularly troubled by the tentative U.S. acceptance of specific performance limitations on TMD systems, and what appears to be a willingness to consider numerical or deployment limitations on such systems.”

Finally, the letter states, “We find no legal or policy merit in the argument that... without a TMD demarcation agreement the THAAD program will have to be delayed. The THAAD testing and deployment program, as currently configured, does not violate the ABM Treaty. Only an exceedingly restrictive reading of the Treaty could support the view that THAAD presents a compliance problem. We strongly urge you to reject this misguided view and to sever the linkage between THAAD and the TMD demarcation negotiations.”⁷⁸

Secretary Of Defense Perry Announces New Defense Posture Based On “Mutual Assured Safety” (September 21-22) Secretary of Defense William Perry announces in a Defense Department briefing the results of a 10-month nuclear posture review, stating, “the new posture which we are seeking... is no longer based on Mutual Assured Destruction, no longer based on MAD. We have coined a new term for our new posture which we call Mutual Assured Safety, or MAS.” He says that the Cold War was characterized by four factors, including a “unique web of treaties which were intended to try to control [the] arms race and reduce the danger.”⁷⁹ Now, greater emphasis must be placed on the safety and security of the residual stockpiles of nuclear weapons and materials. In a separate address, Perry refers to the idea as “a new form of arms control.”⁸⁰

Senior Administration Official Confirms Continued Faith In ABM Treaty (September 22) Despite Perry’s announcement on “Mutual Assured Safety”, a “senior administration official” briefing the press on September 22 at the White House

on the U.S.-Russian negotiations and upcoming summit states, “The issue that will be the focal point of discussion on this question at the summit will be this demarcation question.” A reporter asks, “as it applies to the treaty?” The official says, “Yes, and reconfirming the overall integrity of the [ABM] treaty.”⁸¹

U.S. and Russia Reaffirm ABM Treaty At Washington Summit (September 28) In a “Joint Statement on Strategic Stability and Nuclear Security”, Presidents Clinton and Yeltsin agree “on the fundamental importance of preserving the viability and integrity of the ABM Treaty” and instruct their respective delegations “to complete an agreement on remaining issues [on demarcation and treaty succession] in the shortest possible time.”⁸²

President Signs Defense Authorization Act Acknowledging Senate’s Role In Approving Treaty Changes (October 5) The FY ’95 Defense Authorization Act states, “the United States shall not be bound by any international agreement entered into by the President that would substantively modify the ABM Treaty unless the agreement is entered pursuant to the treaty making power of the President under the Constitution.”⁸³

Deputy Secretary Of Defense Asserts That “Nut Cases” Can Be Deterred, But There Is No Threat Anyway (October 5) Deputy Secretary of Defense John Deutch states in testimony before the House that “I don’t believe that our position on the ABM Treaty is any different than the prior administration.... I do not agree with you that nut cases cannot be deterred.... There’s no risk in the foreseeable future of Saddam Hussein or others like him developing a missile system that could reach the United States.” Asked whether it was totally impossible that several missiles could end up missing in the former Soviet Union and emerge in Iran or Iraq, Deutch responds, “yes.”⁸⁴

Republican Majorities Elected To The U.S. Senate And House Of Representatives (November 1)

U.S., Russia, Reach Impasse On Demarcation; U.S. Military Presses For New Negotiating Approach (November 9-11) Russia withdraws an offer made in August 1994 to permit some testing of TMD systems at higher velocities, and renews its demand for restrictions on the deployment of higher-velocity TMD interceptors. Russia also proposes limits on space-based sensors. The U.S. declares an impasse in the SCC negotiations and reexamines its negotiating approach to ABM-TMD demarcation. BMDO Director O’Neill writes to the Joint Staff on November 9, stating, “This negotiation has been a history of U.S. concessions to Russian demands.... Each concession was supposed to bring about the breakthrough; instead each has invited more concessions.” Vice Chairman of the Joint Chiefs of Staff Admiral William Owens writes a note to General Shalikashvili on November 10, stating, “I believe we should... take our time and not get locked into a written agreement now....”⁸⁵

President Declares National Emergency To Deal With WMD Proliferation Threat (November 14) By Executive Order 12938, President Clinton finds that “the proliferation of nuclear, biological, and chemical weapons (‘weapons of mass destruction’) and of the means of delivering such weapons, constitutes an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States,” and declares “a national emergency to deal with that threat.” He orders international negotiations, export controls, and sanctions as means for curbing such proliferation.⁸⁶ The order does not mention missile defense.

ACDA Director Recommends Self-Imposed Limit On THAAD Testing (late ’94) As the Defense Department Compliance Review Group con-

siders whether a reduced capability THAAD may legally be tested, ACDA Director John Holum writes to Deputy Secretary of Defense Deutch urging that THAAD testing be limited in order not to upset the demarcation negotiations with Russia. Holum indicates that he could support only six of the planned 14 flight tests of THAAD and that he would only support extended THAAD testing “in conjunction with a vigorous and sustained high-level diplomatic effort to achieve the outlines of an agreement [on demarcation].... [W]ith respect to additional tests, we should revisit the policy question in light of consultations with the Hill and

our discussion with the Russians on policy....” Holum’s appeal is rejected by Deutch.⁸⁷

Reduced Capability THAAD Determined Compliant With ABM Treaty (November 15) Over objections from ACDA Director Holum, the demonstration/ validation phase of the THAAD program of 14 flight-tests is certified compliant by the Defense Department with the ABM Treaty; however, a condition for the certification is that the system be rendered unable to access data from space-based sensors, thus reducing its capability.⁸⁸

Chairman Of The Joint Chiefs Of Staff Draws The Line On Further Concessions To Russia (January 3) JCS Chairman General John Shalikashvili writes to Deputy Defense Secretary Deutch to express his concern about the direction of the demarcation negotiations with Russia. He states, “Clearly the United States should make no further concessions.... It may even be time to start thinking about rolling back the U.S. negotiating position.”⁸⁹

House Republicans Write The President Urging Him To Suspend Demarcation Negotiations (January 4) In a letter to President Clinton, 16 House Republicans call for suspension of negotiations and support the administration’s original demarcation proposal based only on the 5 kilometer/second limit on target missile velocity.⁹⁰

U.S. Initiates High-Level Political Discussions With Russia On Demarcation (January) U.S. and Russian delegations begin to meet bilaterally to discuss demarcation in a high-level political channel. The administration also informs the Russians that THAAD testing will commence in February.⁹¹ A number of events compel the administration to take this simpler and more permissive approach to demarcation negotiations, including the negotiating impasse in Geneva at the end of 1994, DoD oppo-

sition to further concessions, the Republican victory in the November congressional elections, and DoD’s certification of THAAD as compliant with the ABM Treaty. The White House strategy is to complete an agreement by the planned May summit meeting with Russian President Yeltsin.⁹²

Outgoing CIA Director Warns Of North Korean Missile Threat (January 10) James Woolsey testifies before the Senate that, “the principal concern I would have today is... the efforts in North Korea to develop the longer-range ballistic missiles and particularly the possibility that they might be sold in the Mideast, especially perhaps to Iran.

We are moving from an era of Scuds, of single-stage missiles, into an era of type No Dong 1 and 2s, with ranges in the thousands, few thousands of kilometers, not quite intercontinental yet, but the path is very clear and the

direction with respect to potential longer-range ballistic missile proliferation, particularly with regard to North Korea as the source, is I think extremely troubling.”⁹³

Forty Republican Senators Call For Suspension Of ABM Demarcation Negotiations (January 17) In a letter to President Clinton, forty Republican senators urge him to temporarily suspend the ongoing negotiations with a number of former Soviet states to update and clarify the ABM Treaty.

FY '96 Missile Defense Budget Requests

	Final Bush Admin. Budget Plan	Clinton Admin. Request	Decrease Amount	Decrease Percent
National Missile Defense	\$4.429 billion	\$371 million	-\$4.058 billion	-92%
Total Ballistic Missile Defense	\$7.625 billion	\$2.933 billion	-\$4.692 billion	-62%

They state, “In November 1993, the U.S. tabled a clear and logical proposal on TMD demarcation.... Since then, the U.S. has tentatively agreed to supplement its original demarcation proposal with an increasing number of detailed performance and operational limitations.... [T]hese constraints would have the effect of transforming the ABM Treaty into an ABM/TMD treaty, foreclosing a number of promising TMD options.... These talks are seriously off track. The clarity and simple logic of the original U.S. proposal no longer exists. Instead we are facing a growing number of arbitrary and potentially disruptive limitations on TMD systems.... We believe that this delay will ultimately strengthen your hand in dealing with what has amounted to an unreasonable attempt by the Russians to disrupt the U.S. TMD effort. We also believe that revival of and firm adherence to the original U.S. demarcation proposal will facilitate a good agreement. A period of reconsideration could only serve to improve the current situation.”⁹⁴

President Continues Demarcation And Succession Negotiations (January 26) President Clinton informs House Majority Leader Armeby by letter that he plans to proceed with the negotiations with Russia but will not rush into an agreement.⁹⁵

Deputy Secretary Of Defense Calls For Withdrawal Of U.S. Proposal If Not Promptly Accepted, Warns Of “Russian Foot Dragging” (February 6) In an internal memorandum following a February 4 meeting with senior Defense Department officials, Deputy Secretary of Defense John Deutch states, “TMD is an essential defense

capability and we should pursue these programs diligently; we cannot let Russian foot dragging on TMD demarkation [sic] issue slow TMD programs Present U.S. position proposed particular interceptor velocity limits. This approach assumed negotiability and prompt Russian acceptance. If Russians do not accept essential elements of U.S. TMD demarkation proposal soon, we should shift our proposal to a more principled demarkation position based on demonstrated capability of a deployed TMD system against a substantial Russian retaliatory missile attack.”⁹⁶

Senate Majority Leader Suggests Negotiations Cease (February 6) In a letter to President Clinton, Senator Robert Dole and seven other Republican senators state, “we respectfully insist that you re-

frain from resuming these talks until a full review of this matter by the appropriate Senate committees is completed. Furthermore, we request that the administration’s position on demarcation – as tabled dur-

FY '96 Missile Defense Appropriation

	Clinton Budget Request	Republican Congress Approp.	Difference (%)
National Missile Defense	\$371 million	\$746 million	+101%
Total Ballistic Missile Defense	\$2.933 billion	\$3.462 billion	+18%

ing round 48 of the Standing Consultative Commission – be made public.... The American people deserve to be fully informed on an issue that fundamentally affects their future. Mr. President, the modifications proposed by the United States... would represent substantive changes to the ABM Treaty and thus, would be subject to Senate advice and consent.”⁹⁷

Deputy Secretary Of Defense Deutch Tells Russian Deputy Defense Minister The U.S. Has Made Its Best Offer (February 22) Deputy Secretary of Defense John Deutch meets with Rus-

sian Deputy Defense Minister Andrei Kokoshin and tells him the U.S. had made “about the best offer we can” on demarcation and “We don’t have much room to maneuver.” He indicates the U.S. may be forced to withdraw that offer under congressional pressure.⁹⁸

ACDA Director States THAAD Deployment Will Cause ABM Treaty Compliance “Difficulties” (February 28) John Holum states that THAAD “can be tested, but its deployment will create difficulties” for ABM Treaty compliance.⁹⁹

President’s National Security Advisor Tells Republican Senators Russia Is “Allowing” The United States To Proceed With TMD Systems (March 6) During a meeting with eleven Republican senators in Majority Leader Dole’s office, National Security Advisor Anthony Lake is criticized for the administration’s approach to TMD negotiations. In response to a question asking what concessions Russia has made during the negotiations, Lake says, “They’re allowing us to proceed with our TMD systems, some of which have theoretical ABM capabilities.”¹⁰⁰ Following the meeting, Dole states, “The administration needs to understand we’ve got to protect our theater missile defense options” and Republican senators “don’t want to be notified” by the administration about its position in missile talks with Moscow but rather want to be consulted beforehand.¹⁰¹

President Clinton Informs The Senate He Will Continue ABM Treaty Negotiations With Russia (March 6) In a letter to the Senate, President Clinton says he will continue negotiations but promises to protect U.S. TMD options. He states, “I want to emphasize that this is not a question of expanding the ABM Treaty’s limitations... [but rather protecting] the viability and integrity of the ABM Treaty.” The letter also indicates that keeping the ABM Treaty in place is “essential” to implementing START II. On the question of the Senate’s role in approving any agreement, he states, “Once the talks resume and the form and content become

clearer, we will be in a better position to come to a final understanding with Congress on the appropriate form for Congress’ review.” Finally, he points out that the talks will not resume “until we conduct high-level consultations with Russia and determine whether it is likely there will be progress.”¹⁰²

Thirteen Senate Republicans Warn They May Use All Available Legislative Options To Block Agreement (March 8) Following up on their March 6 meeting with the President’s National Security Advisor, Anthony Lake, Senate Majority Leader Dole and twelve other senators write, “This meeting confirmed our assessment that your administration remains fixated on the Cold War notion that defenses breed instability. We reject this idea. Furthermore, it is our view that your administration, contrary to your pledge to consult closely with the Senate, has chosen instead to merely inform this body belatedly.... During our meeting, Mr. Lake... did not indicate any intention to consider any change in [the administration’s] position in light of the very strong objections raised by the senators present.... Therefore, we feel compelled to once again state our concerns and put the administration on notice that if it continues down this road, it will face significant obstacles in the Senate.... The bottom line is that the administration is not preparing for the future, but is stuck in the thinking of the past. The cornerstone of U.S. security policy should not be a Cold War era treaty, but a defense posture that responds to the threats of the 21st century.... Such a defense posture must include effective missile defenses. Continued failure by your administration to take our deep concerns into account will force us to utilize all available legislative options.”¹⁰³ (emphasis as in original)

Service Officials Inform The Senate Of Their Opposition To Interceptor Performance Limits, And Warn Against Continued Funding Cutbacks (March 28) In testimony before the Senate, General Jay Garner, Commander of the Army

Space and Strategic Defense Command, and Vice Admiral Thomas Lopez, Deputy Chief of Naval Operations, indicate they have informed the JCS they oppose any interpretation of the ABM Treaty that would limit the allowable speed of U.S. TMD interceptors. Specifically, Garner states, “When you slow down our missiles you limit the amount of battle space... it mitigates against the U.S. developing future systems for future threats.” Garner also testifies, “what has gotten this nation to its premier position in missile defense has been our technology. But continued funding cutbacks will reduce our ability to develop technologies for the next generation of missile defense systems. Consequently, if this trend continues, we will not enjoy a premier position in missile defense in the 21st century.”¹⁰⁴

Clinton Administration Prepares A “Framework Agreement” On Demarcation (late March)

Deputy Defense Secretary Deutch prepares for a visit to Moscow on April 7 with the aim of reaching a “framework agreement” on ABM-TMD demarcation, despite having made recent assurances to Republican senators that he would not negotiate an agreement in Moscow. A few days later, the Pentagon announces that Mr. Deutch will not go to Moscow as planned, and instead Deputy Secretary of State Talbott will lead a delegation. A senior White House official says there are no plans to resume the demarcation negotiations in Geneva until a high-level meeting takes place.¹⁰⁵

NSC Weighs Possible Roll-Back Of U.S. Demarcation Position In Response To Congressional Republican Pressure And Views Of U.S. Military (April 4)

Robert Bell of the National Security Council staff circulates a draft interagency decision paper that presents options for retaining or revising the current U.S. demarcation proposal. One option, favored by Congressional Republicans and the U.S. military, is to drop the proposed limits on TMD interceptor velocity and, instead, to define a theater defense system as one that is tested against target missiles which travel no faster than 5 kilometers/second and no further than 3,500 ki-

lometers – the administration’s original proposal. Bell’s memorandum states if an agreement under the current position is sent to the Senate for approval, “the Senate would reject it.” Bell indicates that any change in the U.S. position that “walks back” previous U.S. concessions would, in isolation, not be well received by the Russians. Other areas of cooperation such as shared early warning information will also be discussed as potential incentives to Russia in a revised U.S. approach. Bell surmises that, with the more favorable political climate for missile defense in the U.S., Moscow may now be convinced that reaching a TMD agreement is essential to preserving the ABM Treaty; hence, “Russian officials might be more inclined to make a deal along the lines of... even a revised proposal walking back previous U.S. concessions.”¹⁰⁶

Senators Propose “Tested In An ABM Mode” As The Demarcation Standard And Affirm A Commitment To A Missile Defense System For The United States (April 6)

Senator Warner, with nine other Republican cosponsors, introduces the Theater Missile Defense Act of 1995, which would establish in law a demonstrated capability standard for TMD demarcation. The bill says TMD systems would be covered by the ABM Treaty if tested “in an ABM mode,” which is defined as the field testing against a ballistic missile which exceeds a range of 3,500 kilometers and a maximum velocity of 5 kilometers/second. This standard is essentially identical to the original Clinton administration proposal to Russia in early 1994. The bill also affirms the commitment of Congress to provide the United States with the capability to defend the people and territory of the United States from attack by ballistic missiles.¹⁰⁷

Ten Republican Senators Urge The President To Drop His Latest Proposal On TMD Demarcation (April 6)

In a letter to President Clinton, ten Republican senators state, “we continue to find the last position proposed by your negotiators [to limit interceptor velocity] both unacceptable and impossible to fix with cosmetic modifications.”

The letter states further, “We are pleased by reports which indicate your administration will find the Navy Upper Tier program ABM Treaty-compliant, despite the puzzling fact that your negotiators have tabled a position in Geneva which does not permit deployment of this system. We remain concerned that this finding [on Navy Upper Tier] places limitations on the use of sensor information, thereby inhibiting the capabilities of the Upper Tier system. That these limitations are due to continued adherence to the ABM Treaty emphasizes that the underlying problem is the treaty itself. Thus, with regard to the Navy Upper Tier program, your administration has deferred, not solved, the ABM Treaty problem. We respectfully suggest that your administration’s last negotiating position on demarcation is inconsistent even with the finding that the constrained Navy Upper Tier system is treaty compliant. We will continue to oppose this negotiating position.”¹⁰⁸

Navy Upper Tier TMD System Is Certified Compliant With ABM Treaty (April 12) The Defense Department certifies to Congress that the Navy Upper Tier system is compliant with the ABM Treaty. Deputy Secretary of Defense Deutch confirms this in a speech, stating, “as built, [the Navy Upper Tier system] has no capability against a strategic ballistic missile” and thus “it is not covered by the ABM Treaty.” A condition for the certification is that the interceptor is not launched until the target missile is actually tracked by the on-board Aegis SPY-1 radar, thus significantly limiting the capability of the system. Although the Navy Upper Tier system is deemed ABM Treaty-compliant, the current interceptor velocity restriction proposed in the SCC by the administration for sea-based interceptors (in July of 1994) would restrict the testing and prohibit deployment of the U.S. system.¹⁰⁹

BMDO Questions Assumptions In Intelligence Estimates Of Long-Range Missile Proliferation (April 13) BMDO Deputy Director Bill Evers states in an interview, “The whole world situation

and the perceptions of stability, of ownership and intent, suggest we have to take a very hard look about the possibility of proliferation of these systems.” The article states that BMDO and U.S. Space Command have asked for an updated intelligence estimate in order to “take a harder look” at proliferation, and to consider in particular how transfers of systems, components, and technology expertise can assist ballistic missile development.¹¹⁰

Fifty Republican Senators Write To The President On ABM Treaty Changes (May 2) Fifty Republican senators state in a letter to President Clinton, “We are writing in advance of your summit meeting in Moscow to reiterate our strenuous objections to any action which would politically strengthen the 1972 Anti-Ballistic Missile (ABM) Treaty, expand its scope, increase the number of signatories, or otherwise add impediments to the development and deployment of effective U.S. theater missile defenses. On four separate occasions – January 17, February 6, March 8 and April 6 – Senate Republicans have written to you on this critical issue, indicating our opposition to such efforts and underscoring our position that any such treaty changes would be subject to the advice and consent of the Senate.”¹¹¹

U.S. And Russian Presidents Reaffirm ABM Treaty And Agree To Joint ABM/TMD Principles (May 10) As a result of their talks at a summit in Moscow, Presidents Clinton and Yeltsin agree to a Joint Statement on principles for completing an agreement on demarcation. The principles include: “The United States and Russia are each committed to the ABM Treaty, a cornerstone of strategic stability... Theater missile defense systems will not be deployed by the sides for use against each other. The scale of deployment – in number and geographic scope – of theater missile defense systems by either side will be consistent with theater ballistic missile programs confronting that side.”¹¹²

Administration Offers New Demarcation Proposal For Unilateral Determination Of Treaty Compliance For Higher-Velocity TMD Systems

(June 22) Following the Moscow summit, the Clinton administration makes a new offer to Russia in which each side would agree on the ABM Treaty compliance of lower-velocity TMD systems based on the target missile testing limitations of 5 kilometers/second maximum velocity and 3500 kilometers maximum range, while allowing each side to determine independently if higher-velocity interceptors are compliant with the treaty.¹¹³

BMDO Director Says 100 Interceptors At A Single Site Not Enough For NMD

(June 27) In testimony before the Senate, Lieutenant General O'Neill, Director of BMDO, states, "100 interceptors at a single site cannot provide a defense of the territory of the country against a large scale strategic missile attack."¹¹⁴ General O'Neill subsequently defines "large scale strategic missile attack" as "one greater than 20 Reentry Vehicles and associated penetration aids."¹¹⁵

