Long-Range Ballistic Missile Defense in Europe

Steven A. Hildreth
Specialist in Missile Defense

Carl Ek
Specialist in International Relations

June 22, 2009

Congressional Research Service
7-5700
www.crs.gov
RL34051

CRS Report for Congress
Prepared for Members and Committees of Congress

Summary

Successive U.S. governments have urged the creation of an anti-missile system to protect against long-range ballistic missile threats from adversary states. The Bush Administration believed that North Korea and Iran represented strategic threats, and questioned whether they could be deterred by conventional means. The Bush Administration's position on this issue remained unchanged, even after the intelligence community assessed that the Iranian nuclear weapons program halted in 2003. The Bush Administration built long-range missile defense bases in Alaska and California to protect against missile threats, especially from North Korea. Although the system has been tested, most agree that further testing is necessary. Additionally, the Bush Administration proposed deploying a ground-based mid-course defense (GMD) element of the larger Ballistic Missile Defense System (BMDS) in Europe to defend against an Iranian missile threat. The system would include 10 interceptors in Poland, a radar in the Czech Republic, and another radar deployed in a country closer to Iran, all to be completed by 2013 at a reported cost of at least $4 billion.

The proposed U.S. system has encountered resistance in some European countries and beyond. Critics in Poland and the Czech Republic assert that neither country faces a notable threat from Iran, but that if American GMD facilities were installed, both countries might be targeted by missiles from rogue states—and possibly from Russia. The Bush Administration signed agreements with both countries permitting GMD facilities to be stationed on their territory; however, the two countries' parliaments continue to wait on ratifying the accords, in part, until after the Obama Administration clarifies its intentions on missile defense policy. NATO has deliberated long-range missile defense, and has taken actions that some interpret as an endorsement of the U.S. GMD system.

The GMD plan has also affected U.S.-Russia relations. Former President Putin and his successor, Vladimir Medvedev, have argued that the proposal would reignite the arms race and upset U.S.-Russian-European security relations. U.S. officials dispute Russia's objections, noting that the interceptors are intended to take out Iranian missiles aimed at Europe or the United States and could not possibly act as a deterrent against Russia. Some argue that Russia has been attempting to foment discord among NATO allies. In mid-2007, Russia offered to cooperate on missile defense, proposing the use of a Russian-leased radar in Azerbaijan, but urging that U.S. facilities not be built in Eastern Europe. President Bush welcomed the idea in principle, but insisted upon the need for the European sites. Despite ongoing discussions over the issue, sharp Russian criticism of the program has continued.

For FY2008, Congress examined the European GMD proposal and eliminated proposed funding for initial site construction pending formal agreement with Poland and the Czech Republic, independent studies on missile defense options for Europe, and DOD certification of the proposed interceptor. The FY2009 request for the European site was $712 million, which Congress largely supported with funding for site construction available only after Czech and Polish ratification. The Obama Administration proposed $50.5 million for the European site for FGY2010, which with the $618 million remaining and available from the FY2009 budget pending Polish and Czech ratification, the Administration believes is sufficient for the time being.

Contents

Contacts

Introduction

In the FY2008 defense budget, the Bush Administration requested about $310 million to begin design, construction, and deployment of a ground-based midcourse defense (GMD) element of the Ballistic Missile Defense System (BMDS) in Europe.[1] According to the Administration, the proposed GMD European capability would help defend U.S. forces stationed in Europe, U.S. friends and allies in the region, as well as to defend the United States against long-range ballistic missile threats, namely from Iran. For FY2009, the Administration requested $712 million for development, fielding, and military construction of the European GMD element. Some $618 million is available from the FY2009 defense budget for the European 3rd site, if Polish and Czech ratification goes forward. The Obama Administration proposed an additional $50.5 million.

The proposed system would include 10 silo-based interceptors to be deployed in Poland, a fixed radar installation in the Czech Republic, and another transportable radar to be deployed in a country closer to Iran. Deployment of the GMD European capability is scheduled to be completed by 2013 at an official estimated cost of $4 billion (includes fielding and Operation and Support), according to the Bush Administration.

The prospect of a GMD capability based in Europe raises a number of significant international security and foreign policy questions. Central to the debate for many is how the proposed U.S. system might affect U.S.-European-Russian relations. For FY2008, Congress eliminated funding to start construction of the European site pending final approval of international agreements with Poland and the Czech Republic and an independent study of alternative missile defense options for Europe.[2] Congress largely supported the Administration's request for FY2009, but restricted funding for site construction until after the Polish and Czech Parliaments ratify the agreements reached with the Bush Administration. Congress continued to withhold funding for deployment of the ground-based interceptor missiles until after the Secretary of Defense certifies to Congress that those interceptor missiles will work effectively.

The Obama Administration

During the 2008 presidential campaign, Senator Obama said he supported the deployment of ballistic missile defenses that were operationally effective. In her January 2009 nomination hearings for Undersecretary of Defense for Policy, Michele Flournoy said the Obama Administration would review plans to deploy elements of a missile defense system in Europe.[3] Flournoy said the plans should be reviewed as part of the QDR (Quadrennial Defense Review) and "in the broader security context of Europe, including our relations with Russia," noting that any final policy decision should consider it in the interest of the United States if Washington and Moscow could agree to cooperate on missile defense. Flournoy also said the final contours of any

[1] Some were calling for such an effort in Europe before the Administration formally requested funding in early 2007. For instance, in October 2006, Sen. Sessions noted NATO steps in developing an Alliance-wide theater missile defense capability, and encouraged the deployment of a U.S. long-range missile defense system in Europe. See "U.S. Missile Defense Site in Europe Needed to Support Alliance Strategy," *Space News*, October 9, 2006, p. 19.

[2] "Rep. Ellen Tauscher Applauds House Passage of Defense Authorization Bill," Press Release, Office of Rep. Ellen Tauscher, December 12, 2007.

[3] Andrew Gray, "U.S. to Review Europe Missile Shield Under Obama," *Reuters News*, January 15, 2009.

decision would require close consultations between the Administration and Congress. At his nomination hearing before the Senate Armed Services Committee for Deputy Secretary of Defense, William Lynn responded to a question suggesting he would support making the MDA's budgetary, acquisition, testing, and policy processes more open and similar to the military services. "I think that all our military programs should be managed through those regular processes," he said, and "that would include missile defense. I would think any exceptions should be rare and fully justified."[4] Representative Ellen Tauscher (D-Calif.), head of the House Armed Services Strategic Forces subcommittee, reportedly predicted such changes would be made in the new administration.[5] On the White House website, the Obama Administration says it "will support missile defense, but ensure that it is developed in a way that is pragmatic and cost-effective; and, most importantly, does not divert resources from other national security priorities until we are positive the technology will protect the American public."[6]

In April 2009, Defense Secretary Robert Gates announced a number of recommendations regarding the FY2010 defense budget. Although Secretary Gates provided some details about a number of BMD programs, little was said about the European 3rd site. Joint Chiefs of Staff Vice Chairman Gen. James Cartwright only offered that there are "sufficient funds in '09 that can be carried forward to do all of the work that we need to do at a pace we'll determine as we go through the program review, the Quadrennial Defense Review, and negotiations with those countries."

The President's Budget was released later in May 2009. It includes $50.5 million for the European 3rd site. Additionally, there is about $618 million from FY2009 appropriated funds for the European 3rd site pending Polish and Czech ratification of the missile defense agreements signed in 2008. The Obama Administration is in the midst of a major BMD Review and the Quadrennial Defense Review (QDR). Hence, the Administration's commitment to the specifics of the European 3rd site as proposed by the Bush Administration has not been made, although it has made clear there is sufficient funding available to proceed with the site should both Poland and the Czech Republic ratify the missile defense agreements.

The Threat

The Bush Administration argued that North Korea and Iran constituted major strategic threats. North Korea claims to have tested a nuclear device and has a ballistic missile and satellite launch program. The Bush Administration argued that Iran continues to acquire and develop ballistic missiles of various ranges.[7] Iran successfully launched a small satellite into orbit for the first time in early February 2009. Until recently, the Bush Administration argued that Iran had an active nuclear weapons development program. In November 2007, a U.S. National Intelligence Estimate (NIE) stated that "in Fall 2003, Tehran halted its nuclear weapons program," but that Iran is also keeping open the option to develop nuclear weapons at some point. The Iranian nuclear weapons

[4] *Defense Daily*, January 16, 2009.

[5] Ibid.