Russia Rejects New U.S. Demarcation Proposal

(July 9) At a meeting in Buenos Aires, Deputy Secretary of State Talbott receives a diplomatic note from Russian Deputy Foreign Minister Mamedov rejecting the latest U.S. proposal on demarcation. In the note, Russia insists on limits on the velocity of TMD interceptors, including those of higher-velocity. It states that the U.S. proposal "is not in accord with the demarcation principles agreed upon by the Presidents" in May. Finally, the note proposes resumption of negotiations in the Standing Consultative Commission.¹¹⁶

Missile Defense Act Of 1995 Reported Out Of Senate Committee On Armed Services

(July 12) The FY '96 Defense Authorization Act is reported from committee. The bill, which includes the Missile Defense Act of 1995, would establish the missile defense policy of the U.S. and creates a deployment plan for an NMD system. It directs the Secretary of Defense to develop an affordable and operationally effective NMD system with an initial operational capability by the end of 2003

and an interim operational capability before that date. Its provisions also express the sense of the Congress that a demonstrated testing standard (i.e., maximum range and velocity of a target missile) should be used to determine the ABM Treaty compliance of TMD systems; that any negotiated agreement more restrictive than this standard should only be made pursuant to the President's treaty-making powers, and any agreed ballistic missile range and velocity parameters should be subject to the Senate's review; and that funds authorized in the Act should not be spent to implement any demarcation agreement that restricts the performance, operation, or deployment of U.S. TMD systems.¹¹⁷

Senator Warner Expresses "Grave Reservations" To JCS Chairman On TMD Demarcation

(July 18) Senator John Warner, in a letter to General Shalikashvili, states, "I, and many of my colleagues, have grave reservations about the direction the Administration has been pursuing in the demarcation talks with Russia... [R]eportedly over the objections of senior military officers, the Administration earlier this year tabled a proposal which would impose performance limitations on our theater missile defense systems, and accepted a Russian proposal to prohibit the deployment of the Navy Upper Tier system – a system that was subsequently deemed to be Treaty-compliant by the DoD. The negotiations are clearly headed in the wrong direction. A change of course is in order."¹¹⁸

THREAT – China Launches Missiles Near Taiwan In Attempt At Intimidation

(July 21-24) Only weeks after President Lee's unofficial trip to the United States, China launches two CSS-5 (DF-21) medium-range ballistic missiles and four CSS-6 (M-9) short-range ballistic missiles at a designated target zone 80-100 miles north of Taiwan. One CSS-6 missile apparently fails in flight and lands in China.¹¹⁹

Democrat Amendment To The Missile Defense Act Of 1995 Is Defeated

(August 3) During consideration of the FY '96 Defense Authorization Act, Senator Levin offers an amendment to strike all

NMD deployment-related provisions from the bill. The amendment is defeated by a vote of 51-49.¹²⁰

Senate Democrats Filibuster The FY '96 Defense Authorization Act (August 4-11, September 6) After the defeat of the Levin amendment, Senate Democrats filibuster the FY '96 Defense Authorization Act. Republican attempts to end the filibuster fail, forcing revisions to the bill which gut the Missile Defense Act of 1995. The FY '96 Defense Authorization Act is subsequently passed by the Senate on September 6.¹²¹

Senior Defense Official Confirms Additional THAAD Development Costs Due To Unilateral Arms Control Compliance (September 27) Under Secretary of Defense Paul Kaminski informs Congress that the administration is spending \$2.8 million to ensure the Theater High Altitude Area Defense (THAAD) system cannot receive information from space-based sensors.¹²² This is necessary as a result of the administration's determination of November 15, 1994, which required rendering THAAD incapable of receiving such data in order to comply with the ABM Treaty.

Defense Department Spokesman Implies That Following Favorable Compliance Determinations, A Demarcation Agreement Is Not Imperative (October 10) In response to questions on the ABM Treaty and ABM/TMD demarcation, Kenneth Bacon states, "Our view is that right now the ABM Treaty allows us to do what we want to do." Both THAAD and Navy Upper Tier programs had been determined to be treaty compliant within the last six to eleven months. He adds, "We'll continue on that course."¹²³

Fourteen Republican Senators Express Concerns About The Defense Department's Support For The THAAD Program (November 7) Fourteen Republican senators write to Secretary of Defense Perry expressing concern about reports that senior Defense Department officials are considering eliminating, reducing, or slowing the THAAD TMD program. They state, "We are

puzzled that the administration's stated commitment to TMD has not been matched by funding requests sufficient to accomplish the theater missile defense requirements outlined in the Bottom Up Review, and would consider any reduction or slowing of the THAAD program to be a declaration by the administration of a lack of commitment to TMD.... We strongly support THAAD, and hope you will reassure us that the reports we have received are inaccurate."¹²⁴

President Extends Declaration Of National Emergency To Deal With WMD Proliferation Threat (November 14) President Clinton extends the declaration of national emergency of November 14, 1994, to remain in effect beyond November 14, 1995, pursuant to Executive Order 12038.¹²⁵

U.S. And Russia Agree On Framework For Negotiating ABM-TMD Lower-Velocity Systems Demarcation Agreement (November 17) The U.S. and Russia reach a political "framework" agreement for negotiating a demarcation agreement. The elements of the agreement include: (1) agreement to limit TMD target ballistic missiles, in testing, to a maximum range of 3,500 kilometers and a maximum velocity of 5 kilometers/second; (2) agreement that TMD systems with a demonstrated interceptor velocity of 3 kilometers/second or less, and tested in accordance with the agreed target limits, are treaty-compliant; and (3) a commitment to implement confidence-building measures pertaining to TMD systems. Negotiations will continue regarding demarcation for higher-velocity systems.¹²⁶

U.S. Ambassador To Russia Explains To Russian Foreign Ministry Administration's Reasons For New TMD Approach (November 21) Talking points provided to Russian Deputy Foreign Minister Mamedov by U.S. Ambassador Thomas Pickering state: "The impasse in Geneva was not the only factor that has recently led the administration to reexamine its approach to demarcation. Two other factors have intervened to impel us in

this direction; the changes in Congress and the recent compliance judgments on THAAD testing and Navy upper tier programs. The Congress elected in November 1994 has displayed an attitude toward ballistic missile defenses markedly different from that of its predecessor. The previous Democratic majority, especially in the Senate, opposed major modification to the ABM Treaty. The new Congress has taken a marked interest in ballistic missile defense issues.”¹²⁷

National Intelligence Estimate (NIE) 95-19, *Emerging Missile Threats To North America, Is Released* (December 4) The Intelligence Community judges that, in the next 15 years, no country other than the major declared nuclear powers will develop or otherwise acquire an intercontinental ballistic missile that could threaten the contiguous 48 states or Canada. It judges that there would be at least five years warning time of a first flight test of an indigenously developed ICBM by countries other than the major nuclear powers. It acknowledges that foreign assistance can affect the pace of a missile program, but labels such assistance a “wild card” and does not factor it into the estimate. The NIE assesses that the Taepo Dong-2 being developed by North Korea could have a maximum range capable of reaching Alaska and Hawaii, as well as some U.S. territories in the Pacific, but excludes Alaska and Hawaii in its conclusions on the threat to the United States.¹²⁸

U.S. Forces (Korea) Commander Calls For THAAD Fielding As Soon As Possible (December 11) General Gary Luck, Commander of U.S. Forces in Korea, cables JCS Chairman Shalikashvili requesting that he act to reverse an impending DoD decision to reduce THAAD funding in order to pay for other military needs. This reduction would delay the fielding of the THAAD TMD system. General Luck warns in the cable that the threat of North Korean missiles is grow-

ing and two THAAD batteries are needed as soon as possible.¹²⁹

Sixteen Republican Senators Write Defense Secretary Perry, Reiterating Missile Defense Concerns (December 22) Sixteen Republican senators send a letter to Secretary Perry reaffirming their commitment to providing the necessary funds to deploy missile defenses, and reiterating their opposition to the administration’s position of negotiating an agreement clarifying the demarcation of TMD systems. The senators state, “American troops now deploying to Bosnia... are as vulnerable to the threat of ballistic missiles today as they were during Desert Storm... [during which] 28 soldiers died from a ballistic missile attack on their barracks in Dhahran.... We are not willing to depend upon luck the next time Americans in uniform are called upon to risk their lives abroad.”¹³⁰

President Vetoes FY ’96 Defense Authorization Act As Senate Republican Leaders Reaffirm Their Legislative Goal (December 28) President Clinton vetoes H.R. 1530, the Defense Authorization Act for FY ’96, stating, “First, the bill requires deployment by 2003 of a costly missile defense system able to defend all 50 states from a long-range missile threat that our Intelligence Community does not foresee in the coming decade... the bill would waste tens of billions of dollars and force us to commit prematurely to a specific technological option. It would also likely require a multiple-site architecture that cannot be accommodated within the terms of the existing ABM Treaty. By setting U.S. policy on a collision course with the ABM Treaty, the bill would jeopardize continued Russian implementation of the START I Treaty as well as Russian ratification of START II.... The missile defense provisions would also jeopardize our current efforts to agree on an ABM/TMD (Theater Missile Defense) demarcation with the Russian Federation.”¹³¹

THREAT – China Threatens ICBM Attack On Los Angeles (January 4) In the context of rising cross-straits tensions in the weeks leading up to the presidential election in Taiwan, China delivers warnings to the United States that it is preparing plans to attack Taiwan with ballistic missiles if it pursues independence, and that it believes it could carry out the attack without fear of U.S. intervention. A former Clinton administration defense official, Charles W. Freeman Jr., reports to National Security Advisor Anthony Lake on a conversation he had with a Chinese official the previous October, during which that official delivered an even blunter warning against the United States. According to Freeman, a senior officer of the Chinese People’s Liberation Army –

identified subsequently as Lieutenant General Xiong Guangkai, deputy chief of China’s general staff – states, “In the 1950s, you three times threatened nuclear strikes on China, and you could do that because we couldn’t hit back. Now we can. So you are not going to threaten us again because, in the end, you care a lot more about Los Angeles than Taipei.”¹³²

U.S. Forces (Korea) Commander’s Plea For Full THAAD Funding Rejected (January 19) In response to General Luck’s request, JCS Chairman General Shalikashvili explains the rationale for the expected decision to cut THAAD funding – i.e., “to free up dollars for critically underfunded areas

of recapitalization.” Shalikashvili says he understands General Luck’s concern but does not support his request.¹³³

Senate START II Resolution Of Ratification Protects Against ABM Linkage, Seeks New Defensive Deterrent Strategy (January 26) The U.S. Senate’s Resolution of Ratification for the START II Treaty includes the following condition for its advice and consent to ratification. Subsection (b)(2) states:

	Final Bush Admin. Budget Plan	Clinton Admin. Request	Decrease Amount	Decrease Percent
National Missile Defense	\$4.505 billion	\$508 million	-\$3.997 billion	-89%
Total Ballistic Missile Defense	\$8.038 billion	\$2.855 billion	-\$5.183 billion	-64%

“Treaty obligations. — Ratification by the United States of the START II Treaty —

(A)...shall not be interpreted as an obligation by the United States to accept any modification,

change in scope, or extension of the... ABM Treaty... and

(B) Changes none of the rights of either party with respect to the provisions of the ABM Treaty, in particular, Articles 13 [on considering changes in the strategic situation], 14 [on amending the treaty], and 15 [on withdrawing from the treaty].”

The resolution, the specific wording of which was agreed to in advance by administration negotiators, also states the following:

“(i) The long-term perpetuation of deterrence

based on mutual and severe offensive nuclear threats would be outdated in a strategic environment in which the U.S. and the Russian Federation are seeking to put aside their past adversarial relationship...

“(ii) An offense-only form of deterrence cannot address by itself the emerging strategic environment in which, as Secretary of Defense Les Aspin said in January 1994, proliferators acquiring missiles and weapons of mass destruction ‘may have acquired such weapons for the express purpose of blackmail or terrorism and thus have a fundamentally different calculus not amenable to deterrence.... New deterrent approaches are needed as well as new strategies should deterrence fail.’

“(iii) Defenses against ballistic missiles are essential for new deterrent strategies and for new strategies should deterrence fail. Because deterrence may be inadequate to protect U.S. forces and allies abroad, theater missile defense is necessary.... Similarly, because deterrence may be inadequate to protect the U.S. against long-range missile threats, missile defenses are a necessary part of new deterrent strategies. Such defenses also are wholly in consonance with the summit statements from June 1992 of the Presidents of the U.S. and the Russian Federation and the September 1994 statements by Secretary of Defense William J. Perry, who said, ‘We now have the opportunity to create a new re-

lationship, based not on MAD, not on Mutual Assured Destruction, but rather on another acronym, MAS, or Mutual Assured Safety.’

“(iv) As the governments of the U.S. and Russia have built upon the June 17, 1992, Joint Understanding in agreeing to the START II Treaty, so too should these governments promptly undertake discussions based on the Joint Statement to move forward cooperatively in the development and deployment of defenses against ballistic missiles.”¹³⁴

FY '97 Missile Defense Appropriation

	Clinton Budget Request	Republican Congress Approp.	Difference (%)
National Missile Defense	\$508 million	\$833 million	+64%
Total Ballistic Missile Defense	\$2.855 billion	\$3.709 billion	+30%

President Signs FY '96 Defense Authorization Act (February 10) After this Act is vetoed the previous December because of its missile defense provisions, House and Senate conferees remove the lan-

guage on defending America from ICBM attack which the President finds unacceptable. President Clinton signs the revised Act, which no longer requires NMD deployment, more than a third of the way into the fiscal year.¹³⁵

Office Of The Secretary Of Defense (OSD) Issues Program Budget Decision (PBD) 224 Calling For \$2.4 Billion Cut In Missile Defense Over Five Years (February 10) Following an OSD general review of the BMD program, PBD 224 cuts missile defense by \$2.4 billion over the Future Years Defense Program, most of which (about \$2 billion) comes from the THAAD program.¹³⁶

Defense Department Cuts Funding, Slows Development of Upper Tier TMD Systems (February 16) After stating that in addition to “many thousands” of deployed short-range ballistic missiles, “we see a medium range threat emerging,” Secretary of Defense William Perry announces that the administration is cutting funding for the two “upper tier” theater missile defense systems – THAAD and Navy Theater Wide – which are capable of countering the medium-range threat. THAAD funding is cut from \$5 billion to \$3 billion over the Future Years Defense Program, and production and deployment is delayed by two years. Under Secretary of Defense Paul Kaminski notes that although Congress had increased funding for Navy Theater Wide in FY '97, “[w]e have elected to spend that money over two years and not begin a full commitment to this program at that rate, but to proceed with a more gentle ramp-up.”¹³⁷

National Security Council Staff Official Rejects NMD (February 26) In a meeting with Senate staff, Mr. Robert Bell of the National Security Council staff states the administration’s position on NMD: “We don’t think we need to spend the money deploying an NMD, even if it’s [ABM] treaty-compliant.”¹³⁸

NMD “3-plus-3” Program Is Announced (March 6) The Department of Defense announces a formal reorientation of the NMD program from “technology readiness” to “deployment readiness.” The revised program calls for development over 3 years of the basic NMD elements that could be deployed in 3 more years following a deployment decision. The administration thereby claims a system could be fielded as early as 2003 – well before the Intelligence Community’s estimates of the threat. While the administration calls this “3-plus-3” program a 6 year plan, it covers fiscal years '97 through '03, a total of 7 years.¹³⁹

Defense Department Official Acknowledges He Failed To Comply With The Law (March 6) In a Senate hearing, Paul G. Kaminski, Under Secretary of Defense for Acquisition and Technology, is asked about the delay of the schedules that were set in the FY '96 Defense Authorization Act for THAAD and Navy Upper Tier. Kaminski replies, “Those adjustments, they’re the result of the decisions I’ve made. That is, the recommendations I’ve made did postpone those systems.... We made the conscious recommendation not to launch the full-blown program and [not] to proceed at a faster pace. So, I take the blame for that....”¹⁴⁰

Twenty-Seven Republican Senators Express Concern With The Defense Department’s Disregard For Missile Defense Provisions Of Law (March 7) The entire Senate Republican leadership and other interested senators write to Secretary Perry to express concern with his remarks at a February 16 press conference where he announced his intention to disregard key provisions of the FY '96 Defense Authorization Act by failing to provide sufficient funding for the Space and Missile Tracking System, the THAAD program, and the Navy Upper Tier program. They state, “we will not hesitate to alter the budget request [for FY '97] as necessary to bring it into compliance with section 234 of Public Law 104-106 [the FY '96 Department of Defense Authorization Act].”¹⁴¹

THREAT – China Launches More Missiles Towards Taiwan (March 8, March 13) On March 8, shortly before Taiwan’s first Presidential election, China launches three CSS-6 (M-9) short-range ballistic missiles toward Taiwan. An additional CSS-6 is launched toward Taiwan on March 13. The missiles land in target zones to the north and south of Taiwan’s two major ports. The United States deploys the USS Independence and USS Nimitz carrier battle groups to monitor subsequent Chinese naval maneuvers.¹⁴²

Senator Dole Introduces The Defend America Act (S. 1635) (March 21) The Act states, “It is the policy of the United States to deploy by the end of 2003 a National Missile Defense system that... is capable of providing a highly-effective defense of the territory of the United States against limited, unauthorized, or accidental ballistic missile attacks; and... will be augmented over time to provide a layered defense against larger and more sophisticated ballistic missile threats as they emerge.” The bill also specifies the use of ground, sea, or space-based interceptors, or a combination thereof, in the NMD system.¹⁴³ Representative Livingston introduces an identical bill (H.R. 3144) in the House.

Administration Agrees To Ban Space-Based TMD At Moscow Summit (April 21) In a joint press conference with President Yeltsin, President Clinton announces summit progress on the ABM theater missile defense demarcation issue.¹⁴⁴ The “progress” includes U.S. agreement to ban space-based TMD systems, though this goes unmentioned at the press conference.¹⁴⁵ The administration subsequently claims that the agreement was merely an interpretation of the existing prohibition in the ABM Treaty on space-based ABM systems.¹⁴⁶

President Clinton Alludes To The Long-Range Missile Threat As An “Imagined Security Problem” (April 21) In a joint press conference in Moscow, President Clinton refers to the progress on TMD negotiations, stating, “That’s a very significant advance for both countries in resolving a real, as opposed to an imagined, security problem.”¹⁴⁷

Secretary Perry Denies There Is An Existing Missile “Threat,” And Favors Arms Reductions Over NMD Protection (April 25) Secretary of Defense Perry states, “Today, we do not need a national missile defense system, because our nation is not now threatened by missiles of mass destruction. No rogue nation has ICBMs.... No bal-

listic missile defense offers our country better protection than the elimination of 3,200 nuclear warheads.” But he also states, “So what is the threat?... [T]here is a future threat that undeterrable rogue states will obtain ICBMs that can reach the United States.”¹⁴⁸

NSC Official Accuses Dole NMD Bill Supporters Of Engaging In “Vintage Reagan Era SDI Ideology” (May 8) In an attack against Senator Dole’s “Defend America Act,” Robert Bell of the NSC staff states, “quite frankly... at least for some of its backers the... bill is a stalking horse for a return to a Reagan-era SDI...” He characterizes the bill’s option for a sea-based NMD program as “a central element of Reagan-era SDI architectures....” With respect to the bill’s statement that “it is the policy of the U.S. to seek a cooperative transition,” he says, “this text restates vintage Reagan-era SDI ideology... often articulated by the former President that Mutual Assured Destruction is ‘immoral’ and that we should replace it....” He continues, “the bill reflects an antipathy to the ABM Treaty reminiscent of Reagan-era ‘Star Wars’ thinking.” He concludes, “As we begin Defend America week, I hope we will not be debating a bumper sticker slogan.”¹⁴⁹

Preliminary Demarcation Agreement Is Reached In The Standing Consultative Commission (SCC) (June 24) U.S. and Russian SCC delegations in Geneva reach preliminary agreement on what is now termed Part 1 of the demarcation negotiation. It includes an Agreed Statement pertaining to demarcation of lower-velocity TMD systems (i.e., systems with interceptor velocities of 3 kilometers/second or less), a Memorandum of Understanding on Succession to the ABM Treaty by states that were part of the Soviet Union, and an agreement on new confidence-building measures pertaining to TMD systems. Negotiations continue on higher-velocity TMD systems.¹⁵⁰

Administration Promotes Belarus, Kazakhstan, Ukraine And Russia As Co-Equal ABM Treaty Successors (June 26) In a letter to Senator Levin, White House Legislative Affairs Director William Danvers objects to section 233 of S. 1745, the FY '97 Defense Authorization Act, which would require Senate approval of any agreement adding parties to the ABM Treaty. Danvers argues, "The Senate did not object when the previous administration recognized that Ukraine, Belarus and Kazakhstan, among others, were co-equal with Russia as legal successors to the USSR for purposes of the CFE and INF treaties. Nor did it suggest that the ABM Treaty could only continue with Russia as a Party if Russia's status as a legal successor to the USSR was affirmed pursuant to the treaty-making power of the Constitution. By casting doubt on the status of Ukraine, Belarus and Kazakhstan as equal partners in the ABM Treaty, Section 233 could needlessly jeopardize the United States' positive relations with these newly independent and sovereign nations...."¹⁵¹

The G-7 Declare The ABM Treaty As A Cornerstone Of Strategic Stability (June 29) In a meeting in Lyon, the G-7 leaders agree to a wide-ranging Summit Chairman's Statement that covers arms control, non-proliferation, and regional security issues. The statement says, "We regard the ABM Treaty as a cornerstone of strategic stability."¹⁵² There is no mention of missile proliferation, ballistic missile threats, missile defenses, or the ABM Treaty demarcation negotiations with Russia.

Members Of Congress Sue President To Compel Compliance With Missile Defense Provisions Of Law (July 17) Forty-one members of Congress file suit in U.S. District Court to compel compliance by the Clinton administration with the FY '96 National Defense Authorization Act regarding the deployment of two theater missile defense systems (THAAD and Navy Upper-Tier) by specific dates.¹⁵³

ACDA Director Attacks Senator Dole's "Defend America Act", Calling It The "Russian Heavy Missile Preservation Act" (July 18) ACDA Director John Holum, referring to the Defend America Act, says, "I suspect that political opportunism may be at work here.... This plan is called the 'Defend America Act.' It might as well be called the 'Russian Heavy Missile Preservation Act.' For in the name of defending against dangers that might someday come to pass, it [NMD deployment] would perpetuate existing dangers we could otherwise take down."¹⁵⁴

Administration Concedes That The Demarcation Agreement Is A Substantive ABM Treaty Change (July 23) Senate and House defense authorization conferees are briefed in a closed session by Robert Bell of the NSC staff. Bell tells conferees that administration lawyers have determined that the tentative demarcation agreement reached in Geneva is a "substantive change" to the ABM Treaty. Prior to that meeting, the administration had refused to acknowledge that the demarcation agreement would be a substantive change and thus require Senate consent.¹⁵⁵

Congress Finds That The Preliminary ABM Succession Agreement Is A Treaty Amendment (July 30) The Conference Report accompanying the FY '97 Defense Authorization Act states, "the accord on ABM Treaty succession, tentatively agreed to by the administration, would constitute a substantive change to the ABM Treaty, which may only be entered into pursuant to the treaty making power of the President under the Constitution."¹⁵⁶

President Clinton Attacks "Star Wars" Program At The Democratic National Convention (September 5) In his renomination acceptance speech, President Clinton states, "We are developing a sensible national missile defense, but we must not – not now, not by the year 2000 – squander \$60 billion on an unproved, ineffective Star Wars program that could be obsolete tomorrow."¹⁵⁷

THAAD System Is Certified Treaty-Compliant (September 25) Five weeks prior to the November presidential election, the operational THAAD system is certified compliant with the ABM Treaty, without restriction, notwithstanding previous State Department and ACDA objections.¹⁵⁸

Lower-Velocity (Part 1) Demarcation Agreement Reaffirmed, October Signing Ceremony Is Scheduled (September 26) Secretary of State Christopher and Foreign Minister Primakov meet and agree on a “Joint Statement on Demarcation of Strategic and Theater Missile Defenses.” In this statement, they reaffirm the completion of an agreement on lower-velocity TMD systems and other related agreements. They agree to prepare, in the Standing Consultative Commission, the Part 1 documents for signing by Foreign Ministers by the end of October, to begin Part 2 discussions on demarcation for higher-velocity TMD systems, and to have Commissioners report their progress at that time.¹⁵⁹

DoD Says NMD Deployment Of Up To 100 Interceptors Would Be Treaty Compliant (September 27) Under Secretary of Defense Paul Kaminski states, “DoD will make formal ABM treaty compliance assessments of the proposed [NMD] systems as necessary once their designs have matured to a point where this is possible.” But, he adds, “The current program is proceeding, however, in the expectation that a deployment of up to 100 ground-based interceptors would be treaty compliant.”¹⁶⁰

Lawmakers’ Suit Dismissed But Court Leaves Door Open For Further Legal Proceedings (October 9) U.S. District Court Judge Stanley Sporkin dismisses the lawsuit brought by 41 members of Congress against President Clinton on July 17, 1996, concerning the administration’s failure to take those actions necessary to comply with the statutory schedule for the fielding of the THAAD and Navy Theater Wide systems. The suit is dis-

missed on the basis that it “is not yet ripe for resolution by the judicial branch.” However, Sporkin’s decision states, “There may yet come a day when Congress will speak more clearly on this matter and dialogue with the executive branch will have been exhausted. If and when that day comes, this Court will revisit the critical issues presented here.” Sporkin further writes, “The Court does not believe that the executive can blatantly defy the Congress where the national security interest may be at stake.”¹⁶¹

President Clinton Denies Existence Of A Near-Term Rogue Nation Missile Threat (October 9) In a letter to House Speaker Gingrich, the President states, “The Intelligence Community currently estimates that such a [rogue state] threat to the contiguous 48 States is unlikely to emerge within the next 15 years without significant warning time. Although North Korea is developing a long-range ballistic missile, the Taepo Dong II, which may have sufficient range to strike portions of Alaska and the far western portion of the Hawaiian Islands chain, the Intelligence Community estimates that this missile will not be operational until after the turn of the century.” The NMD program “is designed to field as early as 2003 – well ahead of the intelligence community estimates – a system able to deal with... rogue states.”¹⁶²

Non-Government Task Force Advocates Firm Deadline For Reaching Demarcation Agreement (October 22) The Council on Foreign Relations and the Nixon Center for Peace and Freedom release the majority recommendations of a Task Force Report on “Arms Control and the U.S.-Russian Relationship.” Among the recommendations is the following: “The United States should continue to seek an interim demarcation agreement with Russia concerning theater and national ballistic missile defense activities consistent with the ABM Treaty. But if that cannot be negotiated with Russia by the end of the year, Washington should unilaterally judge its compliance with the ABM Treaty.”¹⁶³

Demarcation Agreement Signing Ceremony Is Cancelled When Russia Refuses To Sign (October 25-31) Just days before the scheduled October 30 signing ceremony in Geneva, the Russian government refuses to sign the TMD demarcation agreement on lower-velocity systems, and other Part 1 agreements, demanding new modifications, and links its signature of those agreements to completion of the ongoing negotiations on higher-velocity TMD systems. The U.S. cancels the signing ceremony in Geneva.¹⁶⁴

Last Minute Effort To Salvage The Part 1 Signing Ceremony Fails In Geneva (November 1) A senior Clinton administration official explains that the U.S. SCC delegation is preparing to come home and no further negotiations will occur in the current SCC round. The official states, “The Russians continued to insist on linking Part 1 and Part 2, which is contrary to an agreement between [Secretary of State Warren] Christopher and [Russian Foreign Minister Yevgeny] Primakov, as well as an agreement between President Clinton and President Yeltsin at the last summit.” Administration officials state that the talks collapsed and no further negotiations are scheduled. Chairman of the Joint Chiefs of Staff General Shalikashvili says the Russian negotiating gambit appears to be “posturing” on the Russian side that was unacceptable.¹⁶⁵

President Extends Declaration Of National Emergency To Deal With WMD Proliferation Threat (November 12) President Clinton extends the November 14, 1994 declaration of national emergency to remain in effect beyond November 14, 1996, pursuant to Executive Order 12038.¹⁶⁶

Administration Contends That Senate Approval Of New ABM Agreements Is Not Required (November 29) In the report required by Section 406 of the FY '97 Commerce-Justice-State Appropriations Act, the administration contends that Senate

approval of the Memorandum of Understanding on Succession to the ABM Treaty is not required, as there is no substantive treaty change necessitating it. With respect to the demarcation agreements, it concludes that if an agreement were consistent with Congressionally-specified standards, additional Congressional action would not be required prior to the agreement being brought into force; however, it notes that the issue is not resolved and that no decision had been made with respect to seeking additional Senate support for the agreement.¹⁶⁷

National Intelligence Estimate 95-19 Reviewed And Criticized By Independent Panel; Review By General Accounting Office (GAO) Is Impaired By Lack Of Cooperation By The Executive Branch (December 4) As directed by Congress, an Independent Panel led by Robert Gates concludes its review of NIE 95-19. The GAO also completes an examination of the analytic soundness of that NIE. Among the findings of those reviews: the NIE was too narrow in scope, hastily completed, and analytically thin; it failed to take into account motives and objectives of would-be missile developers or to examine unexpected technical approaches to acquiring missiles (e.g., alternatives to indigenously produced missile capabilities); its analysis of unauthorized launch by Russia was superficial and overly sanguine; its level of certainty in the wording of its main judgment was overstated, and there was no quantification of the certainty levels for nearly all of the key judgments; and it failed to identify explicitly its critical assumptions.¹⁶⁸

Intelligence Community Defends NIE 95-19; Former Director Of Central Intelligence (DCI) Views It As Flawed (December 4) In testimony before the Senate, John E. McLaughlin, Vice Chairman of the National Intelligence Council, states, “after a year of criticism, we still regard this Esti-

mate as a sound intelligence product – one that clearly reports results of analytic work in response to the questions of those who requested the NIE. Its judgments are still supported unanimously by Intelligence Community agencies and their analysts.”¹⁶⁹ Former DCI James Woolsey, testifying at the same hearing, states, “To focus an NIE on the threat to the contiguous 48 states, in my judgment, is to focus on a sub-set, and not a particularly useful sub-set, of the strategic problems that

are posed for us by other countries’ possession of ballistic missiles in the post-cold-war era.... [T]he last time I looked, Alaska and Hawaii had not been admitted to the Union on terms that exclude them in some way from the common defense called for in the Constitution’s preamble. As objects of blackmail they are of no less concern to us than Oklahoma and Kansas.” In response to questioning, Woolsey advocates negotiations with Russia on amending the ABM Treaty to permit two ABM sites.¹⁷⁰

DoD Task Force Report Concludes That Demarcation Negotiations Should Be Abandoned

(January 15) A 1996 Defense Science Board/Defense Policy Board task force report concludes that the demarcation negotiations in the SCC are “misdirected and should be abandoned.” The task force points out that remaining Russian concerns about higher-velocity TMD systems and external sensors “can place significant limitations” on continued development of U.S. systems. Further, it states, “Parameter thresholds established for the sole purpose of triggering review of potentially ambiguous situations too often become performance ceilings as program managers strive to avoid perceived treaty boundaries in order to protect their programs.”¹⁷¹

NMD Act Of 1997 Introduced In Senate (January 21) Senator Lott and 25 co-sponsors introduce S.7, the National Missile Defense Act of 1997, requiring the U.S. to deploy an NMD system by the end of 2003.¹⁷²

Secretary Of Defense Nominee Believes Proliferation Is The World’s “Gravest Threat” (January 22) In his confirmation hearing, Secretary of Defense-designate William Cohen states, “I believe the proliferation of weapons of mass destruction presents the gravest threat that the world has ever

known. We are finding more and more countries who are acquiring technology – not only missile technology – and are developing chemical weapons and biological weapons capabilities to be used in theater and also on a long-range basis. So I think that is perhaps the greatest threat that any of us will face in the coming years.”¹⁷³ Also, reflecting on his previous work in the Senate to promote national missile defense, Cohen states, “I think it became necessary in the view of many, myself included at that time, that there was not a serious commitment to a national missile defense system. And so, we set a date of the year 2003 in which to deploy such a system. That was done with the idea that we had to generate enough discussion, enough pressure to produce a response that we felt was real and legitimate and sincere.”¹⁷⁴

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Administration Resumes Geneva Demarcation Negotiations Despite Russian Repudiation Of Part 1 Signing

(February 13) The SCC demarcation negotiations resume in Geneva. The Part 1 agreements are still not signed and no progress is reported in the interim period since the aborted signing ceremony following the October 1996 SCC session. The administration continues to insist that the Russian government follow through on the agreement of the U.S. and Russian Foreign Minis-

	Final Bush Admin. Budget Plan	Clinton Admin. Request	Decrease Amount	Decrease Percent
National Missile Defense	\$4.863 billion	\$505 million	-\$4.358 billion	-90%
Total Ballistic Missile Defense	\$8.679 billion	\$2.746 billion	-\$5.933 billion	-68%

ters of September 23, 1996. The administration's approach to the Part 2 demarcation negotiation on higher-velocity TMD systems is characterized as a "take-it-or-leave-it" approach.¹⁷⁵ Some months earlier, U.S. SCC Commissioner Stanley Riveles had said, "In the absence of any further [Phase 2] agreement, the United States will continue the practice, consistent with the ABM Treaty, of making its own compliance determinations."¹⁷⁶ His statement underscores the widely held doubts about the need for either of the demarcation agreements.

U.S. Air Force Leader Expresses Concern About High-Level Demarcation Talks In Moscow

(March 10) In an interview, Air Force Chief of Staff General Ronald Fogleman indicates that the military chiefs are worried that an agreement being negotiated with Russia could impose harmful restrictions

on future U.S. missile defenses. When asked why there is an apparent administration rush to expand the ABM Treaty, General Fogleman responds, "Quite frankly, in all the discussions that the chiefs have had, the greater concern is just that." He concludes, "we've gone about as far as we ought to go."¹⁷⁷

BMDO Director Agrees With General Fogelman's Concerns About Impact Of Negotiations On U.S. TMD Capabilities (March 12) Testifying before the Senate, BMDO Director Lieutenant General Lester Lyles states, with regard to

the demarcation negotiations, "It is a concern. I sort of echo the comment that Congress heard recently from General Fogelman from the Air Force. You probably would hear that same thing from CINCSPACE [Commander-in-Chief, U.S. Space Command] or General Estes. There is concern about what might happen relative to those discussions.... [Y]es, we are concerned, at least since we don't know what the final outcome is we are concerned about anything that limits our ability to field an effective capability."¹⁷⁸

White House Calls For Duma Approval Of START II Without Regard To Demarcation Progress

(March 18) National Security Advisor Sandy Berger states, "we believe that START II ought to proceed to ratification in the Duma without regard to any lingering disputes with respect to

ABM-TMD demarkation [sic], and that's our position and the position the President will reiterate to President Yeltsin."¹⁷⁹

Helsinki Summit Statement Records New ABM Understandings

(March 21) Presidents Clinton and Yeltsin agree to a "Joint Statement Concerning the Anti-Ballistic Missile Treaty" at the conclusion of their summit in Helsinki. In the Joint Statement, the presidents state that they "consider it their common task to preserve the ABM Treaty, prevent circumvention of it, and enhance its viability" and "reaffirm the principles of their May

FY '98 Missile Defense Appropriation

	Clinton Budget Request	Republican Congress Approp.	Difference (%)
National Missile Defense	\$505 million	\$979 million	+94%
Total Ballistic Missile Defense	\$2.746 billion	\$3.929 billion	+43%

10, 1995 Joint Statement.” This new Joint Statement also records new agreed elements on ABM/TMD demarcation pertaining to higher-velocity TMD systems, including:

- “The velocity of the ballistic target missiles will not exceed 5 kilometers/second.
- “The flight range of the ballistic target missiles will not exceed 3500 kilometers.
- “The sides will not develop, test, or deploy space-based TMD interceptor missiles or components based on other physical principles that are capable of substituting for such interceptor missiles.
- “The sides will exchange detailed information annually on TMD plans and programs.”

The Joint Statement also records unilateral statements of the sides’ plans with respect to higher-velocity TMD systems; agreement to instruct their experts to complete an agreement as soon as possible on higher-velocity TMD systems; and a reaffirmation of the ABM Treaty as the “cornerstone of strategic stability.”¹⁸⁰

The administration fails to get Russian signature of the Part 1 documents as part of this new agreement. Four days later, Robert Bell of the NSC staff implies, while explaining the administration’s rationale, that the administration had no choice but to accede to the Russian demands to link the signature of the agreement on lower-velocity systems to final completion of the agreement on higher-velocity systems, as well as the linkage of those agreements to Russian ratification of the START II Treaty. He does not explain why he believes the administration had no choice. Bell states, “Our view had always been that START II was a fair treaty... and it should have been ratified on its own merits.... But we’re now in the spring of 1997,

four years later, still trying to get the Duma to act... [W]e did not establish that linkage, but we would hope that with this agreement now in hand that that removes, along with the START III commitments, two of the principal arguments... against START II in the Duma.”¹⁸¹

Helsinki Summit Statement On Future Reductions Reinforces START-ABM Linkage (March 21) Presidents Clinton and Yeltsin agree to a “U.S.-Russian Joint Statement on Future Reductions in Nuclear Forces” that includes the following statement: “Recognizing the fundamental significance of the ABM Treaty for these objectives, the Presidents have, in a separate joint statement, given instructions on demarcation between ABM systems and theater missile defense systems, which will allow for deployment of effective theater missile defenses and prevent circumvention of the ABM Treaty.”¹⁸²

NSC Official Says Approval Of Treaty Amendments By Majority Of Both Houses Is An Option (March 24) Discussing Congressional approval of the demarcation agreements, Robert Bell of the NSC staff states in a press briefing that, “Sandy Berger is having a dialogue with the Majority Leader about these treaties and whether we will specifically ask the Senate, as opposed to both Houses of Congress.... And I expect Mr. Berger will be in touch with Senator Lott very quickly on this matter.” In response to questioning, he adds, “The Clinton administration, as has previous administrations, believes that as a matter of constitutional law if you change a treaty you can get that change approved either through a two-thirds vote of the Senate or through legislation by both Houses.”¹⁸³

President Promises To Seek Senate Approval Of Demarcation Agreements (March 25) National Security Advisor Sandy Berger informs Senate Majority Leader Lott in a letter that the adminis-

tration will seek Senate advice and consent to both the lower- and the higher-velocity TMD demarcation agreements (i.e., the Part 1 and Part 2 agreements). This promise is confirmed during ratification hearings for the CFE Flank agreement.¹⁸⁴

BMDO Director Says Deployment Of NMD By 2003 Is Not Realistic (April 16) One year after the “3-plus-3” program was announced, BMDO Director Lieutenant General Lester Lyles testifies to the House that deploying an NMD system by 2003 would be “very high risk” and “is not realistic.”¹⁸⁵

ACDA Director Says It Is Premature To Consider Treaty Amendments; The Threat, Not The Treaty Or The Russians, Will Determine The NMD Architecture (May 1) John Holum testifies to the Senate that “it is premature to speculate on whether, or when, we may need to seek to negotiate changes to the ABM Treaty in the event of a future U.S. decision to deploy a national missile defense. It is even more premature to speculate hypothetically about specific changes to the Treaty that might be required to permit an NMD deployment that we might select.”¹⁸⁶

“[W]hat we will do, what our colleagues in the Department of Defense will do, is design a system as the threat emerges to answer the threat. The determinant of the character of that system will be the threat not the treaty.”¹⁸⁷ He reiterates this point, stating, “It seems to me that the determinant here of our national missile defense program, designed to deal with rogue state threats, is going to be what the threat requires, not what the Russians think or what the Treaty says.”¹⁸⁸

BMDO Determines That A Single Treaty-Compliant ABM Site Cannot Defend The Entire United States (May 9) According to BMDO documents, a single NMD deployment area in Grand Forks, N.D., will meet “most threats” but is

“not optimal against threats to Alaska and Hawaii.” A second site “allows for complete coverage of U.S. territory against more threats” and “may be required to meet user requirements” of protecting all 50 states.¹⁸⁹

Senate Approval Of The “Flank Amendment” To The Conventional Forces In Europe (CFE) Treaty Is Conditioned On The Administration Submitting The ABM Succession Agreement For Senate Approval (May 14) By a vote of 100-0, the Senate approves amending the CFE Treaty, with 14 conditions. One condition in the Resolution of Ratification requires the President to submit the ABM succession agreement to the Senate for advice and consent.¹⁹⁰

President Clinton Certifies To Congress That The ABM Treaty Succession Agreement Will Be Transmitted To The Senate For Approval (May 15) The President certifies in a letter to the U.S. Senate that, in accordance with Condition (9) of the Resolution of Ratification to the CFE Flank Document, adopted on May 14, 1997, “I will submit any agreement concluded on ABM Treaty succession to the Senate for advice and consent.”¹⁹¹

Quadrennial Defense Review (QDR) Finds Clinton Administration NMD Plan Is Underfunded (May 19) The Report of the DoD Quadrennial Defense Review states, “The Administration established a [NMD] development program aimed at creating the option to make a decision on deployment as early as FY 2000, if the threat warrants. The goal of the program is to be able to deploy an Initial Operational Capability within three years after a decision is made. We determined in the QDR, however, that the existing NMD program could not meet these objectives within the programmed budget ... [S]ubstantial additional funds should be directed to NMD over the next three years.... The Department has decided to add the needed funds totaling about \$2 billion.”¹⁹²

U.S. And Russia Commit To Completing Agreement On Higher-Velocity TMD Demarcation Agreement And Russian Ratification Of START II (June 20) In a separate bilateral meeting during the Denver G-8 meeting, Presidents Clinton and Yeltsin agree that the U.S. and Russia would attempt to complete the demarcation agreement on higher-velocity TMD systems at the next SCC session in July, and Yeltsin pledges to push for Russian ratification of START II.¹⁹³

Defense Department Official Acknowledges Inconsistencies In Administration Approach To Compliance Evaluation (July 21) In a Senate hearing, Dr. Kent Stansberry, Chairman of the Defense Department's ABM Treaty Compliance Review Group, testifies to limitations and inconsistencies in the administration's process for determining treaty compliance of U.S. TMD systems. In his testimony and written responses to questions for the record, Dr. Stansberry:

- Acknowledges that millions of dollars had been spent to disable – and then reinstate – capabilities in THAAD's battle management software after the administration first declared the system non-compliant with the ABM Treaty in 1995, then reversed itself in 1996.¹⁹⁴
- Acknowledges that all U.S. "lower-velocity" TMD systems had been deemed treaty compliant by the U.S. without regard to the negotiated demarcation standard and notes that, "The agreement for higher velocity theater missile defense (TMD) systems based on the elements agreed by the Presidents at Helsinki does not establish a definitive demarcation standard. Compliance assessments for higher velocity theater missile defense systems and other advanced systems such as the airborne laser would remain a national responsibility."¹⁹⁵
- Acknowledges that although the Navy Theater-

Wide [Upper Tier] system had been deemed compliant with the ABM Treaty, potential improvements to the system "would invalidate" the certification of compliance.¹⁹⁶

- States that the Defense Department Compliance Review Group was not involved in the administration's determination – prior to the April 1996 U.S.-Russian summit meeting – that space-based TMD systems would not comply with the ABM Treaty and therefore should be banned by agreement with Russia.¹⁹⁷ Stansberry says he is unaware if the Defense Department had been involved in the decision, but states that "no formal (i.e., written) technological or 'compliance law' assessments were prepared" in the course of the decision process.¹⁹⁸

Agreements On Succession And Demarcation Completed (August-September) Two demarcation agreements (on lower and higher-velocity TMD systems), an agreement on ABM Treaty succession, a confidence-building measures (CBM) agreement, and revised regulations for the Standing Consultative Commission (SCC) are completed in the SCC on August 21. The revised regulations require agreement by all five parties to any proposed changes to the ABM Treaty. On September 3, the U.S. notifies Belarus, Kazakhstan, Russia and Ukraine that the Clinton administration has given its final approval to the documents, and the agreements are signed on September 26 in New York. The sides also initial a "Joint Statement on the Annual Exchange of Information on the Status of Plans and Programs with Respect to Systems to Counter Ballistic Missiles Other Than Strategic Ballistic Missiles."¹⁹⁹

President Cancels Space-Based Experiments (October 14) Using the line-item veto, the President cancels the Clementine Asteroid Intercept Technology Demonstrator. In a press briefing, Robert Bell of the NSC staff notes Clementine had its roots in the SDI program of the 1980s and says,

“We believe the main application of this technology more logically would fit within the space-based missile defense mission area.”²⁰⁰ The administration had previously cancelled all programs in the space-based missile defense mission area.