[6] http://www.whitehouse.gov/agenda/defense

[7] CRS Report RS22758, *Iran's Ballistic Missile Programs: An Overview*, by Steven A. Hildreth.

program reportedly also included developing a warhead that could fit atop an Iranian ballistic missile.[8]

The Bush Administration regarded both countries as unpredictable and dangerous, and did not believe they could be constrained by traditional forms of military deterrence, diplomacy, or arms control. On a trip to attend a meeting of NATO foreign ministers in early December 2007, Secretary of State Rice told reporters: "I don't see that the NIE changes the course that we're on" to deploy a European missile defense system.[9] Accompanying her on the trip, Undersecretary of State John Rood, lead U.S. negotiator for the European missile defense talks, added: "the missile threat from Iran continues to progress and to cause us to be very concerned.... Missile defense would be useful regardless of what kind of payload, whether that be conventional, chemical, biological, or nuclear."[10]

According to long-standing unclassified U.S. intelligence assessments, Iran may be able to *test* an ICBM (Intercontinental Ballistic Missile) or long-range ballistic missile capability by 2015 if it receives foreign assistance, such as from Russia or China. Many in Congress and elsewhere share this specific assessment, or that the potential threat may not emerge by 2015 but is sufficiently worrisome to address it now. Many therefore believe it prudent to move forward with plans to deploy a long-range missile defense system in Europe to defend U.S. forward deployed forces in Europe, friends and allies, and the United States against long-range ballistic missile threats. Some in the larger international security policy and ballistic missile proliferation community argue that evidence of an Iranian ICBM program is scant and unpersuasive. Additionally, the Iranian government reports (which cannot be verified) that Iran only has a limited missile capability with a range of about 1,200 miles[11] and that it has stopped development of ICBM range missiles. Nonetheless, Iran continues to test ballistic missiles, some of which are capable of reaching as far as NATO's Southern Flank (i.e., Turkey). Also, Iran recently successfully tested a short-range ballistic missile using solid rocket motors, a development many see as indicative of Iran's interest in building longer range ballistic missiles.

Although some Europeans have expressed concern about Iran's suspected nuclear weapons program, some U.S. friends and allies in Europe continue to question the Administration's assessment of Iran's potential ICBM threat or of Iran's threat to Europe itself.. Hence, some question the need for a GMD element of the U.S. BMDS in Europe. In December 2008, the European Council of the European Union approved a two-year study of ballistic missile proliferation trends. More recently, MDA Director Gen. O'Reilly testified before Congress[12] that MDA's projections of the threat from long-range ballistic missiles from rogue nations was off "by a factor of 10-20."

[8] David Sanger and Steven Lee Meyers "Details in Military Notes Led to Shift on Iran, U.S. Says," *New York Times*, December 6, 2007

[9] "Iran Report Won't Slow Missile Defense," *CBS News*, Brussels, Belgium, December 6, 2007.

[10] "U.S.: Iran Still Poses Missile Threat," *Associated Press*, December 6, 2007.

[11] There are reports that Iran is developing other medium-range ballistic missiles with ranges greater than those now deployed, but short of what is considered ICBM range (i.e., more than 5,500 kilometers).

[12] House Armed Services Committee, Missile Defense Fact Sheet, H.R. 2647, the FY10 NDAA, prepared by the HASC Staff, June 16, 2009, http://armedservices.house.gov/apps/list/press/armedsvc_dem/md061609.shtml .

The System

The U.S. Department of Defense began deploying long-range missile interceptors in Alaska and California in late 2004 to address long-range missile threats primarily from North Korea. Currently, the U.S. GMD element of the BMDS includes more than two dozen silo-based interceptors in Alaska and several in California. As part of an integrated Ballistic Missile Defense System (BMDS) capability, the United States also has a number of ground-based radars in operation around the world, space-based assets supporting the BMDS mission, command and control networks throughout the United States and the Pacific, as well as ground-mobile and sea-based systems for shorter-range BMD.

What remained necessary as part of the global BMDS, according to the Bush Administration, was an ability in the European theater to defend against intermediate-to-long-range ballistic missiles launched from Iran. The Department of Defense (DOD) argued it was important to U.S. national security interests to deploy a GMD capability in Europe to optimize defensive coverage of the United States and Europe against potential threats both into Europe and against the United States.

There have not been a large number of intercept flight tests of the deployed GMD element. Nonetheless, the Bush Administration and many U.S. military leaders expressed confidence in the deployed system.[13] Nonetheless, most agree there is the need for further operational testing. Some observers continue to question how much confidence there should be in the system's potential operational or combat effectiveness based on the types of tests conducted and the test results to date.

The current GMD program began flight tests in 2002. This effort was built on several earlier long-range BMD programs with decidedly mixed results themselves since the early 1980s. Since 2002, a number of GMD intercept flight tests have taken place with mixed results.[14] In each of these tests, most all other flight test objectives were met.

In 2002, the GMD moved to the operational booster and interceptor. The interceptor system flew two developmental tests in 2003 and 2004, and the GMD element of the BMDS was deployed in late 2004 in Alaska and California. Two planned intercept flight tests of the new configuration for

[13] For instance: (1) General Cartwright, Commander, U.S. Strategic Command, said the July 4, 2006 North Korean missile tests spurred a limited operational activation of the BMD System. "We learned that the ballistic missile defense system, procedures, and personnel performed well, and demonstrated a credible operational missile defense capability for homeland defense." Testimony before the Senate Armed Services Committee, March 21, 2007; (2) Admiral Mullen, on his nomination hearing to be Chairman of the Joint Chiefs of Staff, said he believes the U.S. "Has a viable initial operational capability and we are maturing the system toward a full operational capability." "Answers to Advanced Policy Questions," Senate Armed Services Committee, July 26, 2007; and (3) Dr. Charles McQueary, Director, Operational Test and Evaluation, said: "I can state that the ballistic missile defense system has demonstrated a limited capability against a simple foreign threat. Coupled with the successes of other element-level testing and MDA's integrated ground tests, the BMD system is definitely maturing. My assessment is bolstered by the fact that the MDA is increasing the operational realism of each successive test." Testimony before the Senate Armed Services Committee, April 11, 2007.

[14] Two tests in March and October 2002 using an older interceptor successfully intercepted their intended targets. Three flight tests (IFT-10, IFT-13c and IFT-14) using the GBI in planned intercept attempts failed in those attempts for various reasons: (1) December 2002, the kill vehicle failed to deploy; (2) December 2004, the GBI launch aborted due to a software error in the interceptor; and (3) February 2005, the GBI did not launch due to problems with the test facility launch equipment. In the May 2007 flight test, the target missile second stage booster failed in flight, so the interceptor was not launched as planned. In September 2006 and 2007 successful intercepts were achieved.

December 2004 and February 2005 were not successful. After technical review, the interceptor successfully demonstrated a booster fly-out in 2005. In September 2006, a successful flight test exercise of the GMD element as deployed took place. (Although a missile intercept was not planned as the primary objective of this data collection test, an intercept opportunity occurred and the target warhead was successfully intercepted.) Additional intercept flight tests of the deployed element whose primary objectives were intercepts of long-range ballistic missile targets were originally scheduled for later in 2006, but then subsequently postponed. Then a May 2007 intercept test was scrubbed when the target missile failed to launch as planned. A follow-on attempt scheduled for summer 2007 was completed successfully on September 29, 2007. The Missile Defense Agency reported a successful intercept in December 2008, but some were critical of this assessment as the test objective was for the intercept to occur amidst a field of decoys, which decoys failed to deploy from the test target.

Supporters and many military officials express confidence in the deployed system, but others continue to question the system's potential effectiveness based on the mixed intercept flight test record. Most observers agree, however, that additional, successful flight testing is necessary. Supporters add that a significant number of non-flight tests and activities are conducted that demonstrate with high confidence the ability of the GMD element to perform its intended mission.[15]

What would the European element of the BMDS look like? The proposal is to deploy up to 10 Ground-based Interceptors (GBI) in silos at a former military base in Poland. It should be noted that the proposed GBI for the European GMD site will not be identical to the GBIs deployed now in Alaska and California. Although there is significant commonality of hardware, there are some differences. For example, the European GBI will consist of two rocket stages in contrast to the three-stage GBI deployed today.[16] This particular 2-stage configuration has not been tested and is a basis for additional questions about the proposed system's effectiveness. Proponents of the system would argue that the 2-stage version is fundamentally the same as the 3-stage system, however.[17] In Europe, the GBI reportedly will not need the third stage to achieve the range needed to intercept its intended target.[18] This issue has raised the question for some observers as to whether other U.S. systems designed for shorter or medium-range ballistic missile threats, such as Patriot, THAAD (Terminal High Altitude Area Defense), or Aegis (sea-based BMD) might be more appropriate for addressing the current and prospective Iranian ballistic missile threat to Europe. DOD's Missile Defense Agency (MDA) believes these systems would not be adequate to counter prospective Iranian ballistic missile threats over the mid-term and longer.

Deployment of the silos and interceptors in Poland is scheduled to begin in 2011 with completion in 2013. The interceptors will be deployed at Redzikowo, near the town of Slopsk in northern

[15] The Bush Administration maintained that since 2002 it has fielded a long-range BMD capability where none existed previously. Furthermore, the United States now has operationally capable upgraded early warning radars, command, control and battle management systems, Navy cruisers and destroyers capable of conducting long-range ballistic missile search and track missions, and about 20 GBI fielded in Alaska and California. This element of the BMDS was transitioned to alert in July 2006 when North Korea launched several ballistic missiles, including a long-range ballistic missile.