President Extends Declaration Of National Emergency To Deal With WMD Proliferation Threat (November 19) President Clinton extends the November 14, 1994 declaration of national emergency to remain in effect beyond November 14, 1997, pursuant to Executive Order 12038.²⁰¹

President Rejects Recognition Of Russia As The Sole ABM Successor State (November 21) In a letter responding to Congressman Gilman’s request for his views on ABM Treaty succession, President Clinton states, “In dealing with matters of succession, a key U.S. objective has been to preserve the substance of the original treaty regime as closely as possible.... Neither a simple recognition of Russia as the sole ABM successor... nor a

simple recognition of all NIS states as full ABM successors would have preserved fully the original purpose and substance of the Treaty.... [If] the Senate were to fail to act or to disagree and disapprove the agreements [Memorandum of Understanding on succession], succession arrangements will simply remain unsettled.”²⁰²

National Defense Panel Supports Addressing The Administration’s NMD Funding Shortfall (December 1) The independent “National Defense Panel” of experts reviews the QDR report and endorses the recommended increase in funding for NMD.²⁰³

Secretary Cohen Endorses National Defense Panel Conclusion On NMD (December 15) In a letter to Senator Strom Thurmond, Secretary of Defense Cohen provides comments on the report of the National Defense Panel, stating, “I believe the Panel recommends the correct path for pursuing a national missile defense system.” The Defense Department subsequently adds \$2 billion for NMD in its FY ’98 – ’03 budget plan.²⁰⁴

JCS Chairman Discounts The Missile Threat To The U.S. (February 3) In Senate testimony, General Henry Shelton states, “Our current threat assessment for nations most likely to have long-range missiles capable of striking the U.S. does not warrant an immediate NMD deployment decision.”²⁰⁵

Secretary of State Albright Says A “Viable” ABM Treaty Is Key To Further Russian Offensive Reductions (February 10) In Senate testimony, Secretary Albright says, “we know that for Russian reductions to continue, the ABM Treaty must remain viable.”²⁰⁶

Intelligence Community Issues Its Report To Congress On Foreign Missile

Developments (March) This report, required by Congress, states, “The U.S. Intelligence Community continues to devote significant resources to combating the proliferation of weapons of mass destruction. These weapons pose a grave threat to U.S. and global security.... Despite our efforts, countries of concern continued to acquire WMD-related equipment, materials, and technology, as well as modern conventional weapons. The cooperation of supplier countries – especially China and Russia – remains key to future efforts to stem the flow of dual-use goods, technology, and modern weapons to countries of concern.... Monitoring Russian proliferation behavior... will have to remain a very high priority for some time to come....

Throughout 1997, North Korea continued to export ballistic missile-related equipment and missile components and materials to countries of concern.... North Korea recently acknowledged that it is an exporter of ballistic missiles. As states such as North Korea achieve self-sufficiency and become exporters of WMD-related goods and conventional weapons, our opportunities to prevent acquisition of such items by other countries of concern will be further complicated.”²⁰⁷

President Believes There Is No Near-Term North Korean Taepo Dong-2 Threat And Reiterates Opposition To NMD Deployment (March 12) President Clinton reiterates the U.S. Intelligence Community’s

conclusion that, “the only rogue state ballistic missile currently in development that could conceivably have the range to strike the United States is the North Korean Taepo Dong-2. However, the Community assesses the likelihood of this missile being operational by 2005 as very low. I continue to believe that it would be a mistake to decide to deploy an NMD absent an assessment by the Intelligence Community that a threat was emerging in a time frame that required such a decision.”²⁰⁸

American Missile Protection Act Of 1998 Is Introduced In The Senate (March 27) Senators Thad Cochran and Daniel Inouye introduce the

	Final Bush Admin. Budget Plan	Clinton Admin. Request	Decrease Amount	Decrease Percent
National Missile Defense	\$5.248 billion	\$950 million	-\$4.298 billion	-82%
Total Ballistic Missile Defense	\$8.936 billion	\$3.915 billion	-\$5.021 billion	-56%

American Missile Protection Act of 1998, a bill which would make it the policy of the United States to deploy as soon as technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate). The bill ultimately has 50 cosponsors – 47 Republicans and 3 Democrats.²⁰⁹

Senior DoD Official Says There Are No Undeterrable Rogue States With Weapons Of Mass Destruction (March 31) Contradicting a statement by then-Secretary of Defense William Perry from

April 25, 1996, Edward Warner III, Assistant Secretary of Defense for Strategy and Threat Reduction, testifies before the Senate that, “Even if we could ignore a future threat from Russia,

there is a range of other potential threats to which nuclear weapons are a useful deterrent... [the] number of rogue states with actual and potential weapons of mass destruction programs is significant. We do not regard these states as undeterrable; either with regard to their incentives to acquire weapons of mass destruction, or their potential decisions to use such weapons. We believe that the knowledge of the United States as a powerful and ready nuclear capability poses a significant deterrent to proliferators.”²¹⁰

THREAT – Pakistan Flight Tests The Ghauri Medium-Range Missile (April 6) Pakistan conducts a flight test of the Ghauri medium-range bal-

listic missile, which is a version of the North Korean No Dong missile. It is assessed to be capable of reaching a range of 1,300 kilometers.²¹¹ The Defense Department report *Proliferation: Threat and Response*, issued less than six months earlier, makes no mention of a Pakistani effort to develop such a missile, but rather credits Pakistan with, at best, a 300 kilometer ballistic missile.²¹² Pakistan is believed to have acquired the No Dong from North Korea in the spring of 1996. The Clinton administration places sanctions on entities in Pakistan and North Korea for the missile transfers only after the flight test.²¹³

	Clinton Budget Request	Republican Congress Approp.	Difference (%)
National Missile Defense	\$950 million	\$1720 million	+81%
Total Ballistic Missile Defense	\$3.915 billion	\$4.514 billion	+15%

American Missile Protection Act Of 1998 Is Approved For Senate Consideration (April 21) The Senate Armed Services Committee votes 10 to 7 to approve S. 1873 – the American Missile Protection Act of 1998 –

that would make it U.S. policy “to deploy as soon as is technologically possible an effective national missile defense system” to defend the United States against a limited ballistic missile attack. All committee Republicans vote in favor of the bill; all committee Democrats vote against, except for Senator Lieberman, who does not vote.²¹⁴

JCS Chairman Is Confident Of Receiving Three Years Warning Of A New ICBM Threat (April 21) General Shelton writes to Senator Levin regarding ICBM threats to the U.S., stating, “I am confident that we will have the three years’ warning on which our [missile defense] strategy is based.”²¹⁵

THREAT – India Conducts Five Underground Nuclear Tests (May 11, May 13) Surprising the U.S. Intelligence Community, India conducts three underground nuclear tests on May 11, including one thermonuclear test. On May 13, India conducts two additional underground nuclear tests.²¹⁶

Democrats Succeed In Filibustering American Missile Protection Act Of 1998 (May 13) In a cloture vote, forty-one Democratic senators succeed in blocking consideration of the American Missile Protection Act. Four Democrats – one short of the necessary number – join all Republicans in support of the attempt to end the filibuster to consider the bill.²¹⁷

President Reverses His Position On ABM Treaty Succession (May 21) In a follow-up letter to Congressman Gilman on ABM Treaty succession, President Clinton reverses his position of November 21, 1997, stating, “a strong case can be made that, even without the MOU [Memorandum of Understanding on ABM Treaty Succession], these three states [Belarus, Kazakhstan, and Ukraine] are Parties to the Treaty. Finally, the United States and Russia clearly are Parties to the Treaty.... Without the MOU, ambiguity will remain about the extent to which states other than Russia are Parties, and about the way in which ABM Treaty obligations apply to the successors to the Soviet Union.”²¹⁸

Central Intelligence Agency States There is No Significant Difference Between Space Launch Vehicles and ICBMs (May 21) The Central Intelligence Agency provides the Senate with a chart that shows the only essential difference between a space launch vehicle and an intercontinental ballistic missile is the payload.²¹⁹

THREAT – Pakistan Conducts Six Underground Nuclear Tests (May 28, May 30) Pakistan conducts five underground nuclear tests on May 28 and one additional test on May 30 in response to India’s tests of May 11 and 13. Follow-

ing the tests, Pakistan announces that it had “equaled the score,” referring to the five nuclear tests conducted by India a few weeks earlier and India’s 1974 test.²²⁰

North Korea Admits To Missile Exports And Declares It Will Continue Such Sales (June 16) Contrary to years of categorical denial of charges of being a missile proliferator, the North Korean government declares through its official news agency that, “we will continue developing, testing and deploying missiles.... If the United States really wants to prevent our missile export, it should lift the economic embargo as early as possible and make a compensation for the losses to be caused by discontinued missile export.... Our missile export is aimed at obtaining foreign money we need at present.”²²¹

Rumsfeld Commission Report Repudiates Administration Position, Concludes The U.S. May Have Little Or No Warning Of An ICBM Threat (July 15) The Commission to Assess the Ballistic Missile Threat to the United States – established pursuant to the Defense Authorization Act of FY ’97 and chaired by former Secretary of Defense Donald Rumsfeld – submits its report to Congress. An unclassified executive summary of the bipartisan Commission’s report, including the commissioners’ unanimous findings, is released. Among its conclusions:

- The Commission notes that, “A nation that wants to develop ballistic missiles and weapons of mass destruction can now obtain extensive technical assistance from outside sources. Foreign assistance is not a wild card. It is a fact.”²²²
- “Concerted efforts by a number of overtly or potentially hostile nations [North Korea, Iran and Iraq] to acquire ballistic missiles with biological or nuclear payloads pose a growing threat to the United States, its deployed forces and its friends and allies....”²²³

- “[These nations] would be able to inflict major destruction on the U.S. within about five years of a decision to acquire such a capability (10 years in the case of Iraq). During several of those years, the U.S. might not be aware that such a decision had been made.”²²⁴
- “The threat to the U.S. posed by these emerging capabilities is broader, more mature and evolving more rapidly than has been reported in estimates and reports by the Intelligence Community.”²²⁵
- “The Intelligence Community’s ability to provide timely and accurate estimates of ballistic missile threats to the U.S. is eroding....”²²⁶
- “The warning times the U.S. can expect of new, threatening ballistic missile deployments are being reduced. Under some plausible scenarios—including re-basing or transfer of operational missiles, sea- and air-launch options, shortened development programs that might include testing in a third country, or some combination of these—the U.S. might well have little or no warning before operational deployment.”²²⁷

Finally, the Commission notes that, based on U.S. and Russian experience, the U.S. Intelligence Community had expected that a regular test series would be required to provide the confidence needed before any country would produce and deploy a ballistic missile systems. However, the Commission concludes that the ballistic missile programs of emerging powers “often do not follow a single, known pattern or model, and they use unexpected development patterns. These are not models of development the U.S. follows or that intelligence analysts expect to see.”²²⁸

The bipartisan Rumsfeld Commission extensively repudiates the administration’s oft-cited 1995 National Intelligence Estimate of the ballistic missile threat to the United States (NIE 95-19).

The Director Of Central Intelligence Responds To Rumsfeld Commission (July 15) In letters to Congress, CIA Director George Tenet addresses the Commission’s work, stating, “After the Intelligence Community’s 1995 National Intelligence Estimate on the ICBM threat was published, we took action on the criticisms that report generated and incorporated numerous recommendations into our analysis for the 1998 report [Report to Congress on Foreign Missile Developments].” He also notes that, “the Commission’s timelines for when the United States will face an ICBM threat from a country other than Russia, China, and North Korea are shorter than those in our March 1998 report.” He indicates that work is underway on the 1999 annual report and that the Intelligence Community is looking at some issues differently as a result of the Commission’s views (e.g., the characterization of uncertainties and the inclusion of alternative scenarios). He also acknowledges that “where evidence is limited and the stakes are high, we [the Intelligence Community] need to keep challenging our assumptions.”²²⁹

THREAT — Iran Conducts First Flight Test Of The Shahab-3 Medium-Range Missile (July 22) Iran conducts its first flight test of the Shahab-3 medium-range ballistic missile. This missile is a copy of the North Korean No Dong ballistic missile, which Iran reportedly developed with Russian and Chinese assistance. The missile has a range of 1,300 kilometers, sufficient to strike targets in Israel, Saudi Arabia, and Turkey. Shortly after the test flight, Iran declares that the Shahab-3 has been deployed.²³⁰ This capability is realized nine years earlier than the estimate of the Intelli-

gence Community in 1997, when the Director of Central Intelligence testified that Iran could have a medium-range missile by 2007.²³¹

Commander Of U.S. Space Command Warns U.S. Is Vulnerable To ICBM Attack “Sooner Rather Than Later” (July 29) The Commander-in-Chief of U.S. Space Command, General Howell Estes III, warns the United States will be vulnerable to an intercontinental missile attack “sooner rather than later” and must develop space-based defense and weapons to counter the threat. He says, “The fact of the matter is, [an emerging threat] is going to come quicker, in my opinion, than I think many of us would realize.”²³²

Despite Rumsfeld Commission Conclusions, JCS Chairman Remains Confident Of Warning Time For New ICBM Threat (August 24) In a letter to Senator James Inhofe, JCS Chairman General Henry Shelton states, “we remain confident that the Intelligence Community can provide the necessary warning of indigenous development and deployment by a rogue state of an ICBM threat to the United States.” Further, the Chairman states “the [Rumsfeld] commission points out that through unconventional, high-risk development programs and foreign assistance, rogue nations could acquire an ICBM capability in a short time, and that the Intelligence Community may not detect it. We view this as an unlikely development.”²³³

THREAT — North Korea Tests 3-Stage Taepo Dong-1 Missile To Extended Range (August 31) One week after General Shelton conveys his confidence that the U.S. would have sufficient warning of any new rogue ICBM threat to the U.S., North Korea launches a 3-stage Taepo Dong-1 judged to have intercontinental range. The presence of a third stage, which increases the range of the missile, surprises the U.S. Intelligence Community. The flight test demonstrates that North Korea has mastered staging techniques, a key milestone in the development of longer-range missiles.²³⁴

NSC Official Is Unmoved By Taepo Dong-1 Test (September 1) In the aftermath of the August 31 Taepo Dong-1 test, Robert Bell of the NSC staff reiterates the conclusion of the Chairman of the Joint Chiefs regarding the warning time for a rogue state ICBM threat. In a White House press briefing Bell states, “Certainly, it’s their [the Joint Chiefs’] view that we’ll have at least three years warning, which is the amount of time we require under the Defense Department’s three-plus-three national missile defense program to field the kind of national missile defense we’re developing.” He continues, “their [the Joint Chiefs’] confidence that we would have at least three years... reflected an assumption that the North Koreans would go forward with a Taepo Dong-1.” Finally, he says, “One of the reasons that we are confident... is that the degree of technical challenge going from an intermediate-range missile like the Taepo Dong-1 to an intercontinental-range missile... is really quite profound.”²³⁵ Subsequent analysis reveals the Taepo Dong-1 is capable of launching payloads to intercontinental range.²³⁶

U.S.-Russian “Joint Statement On Common Security Challenges” Omits Missile Defense Cooperation (September 2) At a summit meeting in Moscow, Presidents Clinton and Yeltsin issue a “Joint Statement on Common Security Challenges at the Threshold of the Twenty-First Century” that states, “the most serious and pressing danger is the proliferation of nuclear, biological, chemical, and other types of weapons of mass destruction, the technologies for their production, and their means of delivery.... We reaffirm the determination of the U.S. and Russia to cooperate actively and closely with each other... to avert and reduce this threat by taking new steps, seeking new forms of collaboration, and strengthening generally recognized international norms... We are embarking on new and important cooperation to further lessen the risks of false warnings of missile attacks.”²³⁷ The Joint Statement goes on to reaffirm the presidents’ commitment to strict compliance with the ABM Treaty, as well as a commitment to further

cooperation on export controls as an essential part of ensuring non-proliferation. The Joint Statement fails to mention missile defense or missile defense cooperation as responses to missile proliferation.²³⁸

Senate Democrats Block NMD Bill, Effectively Shelving It For The Year (September 9) Senate Democrats again filibuster the American Missile Protection Act of 1998, preventing its consideration by the Senate for a second time. As with the vote in May, four Democrats join 55 Republicans in voting to end the filibuster, one vote short of the total needed.²³⁹

U.S. Raises “Deep Concerns” About North Korea’s Recent Launch Of A Ballistic Missile (September 10) State Department spokesman James Rubin states that U.S. negotiators, in meetings with their North Korean counterparts in New York from August 21 to September 5, “sought... to raise our deep concerns over the missile test, and to restart talks on their missile program.... The D.P.R.K. has agreed to resume missile talks on October 1, which will allow us to press strongly our concerns about their production, development, and export of missiles, as well as their further testing, a serious concern heightened by the recent launch of a ballistic missile by North Korea. We have made and will continue to make clear to the North Koreans that such a missile launch should not be repeated.”²⁴⁰

North Korea Accuses The U.S. Of Slanderous Allegations and Claims Its August 31 Launch Was Not A Missile (September 10) North Korea’s official news agency says that North Korea deserved compensation from the U.S. for “slander, insult and defamation” for accusing it of firing a ballistic missile the previous week.²⁴¹

CIA Official Comments On Missile Threat To The U.S. (September 17) National Intelligence Officer for Strategic and Nuclear Programs Robert Walpole, in a speech on the missile threat to the

United States, says the Intelligence Community considers “foreign assistance to be fundamental to the threat, not merely an incidental aspect of the problem.” He states that “the threat is real, serious, growing, and dynamic,” noting that during the previous six months, Pakistan’s Ghauri, Iran’s Shahab-3, and North Korea’s three-stage Taepo Dong-1 missiles had been tested. Walpole confirms that the Taepo Dong-1 launch was an attempt to launch a satellite and that the missile’s use of a third stage was unexpected by the Intelligence Community. Walpole also states, “the launch confirmed our concerns regarding North Korea’s efforts to pursue an ICBM capability and demonstrated some unanticipated developments.”²⁴² This is the first public statement by a senior U.S. Intelligence Community official that repudiates the flawed 1995 National Intelligence Estimate.