[16] Boost Vehicle Plus. Report to Congress. March 1, 2007. Missile Defense Agency. For Official Use Only.

[17] The Orbital Boost Vehicle 2 (OBV/2) is a modification of the existing, tested OBV/3 achieved by removing the 3rd stage from the existing missile.

[18] More accurately, according to MDA, two stages provide the enhanced performance and burnout velocity required for the mission.

Poland. The field of the 10 interceptors itself is likely to comprise an area somewhat larger than a football field. The area of supporting infrastructure is likely to be similar to a small military installation.

In addition, a U.S. X-Band radar (a narrow-beam, midcourse tracking radar), that was being used in the Pacific missile test range, would be refurbished and transported to a fixed site at a military training base in the Czech Republic. The site currently identified is in the heavily forested Brdy Military Training Area, about 150 kilometers southwest of Prague. The X-Band radar with its large, ball-shaped radome (radar dome) is several stories in height.

A second, transportable forward acquisition radar would be deployed in a country to be determined, but closer to Iran. Some European press accounts once mentioned the Caucasus region, but the Bush Administration never publicly indicated where this radar might be located.

Additionally, the proposed GMD European capability would include a communications network and support infrastructure (e.g., power generation, security and force protection systems, etc.) A few hundred U.S. personnel would be engaged in securing and operating both the interceptor and radar sites. The Administration intends for the United States to have full command authority over the system.

The FY2008 request was $310.4 million for the proposed European GMD across several program elements of the Missile Defense Agency (MDA) budget. The total reported GMD costs for the European site are about $4 billion (FY2007-FY2013), including Operation and Support costs through 2013. Although relatively small in U.S. defense budget terms, the FY2008 request represented a significant commitment to the proposed European system. The FY2009 request was for $712 million. The FY2010 request is for $50.5 million.

In 2007, both the House and Senate Armed Services Committees asked for studies of alternatives to the Administration's proposed European GMD deployment (see "Congressional Actions"). This classified review was provided to Congress in August 2008. Some, such as Representative Tauscher, suggested the Administration consider instead a combination of sea-based (Aegis SM-3) and land-based systems (PAC-3, THAAD). MDA Director General Henry Obering argued that most of the current Aegis fleet would be required to defend Europe, and that the cost would be considerably greater than the current Bush Administration proposal.[19] MDA's assessments, however, assume the need for 24/7 coverage. Assessments based on deployment on a contingency basis or crisis reduce significantly the estimated cost of such alternatives. Separately, the Center for Naval Analyses (a federally funded research center) conducted an analysis of alternatives for the Navy's next big surface combatant ship.[20] That review reportedly included recommendations about future naval BMD requirements that might bear on any discussion of alternatives to the proposed European GMD plan.

In May 2009, the U.S.-based EastWest Institute released a report critical of the ability of the European 3rd site to defeat Iranian ballistic missile threats.[21] The report concluded that the threat

[19] See http://www.armscontrolwonk.com/1539/how-many-aegis-ships-to-defend-nato.

[20] "U.S. May Build 25,000-ton Cruiser, Analysis of Alternatives Sees Nuclear BMD Vessel," *Defense News*, July 23, 2007, by Christopher P. Cavas.

[21] Iran's Nuclear and Missile Potential: A Joint Threat Assessment by U.S. and Russian Technical Experts, EastWest Institute. See http://docs.ewi.info/JTA.pdf.

from Iran was not imminent and that the proposed European 3rd site would not be effective against an Iranian ballistic missile threat. Missile defense supporters have taken strong issue with the report's conclusions. Similarly, a fact sheet prepared by staff of the House Armed Service Committee said the proposed European 3rd site would not provide any capability against Iran's current ballistic missile inventory.[22]

The Location

In 2002 the Bush Administration began informal talks with the governments of Poland and the Czech Republic over the possibility of establishing missile defense facilities on their territory. Discussion of a more concrete plan—placing radar in the Czech Republic and interceptor launchers in Poland—was reported in the summer of 2006. The issue was increasingly debated in both countries. In January 2007, the U.S. government requested that formal negotiations begin. Agreements have been struck with both countries, and both the Polish and Czech parliaments must now ratify the accords. The two governments have grappled with several issues as the debate has evolved.

Poland

Some analysts maintain that in Poland the notion of stationing American GMD facilities was more or less accepted early on in the discussions and that the main questions subsequently have revolved around what the United States might provide Warsaw in return. Some Poles believe their country should receive additional security guarantees in exchange for assuming a larger risk of being targeted by rogue state missiles because of the presence of the U.S. launchers on their soil. In addition, many Poles are concerned about Russia's response. Both of the past two Polish governments reportedly requested that the United States provide batteries of Patriot missiles to shield Poland against short- and medium-range missiles.[23]

Formal negotiations on the base agreement, which requires the approval of the Polish parliament, began in early 2007 under the populist-nationalist Law and Justice (PiS) party, led by Jaroslaw Kaczynski. As talks began, Civic Alliance (PO), then the leading opposition party, had questions about the system—particularly the command and control aspects—and urged the government to ensure that it be integrated into a future NATO missile defense program. The former ruling leftist party supported deployment of the missiles, but also called for greater transparency in the decision-making process. The smaller parties of the governing coalition expressed some skepticism, mainly for reasons of sovereignty, and indicated support for a public referendum.[24]

In snap elections held on October 21, 2007, Poles turned out PiS and replaced it with a center-right two-party coalition led by PO; its leader, Donald Tusk, became prime minister. During the

[22] House Armed Services Committee, Missile Defense Fact Sheet, H.R. 2647, the FY10 NDAA, prepared by the HASC Staff, June 16, 2009, http://armedservices.house.gov/apps/list/press/armedsvc_dem/md061609.shtml.

[23] U.S. Missiles in Poland—Risks and Benefits. *Rzeczpospolita.* In *BBC European Monitoring*. November 15, 2005. Sikorski Exit Is Bad For MD Bid. *Oxford Analytica.* February 8, 2007.

[24] Polish Politician Weighs Up Pros and Cons Of US Radar Plan. *Gazeta Wyborcza,* February 5, 2007. In: *BBC Monitoring European.* February 6, 2007. See also: Don't Take Poland For Granted. Radek Sikorski [former Polish Defense Minister and current Foreign Minister]. *Washington Post*. March 21, 2007.

campaign, Tusk indicated that his government would not be as compliant toward the United States as PiS, and that it would seek to bargain more actively on missile defense.

As he left office, former Prime Minister Kaczynski urged the incoming government to approve the missile defense proposal, arguing that an agreement would strengthen relations with the United States. In a post-election news conference, however, Tusk was cautious about the plan: "If we recognize that the anti-missile shield clearly enhances our security, then we will be open to negotiations.... If we recognize, jointly in talks with our partners from the European Union and NATO, that this is not an unambiguous project, then we will think it over." Two weeks later, however, newly minted Defense Minister Bogdan Klich stated that Poland should again "weigh the benefits and costs of this project for Poland. And if that balance results unfavorably, we should draw a conclusion from those results."[25] Foreign Minister Radek Sikorski later indicated that the new government would discuss the project with Russia.

Talks between Warsaw and Washington resumed in early 2008. Some observers forecast that the new Polish government would strongly renew the argument for the United States to provide additional air and/or short-range missile defenses.[26] On February 2, 2008, during a visit by Sikorski to Washington, D.C., U.S. Secretary of State Rice voiced support for strengthening Poland's air defenses. Although there was said to be agreement "in principle" on the missile defense issue, an accord was not signed when Prime Minister Tusk visited the United States in the following month.[27]

The major sticking point in the negotiations was the question of U.S. assistance for Poland's military "modernization," mainly in the form of PAC-3 air defense. During Prime Minister Tusk's visit to Washington DC in March 2008, however, President Bush declared, "Before my watch is over we will have assessed [Poland's] needs and come up with a modernization plan that's concrete and tangible." Nevertheless, the meeting of the two leaders did not result in a deal being struck. In addition, Poland was anxious that the two projects not be too explicitly linked, for fear of further alienating Russia. Concerning the likely future of the program, Polish Ambassador to the United States Robert Kupiecki in spring 2008 told a Polish parliamentary committee that "there are serious reasons to think that the project will be continued" by Bush's successor, no matter whom it might be. A Czech newspaper reported that MDA Director Obering "said [on April 2 that] the United States will be interested in stationing the radar in the Czech Republic even if it does not reach agreement with Poland."[28] What this might have meant for the overall system without the interceptors sited in Poland was not clear. However, some suggested that the radar would be useful if used in conjunction with other medium-range BMD systems, such as Aegis, in the absence of GMD interceptors based in Poland. In addition, Bush Administration

[25] Poland's Likely Next Prime Minister Open To Talks On U.S. Missile Defense. *Poland Business Newswire*. November 6, 2007. Poland's New Defense Chief Wants To Reconsider U.S. Missile Defense Request. *AP*. November 19, 2007.

[26] Poland Said Likely To Launch Tough Missile Defence Talks With USA. *Gazeta Wyborcza* [in: *BBC Monitoring European.*] December 5, 2007.

[27] "Poland Says U.S. Shield a 'Foregone Conclusion.'" *Reuters*. July 16, 2007. Poland Signals Doubts About Planned U.S. Missile-Defense Bases On Its Territory. *New York Times*. January 7, 2008. No Poland-US Missile Deal Next Month: Defense Minister. *AFP*. February 2, 2008.

[28] Bush, Poland's Tusk Discuss Missile Shield Plans. *Agence France Presse*. March 10, 2008. Game For US Shield Begins. *Polish News Bulletin*. March 14, 2008. Next U.S. Pres. Unlikely To Axe Proposed Central European Missile Defense Project—Polish Diplomat. *Poland Business Newswire*. April 2, 2008. Czech, USA Agree On Main Treaty On U.S. Radar On Czech Soil. *CTK Daily News*. April 3, 2008.

officials reportedly held discussions on the interceptor basing issue with the government of Lithuania.[29] In early July, the Polish media reported that a meeting in Washington between Foreign Minister Sikorski and Secretary Rice failed to produce an agreement.[30]

In a surprise move on August 14, Polish and U.S. government officials initialed an agreement; the formal accord was signed six days later by Rice and Sikorski. Some observers believe that the negotiations, which had stalled in July, received impetus from concerns over Russia's military incursion into South Ossetia in early August. While some U.S. officials denied an explicit linkage between the two events, U.S. Defense Secretary Gates on August 15 commented that Russia's neighbors have "a higher incentive to stand with us now than they did before, now that they have seen what the Russians have done in Georgia."[31] Under the agreement, Poland received from the United States enhanced security guarantees, which Minister Sikorski likened to a "kind of reinforcement of Article 5 [the NATO treaty's mutual defense clause]."[32] The United States also pledged to help modernize Poland's armed forces, in part by providing a battery of Patriot air defense missiles, which reportedly would be re-deployed from Germany and would initially be manned by U.S. military personnel.

Most public opinion surveys have indicated that a majority of Poles disapprove of a missile defense base being established in their country. Most objections appear to be based on concerns over sovereignty, as well as over the belief that the presence of the system would diminish rather than increase national security and might harm relations with neighboring states and Russia. However, the Russian military action in Georgia and its subsequent threats to place tactical missiles in Kaliningrad (see below) may have increased support in Poland for the missile shield – and for the battery of Patriots.[33]

The Polish legislature did not immediately ratify the agreement. Parliamentary speaker Bronislaw Komorowski said that he would not "rush" the vote, and added that "it would be worth knowing if the election result in the U.S. would have an influence on the U.S. attitude towards this program." In an August 19 news conference, Prime Minister Tusk said that he had requested Foreign Minister Sikorski to discuss missile defense with "both candidates John McCain and Barack Obama – and both conversations, although less decisively in the second case, indicated support for the project."[34] President Kaczynski's office criticized Prime Minister Tusk for postponing ratification until after elections. Despite the delay, U.S.-Polish negotiations on GMD continued. In addition, the Poles continued to hold high-level discussions with Moscow.[35]

---

[29] As Poles Balk, U.S. Eyes Lithuania As Site For Missile Shield. *New York Times*. June 19, 2008.

[30] No Progress On Shield Talks. *Polish News Bulletin*. July 8, 2008. Date Of US-Poland Treaty On Missile Base Still Unknown. *Poland This Week*. July 11, 2008.

[31] Russian Relations In Doubt, Gates Says. Washington Post. August 15, 2008.

[32] US Missile Deal Gives Poland Patriots, Bolstered Defence Ties. *AFP*. August 20, 2008. Some analysts, however, have argued that the agreement's special security guarantee may be questioned by other NATO allies, especially in central Europe. See Implications of the U.S.-Polish Defense Pact. By William L. T. Schirano. Center for European Policy Analysis. August 29, 2008.

[33] With Russia Rising, Poles Look West. *New York Times*. August 21, 2008.

[34] Polish Lower House Speaker Refuses To Rush Ratification Of Polish-U.S. Missile Shield Deal. *Poland Business Newswire*. August 20, 2008. U.S. Presidential Candidates endorse Missile Shield Project, Obama Less Enthusiastic – Polish PM. *Poland Business Newswire*. August 19, 2008.

[35] Czechs See Anti-missile radar Ratified By Year-end. *Reuters*. July 9, 2008.

Shortly after the U.S. elections, President-elect Obama spoke by phone with President Kaczynski; there was apparent confusion on the Polish side over whether or not President-elect Obama had made a commitment to continue with the GMD plan. During a meeting with residents of the village near which the interceptors would be based, U.S. Ambassador to Poland Victor Ashe reportedly said that the GMD project would likely be in suspension until such time as the Obama Administration had formulated its policies.[36]

In a mid-November 2008 interview, Foreign Minister Sikorski estimated the chances of the system's continuation at more than 50 percent. He added, however, that budgetary pressure might lead to the project being "put on hold" – a regrettable possibility, in his view. Sikorski has also noted that, "[t]here are clauses in the agreement that say it can be cancelled if there's no financing." During an address delivered in Washington in late November, Sikorski said that he hoped the GMD project would continue, as it was a sign of transatlantic cooperation. He also implied that hosting the interceptor base would bolster Poland's security, commenting that "everyone agrees that countries that have U.S. soldiers on their territory do not get invaded."[37] Polish President Kacyznski and Foreign Minister Sikorski both have expressed hope publically that the Obama Administration will continue the program. [38]

Some observers believe that Polish MPs, like their Czech counterparts, are reluctant to approve a treaty that may not be acted upon. Olaf Osica, a fellow at Warsaw's Natolin European Center, commented that "[o]ne of the worst scenarios for the Polish government would be if the agreement is ratified and then it turns out that Americans are no longer committed to it."[39]

On May 21, 2009, a U.S. State Department spokesperson confirmed that the U.S. government intended to proceed with the transference by year's end of a battery of 96 Patriot missiles to Poland, regardless of the status of the treaty regarding the missile defense interceptors. There has been some debate over whether or not the Patriots would be permanently installed or temporarily, for training purposes, and whether they would be armed or unarmed.[40]

Czech Republic

In September 2002, the Czech defense minister, a member of the Social Democratic Party (CSSD), announced that he had "offered the United States the opportunity to deploy the missile defense system on Czech soil."[41] In June 2006, inconclusive elections toppled the CSSD government and replaced it with a shaky coalition led by the center-right Civic Democratic Party (ODS). As with the outgoing government, the new one voiced support for GMD. However, the CSSD, now in opposition, began to backpedal on its support as polls showed increasing public skepticism, and by mid-2006 only the ODS was unambiguously backing deployment. When a relatively stable ODS-led government was finally formed in January 2007, the ODS apparently

[36] U.S. Ambassador: Decision On Missile Shield Suspended. *Polish News Bulletin*. November 26, 2008.

[37] Poland Won't Lobby Obama On Missile Defense. *Washington Post*. November 20, 2008. Sikorski: New US Administration May Put on Hold Anti-missile Shield Project. *Polish News Bulletin.* November 13, 2008.

[38] Polish President Hopes Obama As U.S. President Will Treat Missile Shield As "Necessary." *Polish Business Newswire.* January 19, 2009.

[39] Obama, Democrats Likely To Pare back Missile Defense Plans To Save Money. *CQ Today*. November 17, 2008.

[40] US To Abide By Patriot Missile Deal With Poland. *Agence France Presse.* May 21, 2009. US Insists Patriots Be Unarmed. *Polish News Bulletin.* June 12, 2009.

[41] Czech Republic Seeks Joining Missile Defence Shield Project. *BBC Monitoring European*. September 17, 2002.

persuaded its coalition partners to support GMD (the Greens made their agreement contingent upon NATO approval). In January 2007, it was announced that the United States had requested that official negotiations be started, and in March the Czech government formally agreed to launch talks.