U.S. Offers North Korea Improved Relations If It Will Cease Missile Activities (October 2) Following two days of missile talks by administration officials with North Korea, James Rubin releases a press statement which says, “The U.S. delegation stressed that we regarded as highly destabilizing the DPRK’s attempt on August 31 to use a Taepo Dong-1 missile to orbit a small satellite.... The United States made clear to the DPRK that further launches of long-range missiles... would have very negative consequences for efforts to improve U.S.-North Korean relations.... At the same time, the U.S. delegation emphasized that if the DPRK is prepared to cease its missile activities of concern, there could be a commensurate improvement in its relations with the United States.”²⁴³

DoD States It Is Prepared To Withdraw From ABM Treaty If Agreement On Treaty Changes Proves Impossible (October 2) In discussing possible NMD negotiations with Russia, Deputy Secretary of Defense John Hamre states, “If, contrary to our expectations, we were not able to reach agreement in the necessary timeframe, then our

recourse would be to withdraw from the Treaty because of supreme national interests.... Secretary Cohen has authorized me to be very clear on this point.... [W]e will not permit protracted negotiations to delay our deployment and prolong a risk to our people.”²⁴⁴

Senate Republicans Urge President Not To Repudiate His Pledge To Seek Senate Approval Of ABM Treaty Succession Pact (October 5) Majority Leader Lott and other Senate Republicans respond to President Clinton’s letter of May 21, 1998, in which the President sought “to repudiate [his] pledge to the Senate, made in a treaty-related certification on May 14, 1997, that [he] would respect [his] Constitutional obligation to seek the advice and consent of the Senate for any agreement adding parties to the ABM Treaty, or changing its geographic scope.” The senators state, “Your recent letter directly contravenes your certification... raising the inescapable conclusion that the instrument of ratification for the CFE Flank Agreement deposited on behalf of the U.S. is defective under United States constitutional law.” They further state, “Nothing has transpired since [the certification] that would constitute formal recognition of any state as a party to the ABM Treaty.... Your assertion that Russia is a Party... and your claim that the three other states might be, imply that the issue of the ABM Treaty’s status is fundamentally settled. Mr. President, this matter is most definitely not settled unless and until the Senate approves the MOU [Memorandum of Understanding on Succession], or a similar agreement, through the exercise of the advice and consent powers assigned to it by the Constitution.”²⁴⁵ (emphasis as in original)

U.S. Reaffirms ABM Treaty At 5-Year Review In The SCC (October 14) In Geneva, the U.S. and other SCC participants agree on a “Joint Statement on the Fifth ABM Treaty Review.” The sides agree that, “the Treaty continues to operate effectively and reaffirmed the fundamental importance of the Treaty, as a cornerstone of strategic stabil-

ity.... The sides reaffirmed their commitment to the ABM Treaty, to continued efforts to strengthen the Treaty, and to enhance its viability and effectiveness in the future.”²⁴⁶

CIA Official Says North Korean ICBM Threat Is Looming (October 27) John Gannon, Chairman of the Central Intelligence Agency’s National Intelligence Council, tells reporters, “An ICBM threat from North Korea is looming.” Gannon says the Taepo Dong-1 missile fired in August “could be reconfigured to deliver small payloads to ICBM ranges; that is in excess of 5,500 kilometers, if the North overcame certain technical problems.”²⁴⁷

President Extends Declaration Of National Emergency To Deal With WMD Proliferation Threat (November 18) President Clinton extends the November 14, 1994 declaration of national emergency to remain in effect beyond November 14, 1998, pursuant to Executive Order 12038.²⁴⁸

Russian And Chinese Leaders Declare ABM Treaty Central To “World Strategic Stability” (November 23) At a Russia-China summit in Moscow, Russian President Boris Yeltsin and Chinese President Jiang Zemin issue a Joint Statement on Russian-Chinese relations which states, “The heads of state of the two countries stand for continuing the nuclear disarmament process and emphasize the great importance of maintaining and consolidating the [ABM] treaty of restricting the anti-missile defense system in this process, considering the treaty was, and still is, one of the foundation stones for maintaining the world’s strategic stability.”²⁴⁹

CIA Official Discusses North Korean Missile Threat To U.S. (December 8) In a speech in Washington, National Intelligence Officer for Strategic and Nuclear Programs Robert Walpole addresses the August 31 Taepo Dong-1 launch and its implications for the missile threat to the U.S. He acknowledges that, based on that test, North Korea has an ability to deliver several hundred-

kilogram payloads about 2,000 kilometers, and thus represents a threat to U.S. allies and interests in the region. Also, after resolving some important technical issues, North Korea would be able to use the 3-stage configuration as a ballistic missile, albeit with great inaccuracy, to deliver small payloads to ICBM ranges. He reports that in a classified October Update Memorandum, the Intelligence Community assessed the Taepo Dong-2's capabilities to include the delivery of heavy payloads to Alaska and Hawaii, and looked at the implications of the third stage on the Taepo Dong-2. Walpole states, "with the stage demonstrated in August, the Taepo Dong-2, again with significant inaccuracy, could probably reach the rest of the United States, depending on the size of its payload."²⁵⁰

President Disputes Senate Majority's Critique Of Administration's Inconsistent ABM Treaty Succession Positions (December 17) In a written response to an October 5, 1998, letter from several senators, President Clinton reaffirms his May 21, 1998, position with respect to ABM Treaty succession; i.e., if the Senate were to fail to approve the Memorandum of Understanding on Succession, ambiguity would remain about the extent to which states other than Russia are Parties. The President contends, however, that the ABM Treaty would continue in force.²⁵¹ Despite the signing of the Memorandum of Understanding on Succession over a year earlier, it still has not been submitted to the Senate for its consideration.

Administration Acknowledges Long-Range Missile Threat And Increases Future Years Defense Program Budget To Cover Potential Deployment Costs While Delaying First Possible Deployment (January 20) Secretary Cohen acknowledges the existence of a missile threat to the U.S., and states that “technological readiness will be the primary remaining criterion” for an NMD deployment decision. He also announces new decisions regarding (a) delaying the initial possibility of deployment from 2003 to 2005, (b) adding \$10.5 billion in funding over the Future Years Defense Program for deployment costs, and (c) the administration’s intent to negotiate amendments to the ABM Treaty as necessary, while remaining cognizant of the right to withdraw from the treaty.²⁵²

The National Missile Defense Act Of 1999 (S. 257) Introduced In Senate (January 20) Senators Thad Cochran and Daniel Inouye introduce the National Missile Defense Act of 1999 (S. 257), which states, “It is the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate).” The bill ultimately has 53 cosponsors.²⁵³

Secretary Albright Reaffirms Importance Of ABM Treaty (January 20-26) In a series of public statements, Secretary Albright reaffirms the centrality of the ABM Treaty for U.S. security. She says that the ABM Treaty is “the basis of an arms control regime that has now existed for decades... the basis of most of our strategic thinking.”²⁵⁴ She also states, “the ABM Treaty is one of the essential components of our strategic doctrines” and characterizes the treaty as “the central arms control mechanism.”

Responding to a question, she states, “The abrogation issue is a straw man... we have always had the right to exit this treaty – either country – if there is a declaration of supreme national interest. That is the only statement that has ever been made about it. The intention here is to keep the ABM Treaty in a central place... see what the threats are and if it is necessary to make changes... do it in a way that keeps it as important as it is... [B]ut these decisions are way down the line.”²⁵⁵ Finally, remarking on here discussion with Russian Foreign Minister Ivanov, she states, “I made it very clear that we are committed to the ABM Treaty as central to our whole arms control structure.”²⁵⁶

NSC Disputes Secretary Of Defense On Deployment Criteria (January 21) In a White House

	Clinton Budget Request	Republican Congress Approp.	Difference (%)
National Missile Defense	\$837 million	\$954 million	+14%
Total Ballistic Missile Defense	\$3.678 billion	\$4.150 billion	+13%

Press Briefing, NSC Director for Defense and Arms Control Robert Bell clarifies the administration position on a deployment decision, stating that “a decision on whether to deploy will not be made until the year 2000 or later,” and mentions a number of deployment decision criteria, including the threat, technical maturity and program risk, cost, and the ABM Treaty.²⁵⁷

White House Drops Disagreement With Rumsfeld Commission Findings On Missile Threat

(January 28) NSC Director for Defense and Arms Control Robert Bell states in an interview that, “Both the Rumsfeld Commission and now our Intelligence Community are on the same script. They are both projecting the likelihood that this threat from North Korea will mature in the time frame we are talking about here.” With respect to the U.S. and Russia, he states, “we must start from the fundamental common ground that there is value in having protection against neighbors or states that hold you in some hostility, not being able to strike with impunity against your homeland.”²⁵⁸

Top Intelligence Official Testifies On Threat To The United States

(February 2) In Senate testimony, the Director of the Defense Intelligence Agency, Lieutenant General Patrick Hughes, states, “I am increasingly concerned that less dependable hostile nations – particularly North Korea and Iran – will develop that capability [to target the United States with ballistic missiles] over the next several years.... Moreover, I must assume that any state capable of developing or acquiring missiles with intercontinental range will likely be able to arm those missiles with weapons of mass destruction.”²⁵⁹

Administration Delays Satellites Needed For National Missile Defense

(February 3) Senior Air Force officials brief Senate staff on the administration’s decision to delay by two years both the high and low components of the Space-Based Infrared System (SBIRS). Deployment of

the SBIRS-High launch detection satellites, intended to replace Defense Support Program satellites beginning in 2002, is postponed until 2004. Air Force officials say the delay is “driven by affordability issues... funds needed for readiness.”²⁶⁰ Deployment of the SBIRS-Low satellites, which will track missiles in both the boost and mid-course phase of their trajectories, is delayed from 2004 to 2006 due to cost and technological performance concerns. The following day Senator John Warner, Chairman of the Senate Armed Services Committee, writes to Defense Secretary Cohen that he is “deeply troubled” by how the Defense Department went about making these changes, concluding, “I strongly urge you to ensure that no action be taken to implement any changes to the SBIRS-High or SBIRS-Low programs until Congress has had an opportunity to adjudge the proposed changes.”²⁶¹ And on February 11, eleven senators – including Majority Leader Lott, Appropriations Chairman Stevens, and Armed Services Chairman Warner – write to the Acting Secretary of the Air Force, stating, “we question the wisdom of your decision.”²⁶²

President Clinton Threatens To Veto The National Missile Defense Act Of 1999

(February 3) In a letter to Senator Levin, National Security Advisor Sandy Berger threatens a Presidential veto of S. 257 “because it suggests that our decision on deploying this system should be based *solely* on a determination that the system is ‘technologically possible’.... We intend to base the deployment decision on an assessment of the technology (based on an initial series of rigorous flight-tests) and the proposed system’s operational effectiveness. In addition, the president and his senior advisors will need to confirm whether the rogue states ballistic missile threat to the United States has developed as quickly as we now expect, as well as the cost to deploy. A decision regarding NMD deployment must also be addressed within the context of the ABM Treaty and our objectives for achieving future reductions in strategic offensive arms control through START II and III.”²⁶³ (emphasis as in original)

Senate Armed Services Committee Approves National Missile Defense Act Of 1999 (February 9) Senator Lieberman joins all committee Republicans in voting the bill out of committee. One other Democrat, Senator Landrieu, votes “present.” All other committee Democrats vote against the bill. A substitute bill offered by Senator Levin is defeated by a vote of 12 to 7, with Senator Lieberman voting with the majority and Senator Landrieu abstaining.²⁶⁴

BMDO Director Denies SBIRS Program Has Been Delayed, Says Previous Deployment Dates Were Only “Advertised” (February 24) Drawing a distinction between the launch date for SBIRS-Low that was repeatedly briefed to Congress and his own expectations, BMDO Director Lieutenant General Lester Lyles testifies to the Senate on the Air Force decision to delay the first launch date for SBIRS-Low from 2004 to 2006, saying that he did not object to the Air Force decision because “[t]he key for me as far as NMD is concerned, is they haven’t changed the schedule for SBIRS-Low.” Clarifying his statement, Lyles states that the “launch date for SBIRS-Low was what the expected launch date was. I think the advertised date has always been 2004, but that was always characterized as high risk. And I’ve always been on the assumption that 2006 would be the date that they would launch.... And since that date did not change with the Air Force’s decision, that was the rationale from my not disagreeing with that approach.”²⁶⁵

Administration Opposes The NMD Act Of 1999 (February 24, March 4) Secretary Albright states, “I know that Congress may soon consider legislation that would mandate deployment of a national system as soon as it is technologically feasible to do so. The Administration opposes this approach as too narrow. We believe a deployment decision should be based on four factors. These include a thorough assessment of the technology and the proposed system’s operational effectiveness; the status of the ballistic missile threat; and the cost of deployment. A decision regarding NMD deploy-

ment must also be addressed within the context of the ABM Treaty and our objectives for achieving future reductions in strategic offensive arms through START II and III.”²⁶⁶

President States He Will Never Abrogate The ABM Treaty (March 5) At a Joint Press Conference with the Italian Prime Minister, President Clinton states that he has “never advocated, initiated, encouraged, sanctioned, or blinked at the possibility that we could unilaterally abrogate the ABM Treaty. I personally would be very opposed to that.”²⁶⁷

Patriot Advanced Capability-3 (PAC-3) Missile Destroys Target In Hit-To-Kill Intercept (March 15) In a flight test against a Hera ballistic missile, the new PAC-3 interceptor missile, using hit-to-kill technology, successfully collides with and destroys its target.²⁶⁸

National Missile Defense Act Of 1999 Passes The Senate (March 17) After threatening a third filibuster of this Act, Senate opponents realize support for the Act is too broad to sustain a filibuster. Proponents accept an additional independent provision which reiterates the long-standing U.S. policy to seek continued reductions in Russian nuclear forces, but which is not linked in any way to the decision to deploy an NMD system. The bill passes 97-3.²⁶⁹

President Clinton Interprets The NMD Act Of 1999 (March 17) In a White House Press Statement, the President says that the passed bill makes clear that “no decision on deployment has been made” and that the “bill reaffirms that our missile defense policy must take into account our arms control objectives.”²⁷⁰

Administration Instructs U.S. Embassies In Moscow, Beijing, And Allied Capitals To Provide Its Interpretation Of The National Missile Defense Act of 1999 (March 19) In a cable to overseas posts, U.S. embassy personnel are directed by Secretary Albright to explain the

administration's interpretation of the Senate-passed bill. According to the cable, the president will not request deployment funds unless the missile threat has "materialized as quickly as we now expect it will," unless the technology works, is affordable, and unless such a defense does not conflict with arms control considerations.²⁷¹

THREAT – India Conducts A Flight Test Of The Agni II Medium-Range Missile (April 11) India conducts a flight test of its Agni II medium-range ballistic missile. The missile has a range of 2,000 km and can carry either a nuclear or conventional warhead.²⁷²

THREAT – Pakistan Responds To India With Ghauri II And Shaheen I Missile Launches (April 14, 15) Pakistan launches the Ghauri II missile on April 14 and the Shaheen I missile on April 15 in response to India's Agni II launch. The Pakistanis state that the Ghauri II missile has a range of 2,000-2,300km. The Shaheen I is a solid-propellant ballistic missile and reportedly has a range of 750 km.²⁷³

Senate Armed Services Committee Identifies Faulty TMD Upper Tier Acquisition Strategy (May 17) In its report accompanying the FY '00 Defense Authorization Act, the Senate Armed Services Committee states, "The committee does not support the Defense Department's proposed change to the acquisition strategy for upper tier theater missile defense (TMD) programs—the Theater High Altitude Area Defense (THAAD) system, and the Navy Theater Wide (Navy Upper Tier) system. Under the proposed strategy, a decision would be made by December, 2000, to select a lead upper tier system so that funding for the two programs could be concentrated on a lead system. The funding would be consolidated in a single program element in fiscal year 2002. This approach contradicts congressional guidance from previous years and puts the two upper tier systems into an unnecessary competition for the same resources. The committee notes that the statement of managers to the Strom Thurmond National Defense Authori-

zation Act for Fiscal Year 1999 (H. Report. 105-736) clearly stated that 'the THAAD missile and the Navy Upper Tier missile should not be viewed as competing systems.' Though overlapping to a degree, the two upper tier systems serve fundamentally different sets of equally valid requirements and do so with fundamentally different technological approaches. The committee continues to believe that the United States has valid requirements for both systems, and that both systems should be deployed as soon as practicable."²⁷⁴

House Of Representatives Passes The National Missile Defense Act Of 1999 (May 20) By a vote of 345-71, the House of Representatives passes the National Missile Defense Act of 1999.²⁷⁵

Cox Commission Finds U.S. Technology Has Aided China's Ballistic Missile Program (May 25) The House Select Committee On U.S. National Security And Military/Commercial Concerns with the People's Republic of China (The Cox Commission) releases the declassified version of its final report. Among its findings:

- "The PRC has stolen U.S. missile technology and exploited it for the PRC's own ballistic missile application. The PRC has proliferated such military technology to a number of countries, including regimes hostile to the United States."²⁷⁶
- "In the aftermath of three failed satellite launches since 1992, U.S. satellite manufacturers transferred missile design information and know-how to the PRC without obtaining the legally required licenses. This information has improved the reliability of PRC rockets useful for civilian and military purposes. The illegally transmitted information is useful for the design and improved reliability of future PRC ballistic missiles, as well."²⁷⁷

THAAD Successfully Intercepts Target Missile (June 10) BMDO and the U.S. Army conduct the first successful Theater High Altitude Area Defense

(THAAD) intercept of a ballistic missile, demonstrating hit to kill technology and the integrated performance of the entire THAAD system in THAAD's seventh intercept attempt. THAAD is the first weapon system developed specifically to defend against theater ballistic missiles, and will provide the upper tier defense for the Army's two-tier missile defense concept.²⁷⁸

U.S. And Russian Presidents Reaffirm ABM Treaty (June 20) At a summit in Cologne, Germany, Presidents Clinton and Yeltsin release a "Joint Statement Between the United States and the Russian Federation Concerning Strategic Offensive and Defensive Arms and Further Strengthening of Stability." It includes:

- "Confirming their dedication to the cause of strengthening strategic stability and international security, stressing the importance of further reduction of strategic offensive arms, and recognizing the fundamental importance of the Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty) for the attainment of these goals..."
- "Proceeding from the fundamental significance of the ABM Treaty for further reductions in strategic offensive arms, and from the need to maintain the strategic balance between the United States of America and the Russian Federation, the Parties reaffirm their commitment to the Treaty, which is a cornerstone of strategic stability, and to continuing efforts to strengthen the Treaty, to enhance its viability and effectiveness in the future.
- "...both Parties affirm their existing obligations under Article XIII of the ABM Treaty to consider possible changes in the strategic situation that have a bearing on the ABM Treaty and, as appropriate, possible proposals for further increasing the viability of this Treaty.
- "The Parties emphasize that the package of agreements [on demarcation and succession]

signed on September 26, 1997 in New York is important under present conditions for the effectiveness of the ABM Treaty, and they will facilitate the earliest possible ratification and entry into force of those agreements...

- "Discussions on START III and the ABM Treaty will begin later this summer."²⁷⁹

G-8 Countries Express Deep Concern About North Korean Missile Flight Tests (June 20) The G-7 countries and Russia issue a communique at the Cologne summit that includes the following statement: "We are deeply concerned about recent missile flight tests and developments in missile proliferation, such as actions by North Korea. We undertake to examine further individual and collective means of addressing this problem and reaffirm our commitment to the objectives of the Missile Technology Control Regime (MTCR)."²⁸⁰ There is no mention of missile defense.

Upon Signing The NMD Act Of 1999, President Reiterates His Interpretation Of The Law (July 22) In a statement accompanying his signature of the National Missile Defense Act of 1999, President Clinton reiterates his intention to base a future deployment decision on four criteria, only one of which – technological readiness – is included in the law.²⁸¹

NMD Must Protect Every Part Of All 50 States, According To Secretary Albright (July 23) A State Department Press Release states, "Secretary of State Madeleine Albright strongly believes and has stated that any NMD (National Missile Defense) system that the United States may decide to deploy needs to provide protection for every part of all 50 states, including Alaska and Hawaii."²⁸²

Secretary Cohen Is Overruled On Need For Second NMD Site (May-July) In meetings with Secretary of State Albright and National Security Advisor Berger to determine an initial administration position for ABM Treaty negotiations with

Russia, Defense Secretary Cohen argues that initial modifications to the ABM Treaty must permit the two U.S. NMD sites, multiple X-band radars, and space sensors required to protect all fifty states from the emerging rogue state threat. Citing the problem of negotiating with Russia over the extent of the ABM Treaty changes necessitated by the Defense Department-proposed system, Albright and Berger prevail in obtaining Cohen's agreement to a lesser initial architecture consisting only of one ground-based interceptor site and one X-band radar, each in Alaska. This initial architecture will form the basis of the "phase one" negotiations with Russia, and the rest of the Cohen proposal will be captured in subsequent "phase two" negotiations. President Clinton authorizes this negotiating approach.²⁸³

Second Successful THAAD Intercept (August 2) In a flight test at the White Sands Missile Range, THAAD intercepts its target, again demonstrating the emerging maturity of the hit-to-kill approach.²⁸⁴

Russians Declare Failure Of New NMD And START III Talks (August 17-18) State Department Senior Advisor John Holum leads an inter-agency delegation to Moscow for "discussions" on NMD and START III with a Russian delegation led by Grigory Berdennikov of the Russian Foreign Ministry. Following the talks, Berdennikov states, "There is no nationwide ABM system that would not infringe upon our [Russian] interests.... [Russia] sees no reasons, or practical needs, or possibilities for changing any key aspects and restrictions of the ABM Treaty."²⁸⁵ Leonid Ivashov, Chief of the Defense Ministry International Cooperation Department, says that arms reduction talks this week failed because of Washington's insistence on building a missile defense system. "There are no results."²⁸⁶ Russian Foreign Minister Ivanov states, on August 25, "We believe that the ABM Treaty is the basis for strategic stability, and any attempts to revise the treaty endanger this stability."²⁸⁷

New National Intelligence Estimate On Ballistic Missile Threat To The U.S. Completed (September) An unclassified summary of the new national intelligence estimate on "Foreign Missile Developments and the Ballistic Missile Threat to the U.S. Through 2015" is released. Key points include (emphasis in original throughout):

- "Acquiring long-range ballistic missiles armed with WMD will enable weaker countries to do three things that they otherwise might not be able to do: deter, constrain, and harm the United States.... [T]heir strategic value is derived primarily from the threat (implicit or explicit) of their use, not the near certain outcome of such use. Some of these systems may be intended for their political impact as potential terror weapons, while others may be built to perform more specific military missions... [or] primarily as strategic weapons of deterrence and coercive diplomacy."²⁸⁸
- "We project that during the next 15 years the United States most likely will face ICBM threats from Russia, China, and North Korea, probably from Iran, and possibly from Iraq...."²⁸⁹
- "North Korea *could convert* its TaepoDong-1 space launch vehicle (SLV) into an ICBM that could deliver a light payload (sufficient for a biological or chemical weapon) to the United States.... North Korea is *more likely to weaponize* the larger Taepo Dong-2 as an ICBM that could deliver a several-hundred kilogram payload (sufficient for early generation nuclear weapons) to the United States. Most analysts believe it could be tested at any time...."²⁹⁰