In October 2007, U.S. Defense Secretary Robert Gates visited Prague to discuss several issues—including the planned radar installation—with Czech leaders. During the visit, he reportedly proposed that, in the interest of transparency, Russia be allowed to station personnel at the radar site. Czech Prime Minister Topolanek had no immediate comment but appeared to concur with Gates's observation that the presence of Russians on Czech territory would have to be approved by Czechs first. Gates also suggested that activation of the missile defense system could be delayed until such time as there was "... definitive proof of the threat—in other words, Iranian missile testing and so on." On the same day, however, President Bush delivered a speech in which he called the need for the missile defense project "urgent." Some analysts argued that the U.S. proposal to include Russia might complicate Topolanek's efforts to secure approval for an eventual agreement with the United States.[42] On March 19, 2008, a State Department official announced that the Czech Republic had agreed to join in proposing to Russia an agreement that would permit reciprocal inspections of missile defense radar facilities. However, during an April 7 interview, Czech Foreign Minister Schwarzenberg said, "If Russians want to check something on our soil, they will have to speak with us first."[43]

On December 5, 2007, the Czech Foreign Ministry issued a statement asserting that the U.S. intelligence community's conclusion that Iran had suspended its nuclear weapons program in 2003 would not affect Prague's decision to host the radar facility, as the threat has the potential to re-emerge in the future.[44] In late January 2008, Jiri Paroubek, leader of the opposition CSSD party, argued that, because of the high and increasing public resistance to the radar, the government should freeze negotiations until after the results of the November 2008 U.S. presidential elections were known. He also urged that Prime Minister Topolanek report on the substance of his upcoming talks on the issue with President Bush.[45]

During a visit to Washington in late February 2008, Topolanek said that the two sides were "three words" away from an agreement. On April 3, 2008, during the NATO summit in Bucharest, Czech media reported that Foreign Minister Karel Schwarzenberg had announced that Prague and Washington had reached an accord over the terms of the proposed U.S. radar base, and that a treaty would be signed in May. The signing was postponed due to scheduling conflicts, and finally took place on July 8, during a visit by Secretary of State Rice. As part of the deal, the United States reportedly agreed to provide ballistic missile defense—from Aegis system-equipped U.S. Navy vessels—for the Czech Republic.[46]

---

[42] US May Delay Missile Defense System. *AP*. October 23, 2007. Administration Diverges On Missile Defense. *Washington Post*. October 24, 2007. Gates Causes Missile Defence Flap. *Oxford Analytica*. October 24, 2007.

[43] US Offers Mutual MD Checks. *Oxford Analytica*. March 20, 2008.

[44] Czechs Say Report On Iran Nuclear Program Not To Influence Missile Defense Talks. *Associated Press*. December 5, 2007.

[45] *Select Briefing Europe East*. Center for Strategic and International Studies. Vol. 5, No. 3. February 1, 2008.

[46] Czechs, USA Agree Radar Treaty To Be Signed In May. *BBC Monitoring European*. April 3, 2008. U.S. To Give Czechs Ballistic Missile Defense. *Washington Post*. July 16, 2008.

The agreement must now be ratified by the parliament, and approval is not a foregone conclusion. In April 2008, Schwarzenberg said that he thought "the conclusions of the NATO summit regarding US MD should be sufficient for the junior government Green party to vote in favor of the radar." However, a Czech newspaper stated that "[a]t the moment the government lacks at least five votes." Although the Green Party leadership reportedly called for its members to oppose the radar despite the NATO summit declaration, some members reportedly intend to support the project.[47] On July 9, 2008, Czech Deputy Foreign Minister Tomas Pojar expressed confidence that parliament would ratify the treaty by the end of the year or early in 2009, and added that "it is probable that the [ratification] vote will be after the election in the United States, however, that does not mean that it would be after the new (U.S.) President takes office."

At the end of October, the Czechs announced that ratification would take place after the inauguration of the next President. Prime Minister Topolanek explained that "We want a delay to make sure about the attitude of the new American administration." In mid-November, Miloslav Vlcek, chairman of the lower house of parliament—a member of the opposition CCSD—confirmed that a ratification vote would not be held until after Barack Obama had been inaugurated; in addition, he expressed doubts that the treaty would be approved, and also suggested that the radar deployment might face a constitutional challenge. Although the Czech Senate on November 26 ratified the agreement by a vote of 49-31, it still must pass muster in the chamber of deputies, where approval is less certain.[48] A scheduled March 18, 2009, vote on the treaty was postponed—likely until after the Obama Administration has indicated whether or not it intends to proceed with the plan. Parties on both sides of the issue are hopeful that the new U.S. government will validate their position on missile defense.[49]

In addition to the changes in the U.S. government, the missile defense issue is being complicated by the current crisis in Czech political life. On March 24, 2009, the Czech ruling coalition failed a narrow no-confidence vote, and Prime Minister Mirek Topolanek offered his government's resignation. The turnaround came as a complete surprise to most observers, who had reasoned that the various factions and parties would make efforts to patch over their political differences during the time (January-June 2009) that Prague is holding the six-month revolving European Union (EU) presidency. On May 15, President Vaclav Klaus announced the installation of an interim government, intended to complete the Czech EU presidency and govern the country until new parliamentary elections can be held—most likely in October 2009. In the meantime, Jan Fischer, who is head of the caretaker government, stated in a meeting with NATO Secretary General Jaap de Hoop Scheffer that the Czech decision over whether to proceed with the U.S. radar should be the responsibility of the next elected government. [50]

---

[47] Czech Minister Sees 'Virtually No Opposition' in NATO, EU to US Missile Shield. *BBC Monitoring European.* April 7, 2008. US Set To Sign Main Czech Radar Deal: Embassy. *AFP*. April 7, 2008. Czech Senator To Vote For Radar Base Against Greens' Call. *CTK Daily News*. April 15, 2008.

[48] Czech Govt Wants Vote On Missile Shield After US Election. *Agence France Presse*. October 29, 2008. US Base's Chance In Czech Parliament Diminishing – Vlcek in Russia. *CTK Daily News*. November 17, 2008. Czech MPs Delay U.S. Shield Deal Debate Until Obama's Inauguration. *RIA Novosti*. November 28, 2008. Missile Defense Deal With US Clears Czech Senate, Faces Tougher test In Lower Chamber. *Associated Press Newswires*. November 27, 2008.

[49] Czech Politicians Disagree On U.S. Radar Plans Under Obama. *CTK Daily News*. January 20, 2009.

[50] Czech Republic: Government Crisis Will Be Hard To Fix. Oxford Analytica. March 30, 2009. Czech Republic: Country Report. *EIU*. June, 2009. Czech Interim Fischer's Government Not To Decide On U.S. Radar. *CTK Daily News*. June 8, 2009.

The effort to form a new government may be hampered by disagreements within as well as between political parties. Recent polls show the opposition CSSD with a lead. The political crisis adds some uncertainty to the future of the missile defense agreement, as the CSSD has opposed the planned radar. Public opinion surveys consistently have shown strong (60%-70%) opposition to the plan among Czechs, who share many of their Polish neighbors' concerns. [51] With memories of the Nazi occupation and the harsh 1968 Soviet crackdown still fresh in the minds of many Czechs, the public has been resistant to the notion of *any* foreign troops—unfriendly or allied—being stationed on their soil.

Policy Issues

U.S. proponents of the missile defense program note that the bases being planned would be part of a limited defensive system, not an offensive one. The missiles would not have explosive payloads, and would be launched only in the event that the United States or its friends or allies were under actual attack. Critics respond that Europe does not currently face a significant threat from Iran or its potential surrogates, but that Polish and Czech participation in the European GMD element would create such a threat. If American GMD facilities were installed, they argue, both countries would likely be targeted by terrorists, as well as by missiles from rogue states—and possibly from Russia—in the event of a future confrontation.

Debate in Poland and the Czech Republic

Some proponents of the proposed GMD European capability system assert that cooperation would help consolidate bilateral relations with the United States. In Poland in particular there is a sense, based in part on historical experience, that the United States is the only major ally that can be relied upon. Therefore, some Poles argue, it would be beneficial to strengthen the relationship by becoming an important U.S. partner through joining the missile defense system. In addition, some Czechs and Poles believe that the missile defense sites would become a prestigious symbol of the two countries' enhanced role in defending Europe. Some would argue that the Czechs and the Poles see this formal U.S. military presence as an ultimate security guarantee against Russia; when asked shortly before Poland's October 21, 2007, parliamentary elections about the missile defense issue, former Prime Minister Kaczynski singled out Russia as a threat.[52]

Opponents, however, contend that this is not a valid reason for accepting missile defense facilities because the two countries, which joined NATO in 1999, already enjoy a security guarantee through the alliance's mutual defense clause. Polish missile defense skeptics also maintain that their country does not need to improve its bilateral security relationship with the United States because it has already shown its loyalty through its significant contributions to the military operations in Iraq and Afghanistan and the global war on terrorism. Some Polish and Czech political leaders reason that the United States may proceed with missile defense with or without them, so they may as well be on board. However, the missile bases are unpopular among the

[51] Czech Poll Indicates Number Of Missile Defense Radar Opponents Declines. *AP*. September 26, 2007. But see also: Many Czechs Love U.S., But Say 'Hold the Radar.' *New York Times*. October 1, 2007. Poll: 70 Percent of Czechs Oppose U.S. Missile Defense Plan. *Associated Press*. January 8, 2008. Majority of Czechs Against U.S. Anti-missile Radar System. *Poland Business Newswire*. July 9, 2008.

[52] Polish PM: Hosting U.S. Shield May Counter Russia. *Reuters*. October 18, 2007.

Czech and Polish public, and any government that agreed to host such facilities might lose political support. In addition, some Czechs and Poles may be speculating whether it would be worthwhile to expend political capital on the GMD bases, as the issue may become moot. One Polish observer asserted that if the project is discontinued, "Poland will become an international laughingstock."[53] A Czech member of parliament noted that, if the U.S. Congress determines not to fund a European arm of missile defense, "[t]he USA will thus solve the problem for us."[54]

Some Czechs and Poles have argued that the extra-territorial status of the proposed bases would impinge upon national sovereignty. However, the Czech position is that the base "would be under the Czech Republic's jurisdiction."[55] In addition, some have raised questions over command and control—who would decide when to push the launch button and what would the notification system be? Polish and Czech government leaders reportedly acknowledge that the time between the detection of the launch of a missile by a hostile regime and the need to fire off an interceptor would be so brief as to preclude government-to-government consultations.

Opponents have also cautioned that the interception of a nuclear-tipped missile over Polish or Czech territory could result in a rain of deadly debris. Supporters argue that an enemy missile would not be intercepted over Eastern Europe, and that even if it were, the tremendous kinetic energy of impact would cause both projectiles to be obliterated and any debris burnt upon atmospheric reentry. Skeptics point out, however, that testing of these systems is never performed over populated areas.

European/Russian Response

The proposed U.S. system has encountered resistance in some European countries and beyond. Some critics claim that the program is another manifestation of American unilateralism and argue that, because of opposition by major European partners, Polish and Czech participation in the GMD program could damage those countries' relations with fellow EU members.[56] Supporters, however, counter that the establishment of a missile defense system would protect Europe as well as the United States.

Some European leaders have asserted that the Bush Administration did not consult sufficiently with European allies or with Russia on its GMD plans. German Foreign Minister Frank-Walter Steinmeier faulted the Bush Administration for failing to adequately discuss the proposal with affected countries. Former French President Chirac cautioned against the creation of "new divisions in Europe." Bush Administration officials, however, maintained that these arguments were disingenuous, as they had held wide-ranging discussions on GMD with European

[53] Polish Daily: US Missile Defence in Poland Means 'Local Arms Race' With Belarus. *BBC Monitoring European.* November 18, 2005.

[54] USA Wants To Deploy Missile Defence Radar On Czech Territory—Foreign Minister. *CTV* [Czech news agency]. In: *BBC Monitoring European*. November 29, 2006.

[55] That Missile Debate of Ours. *Pravo*. September 9, 2006. In: *BBC Monitoring European.* September 12, 2006. Any US Missile Base On Czech Territory Subject To Czech Laws—Czech Ministry. *BBC Monitoring European.* August 18, 2006. State Security Council Okays US Radar. *Pravo.* In: *BBC European Monitoring.* January 26, 2006. Czech Premier Reminds Opposition Its Cabinet Started Talks On US Radar Base. *CTK Czech News Agency*. In: *BBC European Monitoring*. February 1, 2007.

[56] Missile Shield: Poland's Security Better Served By Supporting Ukraine's Western Ambitions Than By Building Another Maginot Line. *Polish News Bulletin*. December 22, 2005.

governments, and with Russia, both bilaterally and in the framework of the NATO-Russia Council.[57] In addition, critics charged that establishing a European GMD base to counter Iranian missiles implied a tacit assumption on the part of the Bush Administration that diplomatic efforts to curb Iran's nuclear and ballistic missile aspirations were doomed to failure, and that Iran's future leaders would be undeterred by the prospect of nuclear annihilation. Finally, an analyst with the Swedish Transnational Foundation Research Center has argued that the U.S. missile defense system is being built in order to enable the use of a first strike.[58]

Europeans also have raised questions about the technical feasibility of the program as well as its cost-effectiveness. According to a wire service report, "Luxembourg's Foreign Minister Jean Asselborn called the U.S. [missile defense] plan an 'incomprehensible' waste of money.... "[59]

Other European leaders, however, including the former prime ministers of Denmark and Britain, indicated that they supported the missile defense project as a means to protect Europe from threats from rogue states. In addition, some European allies do not appear to be averse to the missile defense concept *per se*. Foreign Minister Steinmeier indicated that Germany and other countries were interested in building a comparable system, but lacked the technological know-how.[60]

NATO also has been deliberating strategic missile defenses. A feasibility study of such a program called for in the 2002 Prague Summit was completed in 2005. In the final communiqué of their 2006 Riga summit, NATO leaders stated that the alliance study had concluded that long-range BMD is "technically feasible within the limitations and assumptions of the study," and called for "continued work on the political and military implications of missile defence for the Alliance including an update on missile threat developments." Supporters contend that the U.S. facilities intended for placement in Eastern Europe would be a good fit—and therefore not inconsistent with—any future NATO missile defense. However, other policymakers have recommended that the establishment of any anti-missile system in Europe should proceed solely under NATO auspices rather than on a bilateral basis with just two NATO partners. A Bush Administration official declared that "the more NATO is involved in [GMD], the better."[61]

Some observers have suggested that the Bush Administration chose not to work primarily through NATO because consensus agreement on the system was unlikely. However, in mid-June 2007, alliance defense ministers did agree to conduct a study of a complementary "bolt-on" anti-missile capability that would protect the southeastern part of alliance territory that would not be covered by the planned U.S. interceptors. Bush Administration officials interpreted the move as an implied endorsement of the U.S. GMD plan and an adaptation of NATO plans to fit the proposed

[57] Where Does Germany Stand? *Spiegel Online*. March 26, 2007. US Build Pressure On Europe Over Bases. *Financial Times*. February 21, 2007. France Calls For Dialogue on US Anti-Missile System. *Agence France Presse (AFP)*. February 21, 2007. U.S. Officials Brief On Missile Defense. February 23, 2007. U.S. Embassy Warsaw.

[58] Swedish Expert Says US Missile Shield Meant To Allow Nuclear First Strike. *BBC Monitoring*. January 8, 20080.

[59] NATO Stepping Up Talks On Missile Defense Amid Concerns Over US Plans. *Associated Press*. March 12, 2007.

[60] Danish PM Supports US Anti-Missile Shield. *AFP*. March 7, 2007. Blair: We Need To Look At Missile Options. *Press Association National Newswire*. February 28, 2007. Europe Considers Missile Defense System: German Minister. *AFP*. February 19, 2007.

[61] This program should be distinguished from the theater missile defense system intended to protect deployed forces, which the alliance has already approved. See Riga Summit Declaration. NATO web page. http://www.nato.int/docu/pr/2006/p06-150e.htm Missile Defense and Europe. *Foreign Press Briefing*. U.S. Department of State. March 28, 2007.

U.S. system. In addition, NATO Secretary General Jaap de Hoop Scheffer stated "The roadmap on missile defense is now clear.... It's practical, and it's agreed by all."[62]

The Bush Administration hoped that NATO would endorse missile defense at its 2008 summit meeting, held April 2-4 in Bucharest, Romania.[63] The Summit Declaration stated that the alliance acknowledges that ballistic missile proliferation poses an increasing threat. It further affirmed that missile defense is part of a "broader response," and that the proposed U.S. system would make a "substantial contribution" to the protection of the alliance. It declared that the alliance is "exploring ways to link [the U.S. assets] with current NATO efforts" to couple with "any future NATO-wide missile defense architecture." The declaration also directed the development, by the time of the 2009 summit, of "options" for anti-missile defense of any alliance territory that would not be covered by the planned U.S. installations. These options would be prepared "to inform any future political decision." In addition, the document declared support for ongoing efforts to "strengthen NATO-Russia missile defense cooperation," and announced readiness to look for ways to link "United States, NATO and Russian missile defense systems at an appropriate time." Finally, alliance members stated that they are "deeply concerned" over the "proliferation risks" implied by the nuclear and ballistic missile programs of Iran and North Korea, and called upon those countries to comply with pertinent UN Security Council resolutions.[64]

The Bush Administration interpreted the Summit Declaration as an endorsement of its missile defense project; Secretary of State Condoleezza Rice hailed the statement as a "breakthrough document." Concerning the question of whether ballistic missiles from rogue states were a threat, National Security Advisor Stephen Hadley declared, "I think that debate ended today."[65] Representative Tauscher welcomed "NATO's acknowledgment of the contribution that the long-range interceptor site could make to Alliance security" and to make "cooperation with NATO a cornerstone of its missile defense proposal."[66]

In the final communiqué of their December 3, 2008, meeting, the foreign ministers of NATO member states reiterated the language on missile defense that had been included in the Bucharest summit declaration, while also noting "as a relevant development the signature of agreements by the Czech Republic and the Republic of Poland with the United States regarding those assets." The communiqué also called upon Moscow "to refrain from confrontational statements, including assertions of a sphere of influence, and from threats to the security of Allies and Partners, such as the one concerning the possible deployment of short-range missiles in the Kaliningrad region." (see below.) The latter statement was likely included at Warsaw's insistence.[67]

---

[62] NATO Considers Missile Defenses For Southeastern Flank In Tandem With U.S. Shield. *Associated Press*. June 14, 2007. U.S. Wins NATO Backing On Missile Defense. *New York Times*. June 15, 2007.