- “Iran *could test* an ICBM that could deliver a several-hundred kilogram payload to many parts of the United States in the last half of the next decade using Russian technology and assistance. Most analysts believe it could test an ICBM capable of delivering a lighter payload to the United States in the next few years following the North Korean pattern.”²⁹¹
- “Iraq could test a North Korean-type ICBM that could deliver a several-hundred kilogram payload to the United States in the last half of the next decade depending on the level of foreign assistance.”²⁹²

Administration Proposes Two-Phased NMD Negotiation—One ABM Site In Phase 1, A Second Site In Phase 2 (September 8) Administration officials disclose their plans for a two-phase negotiation to amend the ABM Treaty. State Department spokesman James Rubin explains that in a first phase, the administration is seeking “modest changes” to the ABM Treaty that would permit the deployment of 100 ABM interceptor missiles at a single ABM site in Alaska. After a first phase agreement, an immediate follow-on negotiation is envisioned that would be conducted by the subsequent administration. The U.S. would seek, according to this plan, modifications to the ABM Treaty in a second phase agreement that would permit more than 200 ABM interceptors, at least two ABM sites, additional ABM radars, and the use of space-based sensors.²⁹³ The single ABM site in the administration’s phase one plan does not satisfy the Defense Department’s requirements for the NMD system.²⁹⁴

Administration Makes No Headway On ABM Treaty Modifications As Russians Stonewall (September 8-9) The administration makes a major push to explain its ABM Treaty proposal to Russia in numerous meetings during the month of September beginning with talks in Moscow on September 8-9 between Deputy Secretary of State Talbott and Russian Deputy Foreign Minister

Mamedov. Upon Talbott’s departure from Moscow he says that he was “satisfied” with the outcome.²⁹⁵ Senior Russian military officials, commenting on the talks, state, “The Americans are trying to drag us into negotiating on ABM to secure Russian agreement for the U.S. to deploy its own limited national anti-ballistic missile defense... The Russian side can not accept this... [This is] categorically opposed both by Russia’s Defense Minister and Foreign Ministry... Russia’s position will remain unchanged.”²⁹⁶

Secretary Of State Albright And Foreign Minister Ivanov Agree ABM Treaty Is The “Core” Of Arms Control Stability (September 10) Secretary of State Albright meets with Russian Foreign Minister Ivanov in Auckland, New Zealand, for discussion of the administration’s new ABM proposal. Secretary Albright states, “We do believe that the ABM Treaty has been the core of the arms control regimes and obviously consider its continued importance.” Foreign Minister Ivanov agrees, stating, “...regarding the ABM Treaty, as Secretary Albright has just mentioned, it represents a core of the strategic stability. Should this core be disrupted, then the strategic stability could also be disrupted.”²⁹⁷ A senior U.S. official in Moscow assesses the outcome of the meeting, stating, “Russia has very strong concerns.”²⁹⁸

President Clinton Explains His ABM Position To Prime Minister Putin, Offers To Share The Benefits Of NMD With Russia (September 12) President Clinton meets briefly with Russian Prime Minister Putin in Auckland, New Zealand and explains the U.S. position on the emerging threat, NMD, and the desire to preserve the ABM Treaty. In a “readout” to the press pool, National Security Advisor Sandy Berger says, “[The President] said he wants to work together with the Russians on this and believes that the benefits of a missile defense system could be shared with the Russians, as he has said to President Yeltsin in Cologne.” Berger characterizes Putin’s response, stating, “On the ABM, he said that there are threats from nuclear

proliferation and nuclear terrorism. He understands the concerns that the President expressed. And they must be addressed in a way that takes account of the security concerns of other nations, but these are matters for negotiations, which he hoped would proceed.”²⁹⁹ Summarizing the outcome, Berger says, “I think it was a good meeting.... I thought his [Putin’s] reaction on national missile defense and ABM... was more straightforward than sometimes has been the case.”³⁰⁰

Administration Claims North Korean Agreement To Suspend Missile Tests (September 14)

The Clinton administration announces that North Korea agreed, at a meeting in Berlin, to halt test-flights of long-range ballistic missiles while negotiations to improve relations are underway. In exchange, the Clinton administration announces easing some sanctions that had been placed on North Korea under the Trading with the Enemy Act, the Defense Production Act, and the Commerce Department’s Export Administration Regulations. The easing of these sanctions would allow the United States to import most North Korean origin goods and raw materials and to export non-sensitive goods and services.³⁰¹ This agreement does not apply to any missile development activities other than flight tests.

PAC-3 Intercept Test A Success (September 16)

The second successful PAC-3 interceptor test is conducted at the White Sands Missile Range, New Mexico.³⁰²

Russian Foreign Minister Enlists The Aid Of United Nations Members In Preserving The ABM Treaty (September 22)

In a speech to the U.N. General Assembly, Russian Foreign Minister Ivanov states, “We believe that the General Assembly should express itself definitively in favor of keeping and observing the ABM Treaty, which is the cornerstone of strategic stability. After all, unilateral steps to undermine the time-tested rules established by this Treaty are fraught with the most dangerous consequences.”³⁰³

Five Permanent Members Of The U.N. Security Council Call For Strengthening The ABM Treaty (September 23)

Following a meeting with the U.N. Secretary-General, the U.S. Secretary of State joins the Foreign Ministers of the other four permanent members of the Security Council in issuing a wide-ranging statement dealing with the U.N. and current international problems. The statement includes the following: “The Ministers called for continued efforts to strengthen the Anti-Ballistic Missile Treaty and to preserve its integrity and validity, so that it remains a cornerstone in maintaining global strategic stability and world peace and in promoting further strategic nuclear arms reduction.” There is no mention of missile defense.³⁰⁴

North Korea Asserts Its Right To Test Long-Range Missiles And Launch Satellites (October 1)

The *Rodong Sinmun*, North Korea’s ruling Workers’ Party newspaper, states, “The issue of missile launch is a matter wholly pertaining to our sovereignty, and the DPRK [North Korea] will launch a missile and a satellite any time it feels necessary.” The report is carried by the DPRK’s foreign news outlet five days after North Korea said it would freeze test-launches of its long-range missiles while its government was in talks with the United States.³⁰⁵

NMD Interceptor Successful In First Target Intercept Test (October 2)

BMDO’s first attempt to intercept an ICBM is successful, thus providing another demonstration of the maturity of hit to kill technology. The interceptor’s kill vehicle completes the intercept despite the presence of a balloon decoy.³⁰⁶

DoD Official States That North Korea Has Not Halted Its Long-Range Missile Program (October 13)

Under Secretary of Defense for Policy Walter Slocombe testifies before the House that, “North Korea has agreed to a moratorium on flight tests of long-range missiles during further discussions. However, that action, while welcome, does

not mean a halt to the North Korean program (which continues to progress through steps other than flight tests), much less an end to the potential threat from North Korea. Accordingly, we continue to base our NMD efforts on the assessment, reflected in the NIE [National Intelligence Estimate], that North Korea probably will test the TD-2 [Taepo Dong-2] this year.”³⁰⁷

President Clinton Acknowledges That Deployment of Effective NMD Would Be “The Responsible Thing To Do” (October 14) President Clinton states, “If we have the potential to protect our people against missiles that could be loaded with nuclear weapons or chemical or biological weapons, coming at us from other countries – and this does not include the Russians with whom we have this ABM Treaty, but all of these other countries that are trying to get missile technology – and it would be the responsible thing to try to deploy such a system.” He also states, “I do think it is the responsible thing to do to continue to pursue what appears to be far more promising than many had thought – including me a few years ago – in terms of missile defense.”³⁰⁸

Secretary Of State Says Administration Seeks Slight Adjustments To ABM Treaty (October 17) Secretary of State Albright states, “We believe it is time to re-look at the ABM Treaty...[and] the possibility of adjusting it slightly in order to be able to have a missile defense.”³⁰⁹

Holum Delegation Discusses NMD And START III In Moscow; Russian Officials Say They Will Not Bargain On ABM Treaty (October 21-22) State Department Senior Advisor John Holum leads the U.S. delegation to Moscow for a second round of discussions on NMD, the ABM Treaty, and START III. On the day before those discussions, Russian Foreign Ministry spokesman Vladimir Rakhmanin states that, regarding the ABM Treaty, “Russia is not engaged in any bargaining over this treaty. Our position remains unchanged.”³¹⁰ Another Russian Foreign Ministry source says, “It is

absolutely unacceptable to make any changes in the key provisions of the treaty and the Russian side does not intend to depart from its positions.”³¹¹ Commenting on the ABM discussions on October 27, White House spokesman Joe Lockhart states, “We believe that we’re moving forward in a constructive way.”³¹²

Senate Airborne Laser (ABL) Supporters Urge Secretary Cohen To Fully Fund The Program (October 28) Senator Mary Landrieu joins 19 Republican senators in writing Secretary of Defense Cohen “...to express our strong support for the Airborne Laser Program, and to express our concerns about reports that consideration is being given by senior Pentagon officials to removing up to \$258 million from the ABL Program over the next few years to help reduce funding shortfalls in other programs.” ABL, which will be carried on a 747 aircraft and be capable of intercepting ballistic missiles in their boost phase, is the only Major Defense Acquisition Program that is on schedule, on budget, and meeting or exceeding its technical requirements. The senators also point out that, though designed as a theater missile defense system, “if the ABL program remains on schedule, in 2003 the United States will have an emergency capability against North Korean or other missiles, without respect to their range.”

North Korea Advisory Group Issues Report To The Speaker Of The House Of Representatives (October 29) The North Korea Advisory Group, comprised of several members of Congress, finds that the threat posed by North Korea to U.S. national security has increased since 1994. The members of the Group express the unanimous view that there are a number of serious weaknesses concerning current U.S. policy toward North Korea that urgently require the attention of the foreign policy and national security committees of Congress.³¹³

President Yeltsin Writes President Clinton On NMD Concerns (November 2) President Clinton meets Prime Minister Putin in Oslo, Norway, and

discusses NMD. Putin gives President Clinton a letter from President Yeltsin that expresses concerns about how amending the ABM Treaty could weaken it and negatively impact Russia's strategic deterrent.³¹⁴

President Extends Declaration Of National Emergency To Deal With WMD Proliferation Threat (November 15) President Clinton extends the November 14, 1994 declaration of national emergency to remain in effect beyond November 14, 1999, pursuant to Executive Order 12038.³¹⁵

The “Welch Panel” Finds There Should Be Sufficient Information By The Deployment Readiness Review (DRR) To Determine Feasibility Of Deployment By 2005 (November 16) The second report of the “Welch Panel”, headed by retired Air Force General Larry Welch, finds that “it is reasonable to expect to produce information by DRR date to determine if a 2005 deployment is feasible.” It also found that “Given the set of challenges and the phased decision process, the JPO [Joint Program Office] and LSI [Lead System Integrator] have formulated a sensible, phased, incremental approach to the development and deployment decision – while managing the risk.” The DRR is scheduled for the summer of 2000.³¹⁶

President Clinton Tells Yeltsin That The Signed Missile Defense Act Of 1999 Was Not A Deployment Decision (November 18) According to National Security Advisor Sandy Berger, President Clinton, in his meeting with Yeltsin in Istanbul, “clarified for President Yeltsin some legislation that he had signed last year which had some prefatory language about national missile defense, which Yeltsin believed reflected a firm decision on our part.” Berger says, “the President explained... that he will decide this next year based on the four factors... threat, cost, technical feasibility, and the effect on arms control, and our overall security.”³¹⁷

The NMD Act of 1999 – P.L.106-38 – makes technological readiness the sole criterion for NMD deployment.³¹⁸

THREAT — Iran Acquires No Dong Engines From North Korea (November 21) Iran acquires 12 No Dong ballistic missile engines from North Korea. Robert Walpole, the National Intelligence Officer for Strategic and Nuclear Programs, states, “[Those engines] are critical to the Taepo Dong program, and they would be critical to the Shahab-3 program and any extensions of the Shahab-3 program.”³¹⁹

U.N. Resolution On ABM Treaty Preservation, Co-Sponsored By Russia, China, And Belarus, Passes In The General Assembly (December 1) By a vote of 80-4, with 68 abstentions, the General Assembly adopts a resolution calling for preserving and strengthening the ABM Treaty, and for the parties to the treaty to refrain from the deployment of territorial ABM defenses. Only the United States, Israel, Albania, and the Federated States of Micronesia vote against the resolution.³²⁰

Secretary Albright Identifies The ABM Treaty As The Key To Disarmament (December 17) Prior to her meeting with Russian Foreign Minister Ivanov in Berlin, Germany, Secretary Albright states, “we have all along said that the ABM Treaty is the keystone of the disarmament structure that we have had and we have valued having that treaty. We, however, believe that the situation has changed in terms of threat and while the United States has made no decision as yet on national missile defense, we believe that if such a system is put into place, that because of the new threats, it may be necessary to have changes in the ABM Treaty. The ABM Treaty has been changed before and nothing, however, changes our basic belief in the centrality of the ABM Treaty.”³²¹

Vice President Gore Says He Would Be Willing To Abandon The ABM Treaty If The U.S. Is Threatened (January 9) Al Gore states, “As President, I would be willing to consider changes to the Anti-Ballistic Missile Treaty restricting missile deployment and even abandoning the treaty if the United States was seriously threatened by a missile attack from a rogue nation.”³²²

Senior Advisor Holum Says Prevention, Then Deterrence, Are Preferred Responses To A Possible North Korean ICBM (January 12) State Department Senior Advisor John Holum states, “The intelligence estimates now say we’re close to an ICBM, an intercontinental ballistic missile capability, in North Korea. The first thing we’d want to do about that, our primary focus is on preventing that. If we can’t prevent it, then obviously we’ll rely on deterrence.” But, he adds, “there’s also reason to believe that against a country like North

Korea or like Iran that traditional theories of deterrence won’t work. For that purpose, we’re considering a limited national missile defense that the president will review next summer.”³²³

Second NMD Intercept Test Is A Near Miss (January 18) Integrated Flight Test-4 (IFT-4) proceeds according to plan until the last six seconds when the infrared sensors on the kill vehicle – sensors that worked during the successful test in IFT-

3 – fail. Further analysis of the test results (reported on February 9) indicates the likely point of failure was defective plumbing in the system that cools the infrared sensors. Nevertheless, Integrated Flight Test-4 is a successful developmental test that proves under very stressful conditions the X-Band Radar, the Upgraded Early Warning Radar, and the battle management, command, control, communication and intelligence capability of the proposed architecture.³²⁴

U.S. Delegation Returns To Moscow To Resume “Informal” Talks On NMD And START III – No Progress Reported (January 19-21) State Department Senior Advisor Holum presents his Russian counter-

part, Yuri Kapralov, a document which proposes a protocol to the ABM Treaty which would leave the text of the treaty unchanged, but add a protocol allowing the deployment of a

single-site territorial defense. There is no progress on NMD. The U.S. side also makes a START III proposal, but U.S.-Russian differences remain over the level of reduction, with Russia proposing 1,500 warheads and the U.S. reaffirming the Helsinki agreed level of 2,000-2,500.³²⁵ Following the conclusion of the meetings, the Russian Foreign Ministry states, “The Russian side underlined the tight interrelatedness between the process of reducing strategic arms and the (Anti-Ballistic Missile) Treaty of 1972.”³²⁶

	Clinton Budget Request	Republican Congress Approp.	Difference (%)
National Missile Defense	\$1.900 billion	\$2.035 billion	+7%
Total Ballistic Missile Defense	\$4.702 billion	\$5.117 billion	+9%

U.S. Intelligence Community Reports Significant Proliferation Threat To U.S. Security

(January 21) Director of Central Intelligence George Tenet sends Congress the U.S. Intelligence Community's unclassified assessment of ballistic missile and weapons of mass destruction proliferation for the period January to June 1999. In his transmittal letter, Tenet states, "The U.S. Intelligence Community continues to devote significant resources to assessing and combating the proliferation of weapons of mass destruction. These weapons pose a grave threat to U.S. and global security."³²⁷ The principal findings of the assessment include:

- "Iran remains one of the most active countries seeking to acquire weapons of mass destruction... [and] is attempting to develop an indigenous capability to produce various types of weapons... and their delivery systems... [E]ntities in Russia and China continued to supply a considerable amount and a wide variety of ballistic-missile related goods and technology to Iran.... [T]he Shahab-3 medium-range ballistic missile... probably has achieved 'emergency operational capability'.... Iran's Defense Minister last year publicly acknowledged the development of the Shahab-4... and also has publicly mentioned plans for a 'Shahab-5.'"³²⁸
- "P'yongyang continues to acquire raw materials from out-of-country entities to produce weapons of mass destruction and ballistic missiles.... Throughout the first half of 1999, North Korea continued to export ballistic missile-related equipment and missile components, materials and technical expertise to countries in the Middle East and Africa. P'yongyang attaches a high priority to the development and sale of ballistic missiles, equipment, and related technology... one of the North's major sources of hard currency."³²⁹

Deputy Secretary Of State Talbott Discusses NMD With Russian Deputy Foreign Minister Mamedov In Helsinki – No Progress Reported

(January 25) After the meeting, the Russian Foreign Ministry states on January 27 that "The Russian side emphasized the need to keep the ABM Treaty as the basis of strategic stability and the crucial condition of strategic arms limitation...."³³⁰

Administration Cuts Funding For The Airborne Laser (ABL) Program, America's First Capability Against North Korean ICBMs

(January 28) Despite an October letter from 20 senators urging Secretary of Defense Cohen to fund ABL fully, in its budget request for FY '01 the Clinton administration cuts ABL funding by \$895 million – a 52% reduction – over the FY '01 through FY '05 period.³³¹ This cut is particularly noteworthy given that ABL is the only Major Defense Acquisition Program that is on budget, on schedule, and meeting or exceeding its technical requirements. This cut, the largest percentage cut for any Major Defense Acquisition Program, will delay the program's first intercept attempt from FY '03 to FY '07, delay the Initial Operating Capability for the system from FY '07 to FY '14, and increase the program's cost by more than \$1 billion.³³² Though designed as a theater missile defense system, ABL will also be capable of intercepting North Korean ballistic missiles of any range, thus giving the United States a contingency capability against North Korean ICBMs as early as 2003 – but only if Congress reverses the administration's budget cuts.³³³

Secretary Albright Discusses NMD And ABM Treaty With Russian Officials In Moscow

(January 31-February 2) In Moscow, Secretary Albright states, "the whole issue of where we are is to try to come to some common understanding of the nature of the threat... as we look at adjustments to the ABM Treaty...."³³⁴ Following her meeting with Acting Russian President Putin, Secretary

Albright states, “I was encouraged by the discussion on arms control and some seeming flexibility on deep cuts. [Putin] seemed to have... an understanding of new threats and how to deal with them while preserving the fundamental principles of the ABM Treaty.”³³⁵ In contrast, Putin says after meeting with Secretary Albright, “Lately we have come close to virtually ruining the ABM Treaty, which is the cornerstone of every treaty and agreement on nuclear arms limitation.”³³⁶ Putin is further quoted as saying, “Russia will adhere firmly to its policy aimed at maintaining the ABM Treaty unaltered.”³³⁷ Russian Foreign Minister Ivanov states, “We honestly said to our American partners that their suggestions to amend the ABM Treaty could ruin this agreement. It would be a grave mistake... We are sure that, together, we can find other responses to the threats that may come from other countries.”³³⁸

Director Of Central Intelligence Reports That Proliferation Is “More Stark And Worrisome” Than Reported A Year Ago (February 2) Director of Central Intelligence George Tenet testifies before the Senate, stating, “on proliferation, the picture that I drew last year has become even more stark and worrisome.... [T]he missile threat to the United States from states other than Russia or China is steadily emerging.... [S]ome countries that we have earlier considered exclusively as weapons technology importers may step up their roles as ‘secondary suppliers,’ compounding the proliferation problem even further.” Tenet refers to the long-range missile threat as “alarming.” He adds, “These countries calculate that possession of ICBMs would enable them to complicate and increase the cost of U.S. planning and intervention, enhance deterrence [of the U.S.], build prestige, and improve their abilities to engage in coercive diplomacy.”³³⁹

Third Successful PAC-3 Intercept Of Tactical Ballistic Missile Target (February 5) BMDO and the U.S. Army conduct a successful intercept test of the Patriot Advanced Capability-3.³⁴⁰

Secretary Cohen Confirms The Immediacy Of The ICBM Threat (February 8) In Senate testimony regarding the need for a National Missile Defense system, Secretary Cohen states, “I believe that the threat threshold has been crossed.”³⁴¹

Intelligence Community Official Testifies To Congress On Growing Ballistic Missile Threat (February 9) National Intelligence Officer Robert Walpole testifies before the Senate regarding the ballistic missile threat to the U.S., stating that during the 2001-2005 period, North Korea, Iran, and Iraq could test ICBMs of varying capabilities – some capable of delivering several-hundred kilogram payloads to the United States. He also emphasizes that foreign assistance continues to have demonstrable effects on missile advances around the world and that Russian and Chinese missile assistance continues to be significant. Finally, sales of ICBMs or space launch vehicles, which have inherent ICBM capabilities, could further increase the number of countries that will be able to threaten the United States. In addition, Walpole states that “non-flight testing aspects” of the Taepo Dong-2 missile program are continuing, despite the missile test moratorium with North Korea, and that these aspects of the program are moving the Taepo Dong-2 development along.³⁴²

Administration’s Chief Arms Control Official Says Arms Control Is Far Preferable To Defenses; Europe Is Not Endangered By The North Korean Missile Threat; And NMD Could Encourage North Korea To Build Even Greater Numbers Of More Sophisticated Missiles (February 15) Addressing a French TV audience, State Department Senior Advisor John Holum states that arms control is “far preferable to building more offensive weapons and greater defenses. It is much less costly, it is much more reliable.”