[63] NATO Debates BMD Ahead Of April Bucharest Summit. *WMD Insights*. April, 2008.

[64] NATO Summit Declaration. April 3, 20008 http://www.nato.int/docu/pr/2008/p08-049e.html.

[65] NATO Backs U.S. Missile Shield. *Los Angeles Times*. April 4, 2008. NATO Endorses Europe Missile Shield. *New York Times*. April 4, 2008.

[66] Opening Statement, Chairman Ellen O. Tauscher, Strategic Forces Subcommittee, Hearing on the FY2009 Budget Request for Missile Defense Programs, April 17, 2008.

[67] Final communiqué. Meeting of the North Atlantic Council at the level of Foreign Ministers held at NATO Headquarters, Brussels. December 3, 2008. NATO website: http://www.nato.int/docu/pr/2008/p08-153e.html Poland Wants NATO To Declare Russian Placement Threat As Unacceptable – Sikorski. *Poland Business Newswire*. December 3, 2008.

NATO's 2009 summit was held in Strasbourg, France, and Kehl, Germany, in early April. The summit declaration "reaffirmed the conclusions of the Bucharest Summit about missile defence," but noted that there was more work to be done. Specifically, it recommended that "missile threats should be addressed in a prioritised manner" that addresses "the level of imminence of the threat and the level of acceptable risk." It tasked the Council in Permanent Session with studying and making recommendations on "architecture alternatives," including usage of the ongoing Active Layered Theater Ballistic Missile Defense program, which is currently intended to protect deployed NATO forces.[68]

European opponents of the proposed U.S. plan also contend that statements by Russian officials are evidence that deployment of the U.S. system would damage Western relations with Russia. At a February 2007 security conference in Munich, former President Putin strongly criticized GMD, maintaining that it would lead to "an inevitable arms race." Russia has threatened to abrogate the 1987 Intermediate-Range Nuclear Forces (INF) Treaty, which eliminated this class of U.S. and then-Soviet missiles that were stationed in Europe. Putin also announced that Russia had suspended compliance with the Conventional Forces in Europe (CFE) Treaty,[69] and on another occasion indicated Russia might now target Poland and the Czech Republic and transfer medium-range ballistic missiles to the Russian exclave of Kaliningrad. Some U.S. and European officials dismissed Russia's alleged concerns and have noted that Moscow has known of this plan for years and has even been invited to participate.[70] GMD proponents maintain that the interceptors are intended to take out launched Iranian missiles aimed at European or American targets and could not possibly act as a deterrent against Russia, which has hundreds of missiles and thousands of warheads. The chief of the Czech general staff has noted that "by simple arithmetic, Russian generals can see that U.S. missile defenses cannot imperil Moscow's arsenal." Some Russians contend, however, that the modest GMD facilities planned for Eastern Europe are likely just the harbinger of a more ambitious program.

Russian officials have also argued that North Korean or Iranian missiles would not likely enter European airspace, and that the real reason for GMD is to emplace U.S. radar in eastern Europe to monitor Russian missile sites and naval operations. A Czech military officer dismissed the charge of electronic espionage as "absolute nonsense," arguing that "the radar monitors the already launched missiles, and it cannot monitor what is going on the ground"—a task that is already being performed by U.S. surveillance satellites.[71]

Some argue that Russia has other motives for raising alarms about the U.S. missile defense system: to foment discord among NATO member states, and to draw attention away from Russia's suppression of domestic dissent, its aggressive foreign policy actions, and its nuclear technology cooperation with Iran. Observers note that Russia blustered about NATO expansion, too, and argue that Russia's veiled threats may actually stiffen resolve in Prague and Warsaw. Some observers note, however, that Russian acceptance of NATO expansion was conditioned on

[68] Strasbourg/Kehl Summit Declaration. April 4, 2009. NATO Web page. http://www.formin.fi/Public/Print.aspx?contentid=162749&nodeid=15145&culture=en-US&contentlan=2

[69] See CRS Report RL33865, *Arms Control and Nonproliferation: A Catalog of Treaties and Agreements*, by Amy F. Woolf, Mary Beth Nikitin, and Paul K. Kerr, section on Conventional Armed Forces in Europe Treaty. NATO "Very Concerned" At Russia Treaty Pullout. *Reuters*. July 16, 2007.

[70] Russia Sees Threat From US Plan For Missiles In Eastern Europe. *AFP*. January 22, 2007. Poland Government Leaders Meet On U.S. Missile Defense Proposal. *Associated Press*. February 12, 2007.

[71] U.S. Radar Not To Threaten Russia, China - Czech Chief Of Staff. *CTK Daily News*. January 25, 2007.

a tacit understanding that NATO or U.S. military expansion into the new member states would not occur. The European GMD in this regard is seen as unacceptable to Russia.

On June 7, 2007, during the G-8 meeting in Germany, Putin offered to partner with the United States on missile defense, and suggested that a Soviet-era radar facility in Azerbaijan be used to help track and target hostile missiles that might be launched from the Middle East. President Bush responded by calling the proposal an "interesting suggestion," and welcomed the apparent policy shift. The following day, Putin suggested that GMD interceptors be "placed in the south, in U.S. NATO allies such as Turkey, or even Iraq ... [or] on sea platforms." Military and political representatives from both countries have met to discuss the proposal, but some experts point out that Azerbaijan is technically not the ideal place to locate the radar because it would be too close to potential Iranian launch sites; they also argue that the radar is outmoded.

In the meantime, Putin urged the United States not to deploy elements of GMD until his offer had been examined. One week later, however, U.S. Defense Secretary Robert Gates stated that even if the United States were to accept Russia's offer to share use of the Azeri radar, that facility would be regarded as "an additional capability" to complement the proposed GMD sites planned for Europe.[72] In late July 2007, MDA Director Obering said the United States was looking at the proposal very seriously. He said the Azeri radar could be useful for early detection of missile launches, but that it does not have the tracking ability to guide an interceptor missile to a target—which the proposed Czech radar would be able to do.

At a July 1-2, 2007, meeting in Kennebunkport, ME, Putin expanded on his counterproposal by recommending that missile defense be coordinated through offices in Brussels and Moscow. He also suggested the possible use of radar in south Russia and said that cooperation could be expanded to other European countries through the use of the NATO-Russia council—eliminating, he added, the need for facilities in Poland and the Czech Republic. President Bush reportedly responded positively to Putin's new proposal, but insisted on the need for the Eastern European sites.[73]

Despite ongoing discussions over the issue, Russian criticism of the program has continued, edged, at times, with sarcasm. During an October 2007 visit to Moscow by Secretaries Gates and Rice, President Putin remarked "of course we can sometime in the future decide that some anti-missile defense system should be established somewhere on the moon." Putin later likened the U.S. placement of the missile defense facilities in central Europe to the 1962 Cuban missile crisis—a comparison disputed by U.S. officials. In late November 2007, Russia rejected a written U.S. proposal on the project, arguing that it failed to include the points Secretary Gates had discussed a month earlier, including "joint assessment of threats, ... Russian experts' presence at missile shield's sites, [and] readiness to keep the system non-operational if there is no actual missile threat.... "[74] In December, the chief of Russia's army suggested that the launching of U.S. missile defense interceptors against Iranian missiles might inadvertently provoke a counter launch

[72] Putin Wants Quick Answer On Alternative Antimissile Site. *RFE/RL Newsline*. June 11, 2007. Putin Surprises Bush With Plan On Missile Shield. *New York Times*. June 8, 2007. US Says Russia Offer Cannot Replace Missile Shield. *Reuters*. June 14, 2007.

[73] Putin Expands On His Missile Defense Plan. *New York Times*. July 3, 2007/ Putin Proposes Broader Cooperation On Missile Defense. *Washington Post*. July 3, 2007.