He also indicates that the danger of a North Korean ICBM capability that could threaten parts of the United States “probably doesn’t apply in the case of Europe, because the United States has a unique security relationship with South Korea.” He

says the U.S. concern is that North Korea would “attempt to use this capability for coercion in for example preventing the U.S. from coming to the assistance of South Korea, should they be threatened with attack. So it undercuts our alliance relationship potentially in that region. Now, that is not something that in the near term endangers Europe....”

Holum adds that U.S. missile defense “has a limited life in the sense that it’s entirely possible over a period of time that a country like North Korea would develop either large enough numbers of missiles or sufficiently sophisticated penetration aids to defeat the system.... You could argue, as you [the questioner] have, that building a defense encourages them to do that.... So it could work, as you say, to cause them to build more and more sophisticated weapons.”³⁴³

Chairman Of Joint Chiefs Of Staff Is Comfortable With June Deadline For The Recommendation On NMD Deployment (February 15) General Henry Shelton states he is “comfortable” with the June deadline.³⁴⁴

U.S. Chief Of Naval Operations Speaks Out On Navy Contributions To National Missile Defense (February 18) As the administration attempts to negotiate with Russia ABM Treaty changes that would permit only land-based national missile defense, Chief of Naval Operations Admiral Jay Johnson states in a memorandum to Secretary of Defense Cohen that, “Navy ships should provide a significant portion of our nation’s strategic defense” and recommends that the “Navy be included in both the policy and architectural frameworks of a NMD system.” He goes on to state, “If NMD postures beyond the original single land based site are under active consideration, then policy alternatives which include providing a portion of our defense from ships at sea should also be carefully considered....” He concludes, “decisions taken in the coming months are likely to have a profound, and possibly irreversible, impact on the course

taken in fielding a NMD system. For that reason, I most strongly recommend that a sea-based Navy Adjunct be included in any policy and/or architectural designs for a NMD system. Foreclosing a Navy contribution at the front end of NMD development would not be in the best long-term interests of our country.”³⁴⁵

Administration’s FY ’01 Missile Defense Budget Request Inadequate; BMDO Director Asks For More (February 24) In a letter to the chairman of the House Armed Services Research and Development Subcommittee, Lieutenant General Kadish identifies programs that are inadequately funded in the President’s budget request. The underfunding includes \$325 million for NMD, \$215 million for lower-tier TMD, \$330 million for upper-tier TMD, \$37 million for TMD testing and evaluation, and \$100 million for science and technology.³⁴⁶ The total underfunding for missile defense programs in the President’s FY ’01 budget request is \$1.01 billion.

BMDO Director Supports Future Maritime NMD System Component (February 28) In testimony before the Senate, Lieutenant General Kadish states, “...even though we might start out with a land-based system that is perfectly adequate for the threat that we face in the near term or intermediate term.... [A] maritime component for National Missile Defense would make sense at some point in time in our later architectures, as you referred to them as C-2 and -3, and beyond in my view. Currently, we have actively studied with the Navy those types of options, and we are considering them quite seriously in our debates for the future of these systems.... [T]he mobility capability that the naval forces bring to the table is very important to our architecture. And I would expect that you would see it in studies that we submit to the Congress....”³⁴⁷

China Threatens Nuclear Missile Attack Against U.S. In Response To U.S. Defense Of Taiwan (February 29) The official People’s Liberation

Army newspaper carries a warning to the United States that U.S. intervention in a conflict between China and Taiwan would result in “serious damage” to U.S. security interests in Asia. It states, “China is neither Iraq nor Yugoslavia but a very special country.... [I]t is a country that has certain abilities of launching strategic counterattack and the capacity of launching a long-distance strike.”³⁴⁸

Fourth Round Of U.S.-Russian ABM Talks Results In No Progress; Russia Declares U.S.-Proposed Treaty Changes Are Not Negotiable (February 29-March 3) A three-day meeting between delegations headed by State Department Senior Advisor John Holum and Yuri Kapralov of the Russian Foreign Ministry are held in Geneva. At the end of the meetings, the Russian Foreign Ministry states that the US-proposed modification of the ABM Treaty “cannot be viewed as a subject for negotiations.”³⁴⁹ A Russian Foreign Ministry spokesman also says that the U.S.-proposed amendments to the ABM Treaty “would devoid it of any sense and would render it impossible to reduce strategic offensive arms and therefore cannot be viewed as a subject for negotiations.”³⁵⁰

Defense Secretary Cohen Says Effective NMD Is Not Possible Without Forward-Deployed Radars (March 1) In testimony before the House, Secretary Cohen states, “You cannot have an effective ABM – NMD system unless you have forward deployed radars.”³⁵¹ Such radars are prohibited by the ABM Treaty.

U.S. Secretary Of State And Russian Foreign Minister Review Status Of ABM-START III Talks (March 3) In Lisbon, Russian Foreign Minister Ivanov and U.S. Secretary of State Albright discuss the progress in consultations on START and ABM. Russian Foreign Ministry spokesman A. Yakovenko says, “the regular working meeting has been useful.... Serious differences in this field remain between us. In the first place, this concerns the U.S. plans of creating a national anti-missile defense, which would inevitably lead to

the undermining of the ABM Treaty, the cornerstone of the entire disarmament process.”³⁵²

THREAT — Pakistan Publicly Displays Its Shaheen II Missile In Pakistan Day Parade (March 23) Pakistan displays its Shaheen II medium-range ballistic missile during its Pakistan Day parade. The missile reportedly has a range of 2,500 km and appears to be carried on a Belarussian MAZ-547 transporter-erector launcher, the same vehicle that was used to transport Soviet SS-20 intermediate-range ballistic missiles.³⁵³

Democratic Senator Says Administration Is Trying To Lock-Down The Limited Ground-Based NMD And Prohibit Other Options (March 29) According to the *Washington Post*, “[President] Clinton’s plan, [Senator Joseph] Biden told reporters, ‘is to get the limited system locked down in a deal with [Russia’s President-elect Vladimir] Putin’ in order to block Republicans from pushing forward with a broader, full-scale national ABM system.”³⁵⁴

Senate Republicans Oppose President’s ABM Proposal To Russia (April 17) In a letter signed by 25 Senate Republicans, the administration is put on notice that “any [NMD] agreement along the lines you have proposed to Russia would have little hope of gaining Senate consent to ratification.” The senators state that the single-site, 100-interceptor system that the President may decide to deploy later this year “cannot effectively protect the United States.” They also say that the Clinton administration’s approach “fails to permit the deployment of other promising missile defense technologies... that we believe are necessary to achieve a fully effective defense....” They conclude, “Therefore, we oppose in the strongest terms the effort to conclude an agreement that would purchase Russian consent to the U.S. NMD system in exchange for U.S. reaffirmation of a new, very limiting, legally binding accord.... Given the desirability of discussing these issues with Russia in a way that accurately reflects the views of both the

Senate and your administration, our advice is that you reconsider your administration's current approach to NMD policy and arms control and consult further with us.... Without significant changes to your approach, we do not believe an agreement submitted to the Senate for consideration should be ratified."³⁵⁵

Russian Foreign Minister Touts "Putin Program" As Alternative To NMD (April 18) Russian Foreign Minister Ivanov states, "we are offering an alternative, which could be called the Putin programme. We are offering to begin negotiations right away on START III and to further reduce the arsenals of nuclear weapons, to jointly consider the possibility of cooperating in the field of non-strategic ABM, to discuss in this connection all the possible missile menaces and to draw up joint decisions on their localization.... We are also offering... a plan to implement the concept of global control over missiles and missile technologies."³⁵⁶

Russia Ratifies START II, But Links Its Entry Into Force To The 1997 ABM Agreements On Demarcation And Succession (April 19) Russia's Duma and Federation Council ratify START II more than four years after Senate approval of the treaty. However, the Russian legislature makes entry-into-force of START II contingent upon Senate consent to the 1997 ABM Treaty demarcation and succession agreements (none of which have been submitted by the administration to the Senate for its consideration) and continued adherence to the ABM Treaty.³⁵⁷ Secretary of Defense Cohen rejects such linkage, stating, "I believe the ratification, under the circumstances, tying it to no deployment for national missile defense, is simply unacceptable. They should ratify START II based on the agreement, period."³⁵⁸

Administration Is Noncommittal On Sending The 1997 ABM Agreements To The Senate For Consideration (April 19) Despite repeated past

statements that the administration would submit the 1997 demarcation and succession agreements to the Senate for its consideration after the Duma approved START II, the administration refuses to do so. The administration now states that, before sending the documents to the Senate, it would first analyze the new Russian START II ratification law; consult with the Senate on the question of when to submit the agreements; and review the relationship of the 1997 agreements to the on-going "discussions" with Russia on START III and ABM Treaty amendment.³⁵⁹

Thirty-Two Republican Senators Urge Secretary of Defense Not To Foreclose National Missile Defense Options (April 24) In a letter to Defense Secretary Cohen, 32 senators state that "the ground-based system proposed by the Administration is by itself inadequate and therefore should be seen as a first step toward a more comprehensive defense that also includes sea-, air-, and space-based assets... No decision, at any level, should be taken which might permanently limit the United States to ground-based missile defenses."³⁶⁰

U.S. Draft ABM Treaty Protocol Leaks In Russia (April 28) *The Bulletin of The Atomic Scientists* obtains in Russia a leaked document purported to be the U.S. Draft ABM Treaty Protocol that State Department Senior Advisor John Holum presented to his Russian counterpart during ABM Treaty discussions in January. The Protocol is the administration's proposed approach to amending the ABM Treaty in order to permit deployment of only the first phase of its planned NMD system. It makes clear that as soon as the phase 1 negotiation is complete, phase 2 negotiations addressing expanded capabilities necessary to implement U.S. NMD plans must begin. It also includes the U.S. delegation's "talking points" on NMD for that January meeting.³⁶¹

Vice President Gore Endorses Cold War ABM Treaty While Calling For A "New Generation Of Thinking" (April 30) In a speech in Boston,

the Vice President discusses defense and foreign policy and states, “We need a new approach for a new century.... We need a new generation of thinking.” In the same speech, however, the Vice President attacks Governor George Bush’s support for a global defense capability and instead supports merely “adjusting” the 1972 U.S.-Soviet ABM Treaty by making minor changes that permit a “responsible and practical defense.”³⁶²

U.S. Joins Russia, China, And Allies In Linking Future START Reductions To Preserving And Strengthening The ABM Treaty (May 1) The U.S., France, U.K., Russia, and China issue a Joint Statement at the NPT Review Conference at the United Nations in New York. Paragraph 11 states: “We look forward to the conclusion of START III as soon as possible while preserving and strengthening the ABM Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.” The statement reiterates the five states’ unequivocal commitment to the ultimate goal of elimination of nuclear weapons. There is no mention of the need for missile defense.³⁶³

Secretary Albright Says There Is A Threat To U.S. Territory From North Korea and Iran (May 8) In an appearance with German Foreign Minister Joschka Fischer, Secretary Albright responds to questions about NMD and U.S. consultations with its allies. She states, “it is very important for any President of the United States, as is true of any leader, to be – to do what is responsible as far as protecting one’s people.... We believe that there is a threat to the territory of the United States from the DPRK, North Korea, and from Iran. That is the basis of this discussion. And as we brief our friends and allies, we make that point quite clear...”³⁶⁴

President Clinton Acknowledges Missile Threat (May 17) In an address to the Coast Guard Academy graduating class, President Clinton states, “we

have to face the possibility that a hostile nation, sooner or later, may well acquire weapons of mass destruction and the missiles necessary to deliver them to our shores.”³⁶⁵

Deputy Secretary Talbott Says U.S. Does Not Want To See The ABM Treaty Violated Or Weakened (May 24) Upon his arrival in Moscow for U.S.-Russian consultations, Deputy Secretary of State Talbott states, “We do not want to see the ABM Treaty violated, we don’t want to see it weakened....”³⁶⁶

Berger, Talbott Hold Pre-Summit Discussion On ABM Treaty Modification – No Progress Reported (May 26) A U.S. official confirms that no ABM agreement was reached during the visit to Moscow of Strobe Talbott and Sandy Berger. Secretary Albright tells reporters that “We do not expect Presidents Clinton and Putin to resolve these issues during the Moscow summit. Our differences are still too wide.”³⁶⁷

NSC’s Berger Says “Almost Everyone Agrees” There Is A New Missile Threat To The U.S. (May 26) Commenting on the upcoming U.S.-Russia summit, National Security Advisor Berger states, “This is the first time the President would have had an opportunity to discuss [the ABM Treaty] with President Putin. He will describe for President Putin what we see as a new threat. I think almost everyone agrees there is, over some time horizon, the danger of long-range ballistic missiles from third countries that could reach the United States.”³⁶⁸

Former Clinton National Security Adviser Says Deterrence Probably Not “Good Enough” (May 29) Interviewed about U.S. responses to rogue state long-range missile threats, President Clinton’s first National Security Adviser, Anthony Lake, says, “Deterrence is probably good enough. But when the stakes are so high, I’m not sure that ‘probably’ is good enough.”³⁶⁹

Moscow Summit Statement Professes Recognition Of Growing Missile Proliferation Threat

(June 4) At a summit meeting in Moscow, Presidents Clinton and Putin issue a “Joint Statement by the Presidents of the United States of America and the Russian Federation on Principles of Strategic Stability.” The Joint Statement addresses the issue of proliferation, stating, “They agree that the international community faces a dangerous and growing threat of proliferation of weapons of mass destruction and their means of delivery, including missiles and missile technologies.... They agree that this new threat represents a potentially significant change in the strategic situation and international security environment. They agree that this emerging threat to security should be addressed....”³⁷⁰ The document does not suggest whether these are theater- or long-range missile threats, though Putin and other Russian leaders suggest it is only a theater-range threat.

U.S. Reaffirms ABM Treaty Seven Times In Summit Joint Statement (June 4) The Moscow Summit “Joint Statement By The Presidents of the United States of America And The Russian Federation On Principles Of Strategic Stability”, issued by Presidents Clinton and Putin, emphasizes the importance of the 1972 U.S.-Soviet ABM Treaty:

- “5. They agree on the essential contribution of the ABM Treaty to reductions in offensive forces, and reaffirm their commitment to that Treaty as a cornerstone of strategic stability....”
- “8. They recall the existing provision of the ABM Treaty to consider possible changes in the strategic situation that have a bearing on the provisions of the Treaty, and, as appropriate, to consider possible proposals for further increasing the viability of the Treaty.”
- “9. The Presidents reaffirm their commitment to continuing efforts to strengthen the ABM Treaty and to enhance its viability and effectiveness in the future, taking into account any

changes in the international security environment.”

- “10. In reinforcing the effectiveness of the ABM Treaty under present and prospective conditions the United States of America and the Russian Federation attach great importance to enhancing the viability of the Treaty through measures to promote greater cooperation, openness, and trust between the sides.”
- “11. The United States of America and the Russian Federation note the importance of the consultative process and reaffirm their determination to continue consultations in the future to promote the objectives and implementation of the provisions of the ABM Treaty....”
- “15. They agree that issues of strategic offensive arms cannot be considered in isolation from issues of strategic defensive arms and vice versa — an interrelationship that is reflected in the ABM Treaty and aims to ensure equally the security of the two countries.”
- “16. The United States of America and the Russian Federation intend to base their activities in the area of strategic offensive and defensive arms on the principles set forth in this document.”³⁷¹

Russian President Proposes Joint Russia-Europe Missile Defense System

(June 5) Meeting in Rome with Italian Prime Minister Amato, Russian President Vladimir Putin proposes a joint Russia-Europe missile defense system. Putin states, “Today I suggested to the prime minister that he should think and consult his European colleagues about Russia’s proposal to build an anti-missile defense system for Europe together with Europe and NATO.... On one hand, it would avoid all the problems linked to the balance of force. On the other, it would permit in an absolute manner a 100 percent guarantee of the security of every European country.” Putin and other senior Russian officials are clear in expressing their interest only

in defenses against short- and medium-range missiles.³⁷²

Secretary Of Defense Expresses Caution On Russian Joint Missile Defense Proposal (June 7)

Defense Secretary William Cohen cautions that Russian President Putin's proposal for a Russia-Europe missile defense system "could be simply a tactic to divide the European members of NATO from the United States.... I think here has been an attempt over the last year or two to divide the Europeans from NATO and as you know, we have tried very hard to explain exactly what the architecture of the NMD program would be for the United States and why it is important that the alliance be supportive of that, projecting that the Russians would try to split the alliance and divide it."³⁷³

Post-Summit ABM Discussions In Moscow Make No Progress On NMD (June 13)

Russian President Putin and Russian Defense Minister Sergeyev meet with Secretary of Defense William Cohen to discuss missile defense issues, including the Russian proposal for a pan-European missile defense system.³⁷⁴ During the meeting, Putin emphasizes the importance of avoiding actions that could undermine the 1972 ABM Treaty and, accordingly, upset strategic stability in the world.³⁷⁵ Following the meeting, General Vladimir Yakovlev, chief of the Strategic Rocket Forces, states, "What is being done in the United States is an invitation to both countries of the nuclear club and the so-called threshold countries to build up their nuclear potential and ability to overcome ABM systems."³⁷⁶

Vice President Gore Describes ICBM Threat As A "Possibility" (June 13)

Vice President Al Gore says, "the threat... is clearly a possibility 10 to 15 years from now."³⁷⁷

U.S.-Russia Discussions Produce No ABM Progress (June 19-20) Two days of U.S.-Russian talks are held in Oslo, Norway, led by U.S. Deputy Secretary of State Strobe Talbott and Russian

Deputy Foreign Minister Georgy Mamedov. Russian sources state, "At the meeting, each side only laid out its approach to the issue of missile defense.... At the consultations on strategic stability with American officials, the Russian side does not intend to enter negotiations on the possible revision of ABM Treaty provisions."³⁷⁸

Administration Considers New Broader ABM Treaty Interpretation (June 15, 21)

Contrary to the administration's stated policy in 1993 that it would comply strictly with the "narrow" interpretation of the ABM Treaty, it now considers its own broad interpretation of the treaty's provisions governing the construction of ABM radars. This new interpretation, drafted by administration lawyers at the request of the White House, would justify an administration determination to begin construction of an NMD radar at Shemya, Alaska, an action that would be prohibited by a strict interpretation of the ABM Treaty. Administration lawyers draft three options ranging from the least permissive – allowing contractors to pour a concrete pad for the radar – to the most permissive – allowing construction of not only the pad but also a concrete structure with metal tracks to hold the radar. The least permissive option would reverse a 15-year legal opinion regarding radar construction, which suggests that any construction beyond earth-moving would constitute a violation of the ABM Treaty. According to a *New York Times* report, when "asked how the threshold for violating the treaty for most of Mr. Clinton's tenure – pouring concrete – could suddenly become the basis for a broader interpretation permitting construction, a senior Pentagon official said, 'Better lawyers.'"³⁷⁹ Any of these new broad interpretations will enable the administration to avoid having to choose between changing or leaving the ABM Treaty to proceed with NMD.

Heads Of Former Soviet States Call ABM Treaty The Cornerstone Of International Peace, Security And Strategic Stability (June 21) The heads of state of the Commonwealth of Independen-

dent States issue a Joint Statement on the safeguarding of strategic stability. On the ABM Treaty, they state, “The heads of state note the historical importance of the May 26, 1972, treaty on the limitation of anti-missile defense systems as the cornerstone of international peace, security and strategic stability, and reaffirm its everlasting value in the contemporary conditions....”

“The heads of state believe that any measures eroding the goals and the provisions of the ABM Treaty, which is now in force, would tell negatively on the interests of security not only of the treaty signatories, but all the members of the world community, would undermine global strategic stability and steps to further reduce the stockpiles of strategic nuclear weapons. The heads of state back the international community’s line to ensure the immunity and integrity of the ABM Treaty and urge it to exert additional efforts to safeguard the Treaty by its strict and complete observance so that it would remain the basis of global strategic stability, international security and world peace.”³⁸⁰

Russian Minister Of Defense And Other Senior Military Leaders Disavow The Clinton-Putin Statement On Proliferation (June 13 -29) In a series of statements following the June 4 Moscow summit, Russian generals assert that there are no new emerging missile threats to the U.S. and NATO.

- On June 13, Russian Defense Minister Igor Sergeyev states, “We see these threats as possible, potential, virtual.”³⁸¹ But, he adds, “Russia believes North Korea will take at least 15 years to develop an intercontinental ballistic missile.”³⁸² On June 23, he states, “The true reasons for the missile shield [NMD] deployment are not in alleged threats from rogue nations.... Such a comprehensive defense system will be primarily aimed against the deterrent potential of the Russian Federation and the People’s Republic of China.”³⁸³

- On June 14, Colonel-General Leonid Ivashov, the head of the Defense Ministry’s Main Department for International Cooperation, states, “We evaluate the threats, true missile threat to the United States, as being nil.”³⁸⁴ On June 15, he indicates that the primary purpose of the discussion of the missile threat at the upcoming December meeting of the Russia-NATO Permanent Joint Council will be to persuade NATO that there is no real threat of missile attack from rogue states.³⁸⁵ And, on June 29, he writes that the U.S. evaluation of the missile threat is nothing more than “fairy tales.”³⁸⁶
- On June 23, Colonel-General Valeriy Manilov, Russian cochairman of the Russian-American Consultation Group on Defense Issues (CGDI) – known in the U.S. as the Defense Consultative Group – comments on the agenda of the forthcoming June 26-28 meeting. He points out that the U.S. fears North Korea, Iran and Iraq will be the source of potential missile threats but states, “Russia is sure that there are no grounds for these concerns at least for the foreseeable future, for 10-15 years.”³⁸⁷

Senior Administration Official Admits Intelligence Failure (June 23) Nearly two years after North Korea launched its 3-stage Taepo Dong-1 intercontinental-range missile, Walter Slocombe, Under Secretary of Defense for Policy, says, “That [the North Koreans] were doing this at all suggests they were farther along than the Intelligence Community had anticipated they would be.... It would be as if you were watching a diver who you think can only do a simple one somersault, and she tries a three-and-a-half reverse, but screws up the half part. The fact she tried it at all indicates she is better than you thought she was, and the fact she got most of the way through indicates she is a lot farther along than you thought she was.”³⁸⁸ Also commenting on the North Korean missile program, Slocombe states, “Not from the summit [of the North and South Korean leaders] and not from any

of the other things have we seen any signs that they [the North Koreans] are changing their program to develop missiles.”³⁸⁹

Senior Defense Department Official Says NMD Is Third Priority (June 28) In testimony before the House of Representatives, Under Secretary of Defense for Acquisition Jacques Gansler states, in response to questioning, “We are talking about the NMD as the third, if you will, priority” among missile defense systems.³⁹⁰

President Acknowledges Ballistic Missile Threat Outside Scope Of ABM Treaty; Cites “Moral Obligation” To Deal With It (June 28) At a press conference, President Clinton states, “it’s quite possible that in the next few years, countries not part of the arms control regimes of the last three decades could develop both long-range missile delivery capability and weapons of mass destruction, which they could put on warheads, and that none of this would be covered by the... mutual deterrence structure of the ABM Treaty....” With respect to North Korea, he notes “they still have a missile program, and so it’s still something that the United States has to be mindful of and to prepare and to deal with and to, you know, to keep up with.” The President also states, “insofar as there might be technology available which would protect us and other people around the world from missile attacks with warheads of weapons of mass destruction, obviously, anybody would have a moral obligation to explore that technology and its potential. I believe that.”³⁹¹

Former Commander-In-Chief Of Strategic Air Command Says He Has No Confidence In Deterring The New Threats Facing The U.S. (June 29) In Senate testimony, retired General Larry Welch, Chairman of the National Missile Defense Independent Review Team (also former Air Force Chief of Staff, Strategic Air Command Commander-in-Chief, and member of the Rumsfeld Commission), states, “we had confidence in deterrence in the past because we understood those

that we were deterring. We had high confidence that we knew what they valued, and we had high confidence we knew how to hold that at risk. And I have to tell you, I have no such confidence regarding the kind of threats we face today. I simply do not know what deters those particular kinds of threats.”³⁹²

U.S.-Russian Defense Consultations Produce “No Breakthrough” On NMD (June 29) The sixth U.S.-Russian Defense Consultative Group meeting is held in Moscow from June 26-28. According to Defense Department spokesman Ken Bacon, the meetings went extremely well, but failed to produce any “firm progress” on NMD and the ABM Treaty. U.S. officials at the meeting give a presentation on the perceived technological difficulties associated with the boost-phase interceptor program Russian officials have said they favor for defense against short and medium-range ballistic missiles. Bacon states that the Russians fail to provide any details about what they may be doing about developing a boost-phase system, so “the ball is really in their court now.” Bacon adds that during the meetings U.S. officials made it clear that the U.S. will proceed with a mid-course phase NMD interceptor system “on our schedule.”³⁹³ Edward Warner, Assistant Secretary of Defense for Strategy and Threat Reduction, indicates that the Russian side, led by General Valery Manilov, first deputy chief of the Russian General Staff, showed no sign of changing its adamant opposition to modifying the ABM Treaty. Warner states, “There certainly was no breakthrough this time... They don’t want to open the door to any missile defense beyond the very geographically limited system permitted under the current treaty.”³⁹⁴

U.S.-Russian Experts Resume ABM And START III Discussions In Geneva (June 28-30) U.S. and Russian ABM and START III expert delegations meet for three days in Geneva. The delegations are led by U.S. State Department Senior Advisor John Holum, and Yuri Kapralov, Director of the Russian Foreign Ministry Department for

Security and Disarmament. Commenting on the meetings, the Russian Foreign Ministry states, “As regards ABM, the Russian side again set forth its known position on the need to preserve the 1972 ABM Treaty intact as the cornerstone of the existing system of strategic stability in the world and the basis of further reductions of strategic offensive weapons.”³⁹⁵

THREAT – Iraq Conducts Missile Tests (June 27) The Clinton administration states that Iraq has restarted its missile program, including actual flight tests with a new ballistic missile – a short-range “Al Samoud” capable of carrying the chemical and biological weapons that Iraq is still suspected of hiding. The latest “Al Samoud” test, the eighth in a series, occurs on June 27. The “Al Samoud” was first tested in 1997 before American and British airstrikes on Iraqi missile centers in December 1998. Despite the four days of airstrikes, Iraq’s resumption of flight testing began as early as May 1999. Administration officials fear that in the extended absence of international weapons inspections Saddam Hussein may be covertly working on, but not testing, longer-range missiles. General Anthony Zinni, Commander-in-Chief of Central Command, states, “We’re starting to see things up and functioning... What he [Saddam Hussein] learns from these tests, the technological developments and the other things he picks up, are transferable to longer-range missiles.”³⁹⁶

THREAT – China Continues To Aid Pakistan’s Missile Program (July 1) U.S. intelligence agencies inform the Clinton administration and brief Congress that China continues to aid Pakistan’s effort to build long-range missiles that could carry nuclear weapons. The agencies describe how China stepped up the shipment of specialty steels, guidance systems and technical expertise to Pakistan after India and Pakistan conducted their nuclear tests in 1998. Chinese experts are also being sighted around Pakistan’s newest missile

factory, which appears based on a Chinese design, and shipments of missile parts and technology to Pakistan have continued over the past 8 to 18 months. China’s actions are in violation of its ballistic missile nonproliferation pledges made to the United States in 1994, 1996, and 1998.³⁹⁷

Secretary Of Defense Cohen Expects Missile Threat By 2005 (July 1) Defense Secretary Cohen states, “I believe by the year 2005, a [long-range ballistic missile] threat will be present that could threaten the security of the United States.... I’m prepared to recommend to the president that we defend the country....” With respect to the recent summit of South and North Korean leaders, Cohen adds, “we’re encouraged, frankly, by what has taken place with the summit meeting.... But one summit doesn’t change the nature of the threat to the United States.... [North Korea] does still pose a threat to not only South Korea, but in terms of their capability of posing a threat to the United States and others in the future. So we have to look at not only their words today, but their capabilities.... [W]e cannot be swayed of putting a system on-track or off-track depending upon what is said by the North Korean leader.”³⁹⁸

Defense Department Conducts Third NMD Intercept Test (July 8) In Integrated Flight Test 5, the surrogate booster sending the NMD system’s Exoatmospheric Kill Vehicle (EKV) into space fails to separate from the EKV, preventing a test of the kill vehicle’s discrimination and intercept capabilities. Defense Secretary Cohen notes that the attempted intercept did not succeed “because of a failure to [do] something that is quite routine, not because of the science involved as far as the intercept was concerned.” He notes further that aside from the booster separation failure, “every other element in the test itself appeared to be working quite well.” Initial analysis of the test data indicates that all parts of the objective system that were tested in IFT-5 — specifically, the Ground Based Radar and the Battle Management, Command,

Control, and Communications systems — performed as well as or better than expected.³⁹⁹

U.S.-North Korean Missile Talks End In Deadlock (July 12) Three days of U.S.-North Korean talks in Kuala Lumpur regarding U.S. concerns about P'yongyang's ballistic missile programs and missile exports end in deadlock over a North Korean demand for at least \$1 billion in compensation for its agreement to end missile exports. U.S. Assistant Secretary of State Robert Einhorn, the chief U.S. negotiator, states, "The North Koreans should not be compensated for agreeing to stop conducting an act which they should not be conducting in the first place."⁴⁰⁰ North Korea has been making this demand for years. North Korean delegation leader Jang Chang-chon makes it clear that compensation is a condition for further talks, stating that during the negotiations his delegation "clarified that we could continue our discussions on condition the U.S. side was willing to make compensation for our political and economic losses we would incur if we suspend our missile exports.... We once again clearly emphasized the missile policy of our revolutionary armed forces is to develop, produce and deploy powerful missiles continuously for our self-defence.... The missile issue... belongs to the independent right of a sovereign state.... [T]he United States has no right to make such an unjust claim for the freeze of our missile capabilities."⁴⁰¹

Chinese Disarmament Official Says China Will Respond To U.S. NMD Deployment (July 13) Sha Zukang, the Director of China's Foreign Ministry Department of Disarmament, states, "If NMD is established, China will not sit on its hands and do nothing while watching its security breached... [but] China will not have a race with anyone, we have no capability to race with anyone.... We will have to have more discussions on how to oppose this security threat posed by NMD to both China and Russia."⁴⁰² Sha spoke to journalists during

U.S. Secretary of Defense William Cohen's visit to Beijing.

THREAT — Iran Successfully Tests The Shahab-3 (July 15) Iran successfully flight tests its deployed Shahab-3 medium-range ballistic missile. This is the second flight test of this 1,300 kilometer range system which is based on the North Korean No Dong missile. According to an Iranian military source, "This test is not in any way a threat to another country."⁴⁰³ An Iranian Defense Ministry official states that the purpose of the test is to ensure that the missile conforms to the latest technological standards.⁴⁰⁴ Iranian Foreign Minister Kamal Kharrazi states, "the test-fire of the missile was aimed at reinforcing the defense capabilities of the country and in line with the country's policy of deterrence.... Iran uses its defense capabilities to insure the stability and security of the region and Iran's might reinforces friendship among the brotherly and friendly states in the region."⁴⁰⁵ Defense Secretary Cohen, commenting on the risk of an accelerated pace of Iranian missile development in the aftermath of this test, states, "I think any time you have success in a particular missile system, it gives you confidence to move forward with more tests with greater capability." Cohen goes on to state that missile development "has a way of going almost exponentially once you get some of the fundamentals down. I think there is absolutely the potential [for Iran] to accelerate development with each successful test."⁴⁰⁶

THREAT — Saddam Hussein Reconstitutes His Capability To Deploy Weapons Of Mass Destruction (July 17) Ambassador Richard Butler, the former executive chairman of the United Nations Special Commission (UNSCOM) on Iraq, states, "Now Saddam Hussein is reconstituting his capability to deploy weapons of mass destruction. I've seen evidence of Iraqi attempts to acquire missile-related tools and, even more chilling, of steps the Iraqis have taken to reassemble their nuclear weapons design team. After the Gulf War,

experts assessed Iraq was only six months from testing an atomic bomb. It retains that know-how. It also has rebuilt its chemical and biological weapons manufacturing facilities.”⁴⁰⁷

Republican-Controlled Congress Restores Airborne Laser Funding, Increases National Missile Defense Funding (July 17) Senate and House conferees report out the Fiscal Year 2001 Appropriations Act for the Defense Department. Reversing the administration’s proposed cuts to the Airborne Laser (ABL) program, the conferees agree to appropriate \$233.6 million for ABL and exempt it from internal Defense Department cuts, ensuring the program has sufficient funds in FY ’01 to continue on schedule for a first intercept attempt in 2003 and deployment in 2007. On this schedule, in 2003 the first ABL aircraft will provide the United States with its initial contingency capability against North Korean missiles of all ranges. The conferees also increase funding for the national Missile Defense program by \$135 million over the President’s request, to \$2.034 billion.⁴⁰⁸

Russian And Chinese Presidents Issue Joint Statement Condemning U.S. NMD Plans (July 18) At a summit meeting in Beijing, Russian President Vladimir Putin and Chinese President Jiang Zemin sign a “Joint Statement on the Antiballistic Missile Issue.” According to the two presidents, the ABM Treaty “still remains the cornerstone of global strategic stability and international security.... Safeguarding and strictly observing the ‘ABM Treaty’ is of vital importance.”

Commenting on United States plans to defend itself against limited ballistic missile attack, Presidents Putin and Zemin state, “China and Russia maintain that the essence of this plan is seeking unilateral military and security advantages. The implementation of this plan will have the most serious negative consequences not only on the national security of Russia, China, and other countries, but also on the security and international strategic stability of the United States itself. Therefore China and Russia firmly oppose this plan.”

Warning that any attempt to change the ABM Treaty “does not correspond with the fundamental interests of any country in the world,” the presidents state, “[t]he country that proposed an amendment to this basic treaty in disarmament will be held totally responsible for undermining international stability and security and for the all the consequences arising therefrom. An analysis of the current international reality suggests that the demand of a certain country to amend the ‘ABM Treaty’ under the pretext of a so-called missile threat does not hold water at all. The proposal for a so-called ‘amendment’ to the ‘ABM Treaty’ is aimed at covering up the relevant country’s attempt to violate the provisions of treaty. The alteration of the ‘ABM Treaty’s’ contents will not only undermine the treaty, but also lead to a chain of negative consequences. It is of great and practical significance in the present strategic situation to preserve the completeness and effectiveness of the ‘ABM Treaty.’”

The presidents praised the “great significance” of the U.N. General Assembly’s December 1999 resolution calling for maintenance of the ABM Treaty and said their two countries “call on the international community to continue to pay serious attention to the relevant country’s energetic development of a missile defense system that undermines global strategic balance and stability, and to take necessary measures to prevent the development of this dangerous situation.”

With respect to theater, or “nonstrategic” missile defenses, the presidents state, “Nonstrategic missile defense that is not prohibited by the ‘ABM Treaty,’ and international cooperation in this field, should not harm the security interests of other countries, should not lead to the establishment or strengthening of close-type military or political blocs, and should not undermine global or regional stability and security. Based on this position, China and Russia are seriously worried about, and firmly oppose, a certain country’s plan to deploy in the Asia-Pacific region a nonstrategic missile defense system that might have the aforesaid negative im-

pacts. Incorporating Taiwan into a foreign country's missile defense system in whatever form is unacceptable and will seriously undermine regional stability."

The statement does not mention the technological assistance and missile components provided by Russia and China to rogue state missile and weapons of mass destruction programs.⁴⁰⁹

U.S. Arms Control Official Says U.S. Will Have To "Come to Terms" With National Missile Defense (July 18) Although acknowledging Russian opposition to NMD, State Department Senior Advisor for Arms Control John Holum states, "the ones we have to work on most assiduously are the China concerns. It will take considerable work to demonstrate that this system isn't aimed at them." Stating that his "personal expectation" is that the United States will eventually deploy an NMD system even over the objections of other nations, Holum says, "I think national missile defense is in our future. It's something we will have to come to terms with."⁴¹⁰

South Korea's President Cautions Against "Naive" Expectations In Relationship With North Korea (July 19) In an interview discussing the recent summit between South and North Korean leaders, President Kim Dae Jung of South Korea states, "I don't think there are too many people who are so naive as to believe that things will progress relatively easily from this point on, because we have had 55 years of very difficult relations with the North. Peaceful coexistence and exchanges may go on for 20 or 30 years. We must not make haste. But in the process, we will be working towards ultimate unification." He also states, "We must be careful not to give people the illusion that this is now the time for us to be talking seriously about unification. This is not."⁴¹¹

Russian President Says North Korean Missile Threat Can Be Minimized By Giving North Korea Rockets (July 19) During the first day of a Russia-North Korea summit meeting in P'yongyang, Russian President Vladimir Putin says North Korea has offered to abandon its "peaceful" missile program if other nations provide it with technology for "peaceful space research." Putin states, "We can minimize the threat by providing [rocket] boosters to North Korea." A senior State Department official says Putin's announcement would be welcome only if it meant that North Korea would use other countries' space launch facilities rather than importing missile technology from abroad.⁴¹²

Russian President And North Korean Leader Declare North Korean Missiles "Peaceful" But Theater Missile Defenses A Threat To Regional Security and Stability (July 20) Following their summit meeting in P'yongyang, Russian President Vladimir Putin and North Korean leader Kim Jong Il issue a joint declaration which states,

"It is of crucial significance to ensure that START II will be effectuated as soon as possible and, thus, implemented completely and that START III will be signed at an early date, while maintaining and strengthening the 1972 Antibalistic Missile [ABM] Treaty, which is a cornerstone to strategic stability and a basis for further reducing strategic offensive weapons.

"The DPRK expressed its full support for Russia's efforts toward that end.

"The DPRK and Russia view that the result of the analysis of the current international realities proves that it is totally groundless the fact that the so-called missile threat from some countries is used as an excuse to justify the plan to amend the 1972 ABM Treaty.

“In connection with this, the DPRK made it clear that its missile program does not threaten anyone but is of a purely peaceful nature.

“The DPRK and Russia view that deploying a bloc-style closed Theater Missile Defense system in Asia and the Pacific could seriously destroy regional stability and security.”⁴¹³

United States And Russia Issue Joint Statement On “Cooperation On Strategic Stability” (July 21) At the G-8 summit in Okinawa, the United States and Russia issue a “Joint Statement on Cooperation on Strategic Stability,” reiterating previous pledges to work together on a variety of cooperative issues. The statement declares, “The United States and Russia are prepared to renew and expand their cooperation in the area of theater missile defenses, and consider the possibility of involving other states.” The statement does not mention defensive responses to long-range missile threats, over which the United States has been attempting to negotiate with Russia for a year.⁴¹⁴

Patriot PAC-3 Missile Intercepts Target (July 22) In a flight test at the White Sands Missile Range, a Patriot PAC-3 interceptor missile destroys a cruise missile target. It is the fourth consecutive successful intercept for the PAC-3 missile, which uses hit-to-kill technology to collide with and destroy its target.⁴¹⁵

Defense Secretary Testifies On Need For A National Missile Defense System (July 25) In testimony to the Senate, Defense Secretary William Cohen says the ballistic missile threat to the United States and its allies continues to grow, increasing the need for a National Missile Defense system.

Cohen says, “our goal is to provide protection to the American people against irresponsible nations... to prevent them from putting the United States in a position of being blackmailed and precluding us from taking action to defend our own national security interests.”

Regarding the threat, Cohen states, “For America, our European and Asian allies, the threat of longer range missiles from rogue nations is substantial, and it’s growing... These countries do not need long- range missiles so that they can intimidate their neighbors; they have that capacity to do so now. They want long-range missiles to coerce and threaten the United States and our allies. Presumably, they believe that even a small number of missiles, against which we have no defense, would be enough to sway our actions in a crisis, a crisis in which a rogue state might attempt to blackmail the United States from carrying out its alliance obligation and protecting its interests.... So clearly, the threat to the American people of a limited ballistic missile attack is not decreasing; it’s actually increasing.”

Asked whether a NMD system will prompt a buildup on the part of China, Secretary Cohen says, “I think it’s fair to say that China, irrespective of what we do on NMD, will, in fact, modernize and increase its ICBM capability... I believe that China is likely to increase its ICBM capability because it will make its own determination on what is required for its own security.”

Regarding the prospects of a diminished North Korean threat, Cohen says, “One summit doesn’t change a tiger into a domestic cat.... we had the top negotiator of the North Koreans saying that the production-development of ICBMs is something that is a sovereign right, and they intend to continue to develop it.... But as you point out, the fact that if the North Koreans tomorrow were to dismantle their missile-testing capability and vow to not re-engage it, that would not alter the situation, as far as other countries requiring a long-range missile capability and, therefore, negate any need for an NMD.... I am not at all confident on where North Korea is going at this point. I would not want to either put our own programs on hold, start, and then on hold, depending upon what the North Koreans will say from time to time.”

Asked if the United States should delay its decision to deploy an initial NMD system in Alaska in order to avoid confrontation over the ABM Treaty, Cohen states, “It would not put as much pressure, in terms of dealing with the Russians, were we to delay this, but by the same token, to the extent that there is no pressure on the Russians, the chances of reaching an agreement with them are also delayed. So it can serve as an incentive — if you start to make preparations for the site, that also can be a very sobering event, so that negotiations and productive ones could be under way.”

Discussing the recent NMD intercept test (IFT-5), Cohen says the “test did not allow us to test the kill vehicle, but booster failures are a way of life and a fact of life, and we know how to fix them. The test, I might point out, while disappointing, was not without its benefit. It demonstrated that the sensors and the battle management systems could and did work together as an integrated system. So even though there was the failure of the EKV to disengage from the second stage of the booster, nonetheless, we derived significant benefit to see that the other parts of the program did in fact work. And some, in fact, worked beyond expectations.”

31 Democrat Senators Urge President Not To Deploy National Missile Defense (July 25) 31 Democrat senators, led by Byron Dorgan of North Dakota, write to President Clinton to urge him “not to take any steps toward deployment at this time” of a National Missile Defense system. The senators state their belief that deployment “would imperil, not improve, our national security” and cite the concerns of Russian and China as reasons for not going forward. All but 3 of the 31 signatories, including Senator Dorgan, voted for the National Missile Defense Act of 1999, which established the policy of the United States to deploy a National Missile Defense system as soon as technologically possible.⁴¹⁷

One Year Of Administration Attempts To Modify ABM Treaty Yield No Response From Russia (August 4) Nearly twelve months after the Clinton administration began “discussing” with Russia its NMD plans and proposed modifications to the ABM Treaty, there is neither an agreement to modernize the treaty nor any concrete response to the U.S. proposal from Russia. Senior Russian officials continue to refuse to negotiate over, ask questions about, or respond to the U.S. proposal from January of 2000 for a new protocol to the ABM Treaty other than to maintain that the U.S.-proposed protocol “cannot be viewed as a subject for negotiations.”⁴¹⁸