[74] Putin Dismisses US Missile Shield Plan. *Financial Times*. October 12, 2007. Russia Dismisses US Offer On Missile Defence. *AFP*. November 23, 2007. Russia Alleges U.S. "Rollback" On Anti-Missile Plan. *Washington Post*. December 6, 2007.

of Russian ICBMs aimed at the United States. However, critics assert that a Russian counterstrike could not be prompted so easily and mistakenly. In February 2008, Putin reiterated earlier warnings that, if construction commenced on the missile defense facilities, Russia would re-target ICBMs toward the missile sites.[75]

During President Bush's post-Bucharest meeting with Putin at the Russian resort of Sochi, the two leaders reportedly sought to find common ground on missile defense; they agreed to introduce greater transparency in the project, and to explore possible confidence-building measures. In the meantime, Russia remains opposed to the proposed European bases. The two sides agreed to "intensify" their dialogue on missile defense cooperation. After the meeting, however, Iran's ambassador to Poland warned that if the missile defense system is installed, "the United States will acquire supremacy over Russian nuclear forces."[76]

Following the signing of the U.S.-Poland agreement, Russia once more vociferously objected to the missile defense plan. On August 16, a highly placed Russian general officer stated that Poland's acceptance of the interceptors could make it a target for a nuclear attack. Later, newly inaugurated President Dmity Medvedev reiterated Russia's conviction that the interceptors constitute a threat, and added that Moscow "will have to respond to it in some way, naturally using military means." On August 20, it was also announced that the governments of Russia and Belarus had launched discussions on the establishment of a joint air defense system; the move was interpreted by ITAR-TASS as a "retaliatory measure" in response to the planned U.S. missile defense system.[77]

The day after the U.S. elections, in his State of the Federation speech, President Medvedev said that Russia would deploy short-range Iskander missiles to the Russian exclave of Kaliningrad, which borders Poland and Lithuania, if the U.S. GMD system is built. However, Medvedev later told a French newspaper that it the United States does not deploy the system, Russia would not transfer its missiles to Kaliningrad. Prime Minister Putin later reiterated that Russia would scrap its plans for the Iskanders if the United States cancelled its European GMD project.[78] Some observers believe that the announcement created more concern in central than in western Europe. Shortly thereafter, however, European Commission President Jose Manuel Barroso stated that "cold war rhetoric" was "stupid," and U.S. Defense Secretary Gates states that "such provocative remarks are unnecessary and misguided."[79]

In mid-November 2008, French President Nicolas Sarkozy recommended that the U.S. and Russian plans be discussed by NATO and the OSCE in the spring of 2009, and that, "until then we should not talk about missile or shield deployments which lead to nothing for security, which complicate things and rather make things go backwards." Czech Deputy Prime Minister Alexandr

---

[75] US Missile Could Trigger Russian Strike: Russian Army Chief. *Agence Presse France*. December 15, 2007. Putin Repeats Threat To Aim Russian Rockets At U.S. Missile Defenses. *Associated Press Newswires*. February 14, 20080.

[76] Putin and Bush Narrow Some Differences. *Oxford Analytica*. April 7, 2008. U.S. To Gain Supremacy Over Russia With Central European Anti-missile Base—Iranian Ambassador. *Poland Business Newswire*. April 9, 2008. Fact Sheet: U.S.-Russia Strategic Framework Declaration. *News Press*. April 7, 2008.

[77] Russian Says Shield Makes Poland Target. *Washington Times*. August 16, 2008. Medvedev Sees Military Response To U.S. Missile Shield. *Reuters*. August 26, 2008. Moscow, Minsk To Build Air Def In Response To Missiles In Europe. *ITAR-TASS*. August 20, 2008.

[78] Putin Offers To End Stand-Off Over Missiles In Eastern Europe. *DPA/Deutsche Welle*. November 24, 2008.

[79] Europe Split Over Russia's Tough Talk On Missiles. *Washington Post*. November 9, 2008. Gates and European officials Criticize the Russian President For His Bellicose Remarks. *New York Times*. November 14, 2008.

Vondra criticized Sarkozy's remarks as inappropriate, and Polish Prime Minister Tusk stated that GMD was a Polish-U.S. project, and that "I don't think that third countries, even such good friends as France, can have a particular right to express themselves on this issue." Sarkozy later appeared to backtrack somewhat, saying "every country is sovereign to decide whether it hosts an anti-missile shield or not."[80]

In late January 2009, the Russian media reported that Moscow had "suspended" plans to move short-range missiles to Kaliningrad because the Obama Administration was not "pushing ahead" with the European GMD deployment. The Obama Administration has indicated that it is prepared to open talks with Teheran if it is willing to shelve its nuclear program and renounce support of terrorism. On February 7, at the 2009 Wehrkunde security conference in Munich, Vice President Biden stated that "we will continue to develop missile defenses to counter a growing Iranian capability.... We will do so in consultation with our NATO allies and Russia."[81] During a February 10 visit to Prague, Secretary of State Hillary Clinton said that any change in U.S. policy on missile defense would depend upon Iran, but that "we are a long, long way from seeing such evidence of any behavior change" in Iran.[82]

In early March 2009, the media reported that President Obama had sent a letter to President Medvedev offering to stop the development of the missile defense program if Russia cooperated on policy that would help halt Iran's nuclear weapons and missile programs. President Obama denied such a *quid pro quo*, stating that "what I said in the letter was that, obviously, to the extent that we are lessening Iran's commitment to nuclear weapons, then that reduces the pressure for, or the need for a missile defense system. In no way does that in any—does that diminish my commitment to [the security of] Poland, the Czech Republic and other NATO members."[83]

In a joint statement issued at their "get acquainted" meeting on April 1, 2009, Presidents Obama and Medvedev acknowledged that differences remained in their views toward the placement of U.S. missile defenses in Europe, but pledged to examine "new possibilities for mutual international cooperation in the field of missile defense." Later that month, however, Russian Deputy Foreign Minister Sergei Ryabkov charged that "[U.S.] work in the missile defense has intensified, including in the NATO format." Shortly thereafter, in a Russian media interview, Ryabkov was asked to comment on U.S.-Russia-NATO cooperation on missile defense through the use of Russian radar installations. He explained that the Russian offer is predicated upon the fulfillment of "certain preliminary stages," including the U.S. cancellation of the Poland/Czech GMD facilities, followed by a threat assessment, and then by political and economic measures to eliminate the threat.[84]

---

[80] France urges Russia and US To End Missile Feud. *Agence France Presse*. November 14, 2008. Poles, Czechs Brush Aside Sarkozy Missile Plea. *Agence France Presse*. November 15, 2008. France "Overstepped Mandate" On Missile Shield. euobserver.com November 17, 2008.

[81] Vice President Joseph Biden's speech at the 45th Munich Security Conference, http://www.securityconference.de/konferenzen/rede.php?menu_2009=&menu_konferenzen=&sprache=en&id=238&

[82] "Clinton Says Missile Shield Hinges in Part on Iran," *Reuters*, February 10, 2009; "Obama Seen Unlikely to Hedge on Missile Defense," *Associated Press*, February 13, 2009.

[83] The White House. Office of the Press Secretary. Remarks By President Obama and British Prime Minister Gordon Brown After Meeting, March 3, 2009.

[84] President Obama, Russian President Medvedev Commit To Reduce Nuclear Arms, Reset Relationship. *US Fed News*. April 11, 2009. Russia Warns U.S. Stepping Up Shield Plans – Agency. *Reuters*. April 21, 2009. An Interview With Deputy Foreign Minister Sergei Ryabkov. *WPS: Defense and Security*. April 24, 2009.

In May 2009, the East-West Institute, a joint U.S.-Russian research organization, released a report which concluded that (1) Iran likely would not be able to acquire both nuclear weapons and delivery systems within the next five years, and (2) the missile defense system proposed by the Bush Administration for deployment in central Europe would be ineffective against eventual Iranian missiles outfitted with decoy devices and other countermeasures.[85]

In early June 2009, a Russian official indicated that Moscow would not likely be willing to reduce its nuclear weapons arsenal unless the United States were to scrap plans to establish its missile defense site in Poland and the Czech Republic. The Russian government also indicated that it might deploy Iskander missiles to Kaliningrad if the United States were to transfer Patriot missile batteries to Poland. [86]

In mid-June, Russia reiterated its refusal to collaborate with the United States—and Poland and the Czech Republic—on missile defense vis-à-vis Iran, and would only reconsider cooperation in the event that the Obama Administration abandoned the Bush Administration's plan to station missile defense facilities in central Europe.[87]

Some observers believe that the ongoing dialog between Russia and the United States may help reduce tensions. Eventual Russian cooperation in missile defense could remove a significant impediment to the program and could dampen criticism by European and other leaders. It also may open the door to a more favorable attitude by NATO toward missile defense.

Congressional Actions

Fiscal Year 2010

The Obama Administration requested $50.5 million for the European 3rd site. This is in addition to some $618 million available from FY2009 appropriations, pending Polish and Czech ratification of the missile defense agreements reached with the United States.

In June 2009, the House Armed Service Committee marked up H.R. 2647, the FY2010 National Defense Authorization Act. The committee reserves $343.1 million from funds available for the MDA in fiscal years 2009 and 2010 to develop missile defenses in Europe for one of two purposes:

(1) either the Secretary of Defense continue with research, development, test and evaluation of the proposed radar and interceptor site in Poland and the Czech Republic pending Czech and Polish ratification, and certification by the Secretary of Defense that the proposed interceptors will be operationally effective, or

[85] U.S.-Russian Team Deems Missile Shield In Europe Ineffective. Washington Post. May 19, 2009. See also: Iran's Nuclear and Missile Potential. EastWest Institute. May 2009. http://docs.ewi.info/JTA.pdf

[86] Russian General Links Arms Cuts To Missile Shield. *Associated Press*. June 5, 2009. Russian Source: Patriot Missiles To "Cloak" Strategic Effort. Interfax: Russia & CIS Military Newswire. May 22, 2009.

[87] Russia Rejects the notion Of a Joint Missile Defense System In Europe. *New York Times*. June 12, 2009.

(2) the Secretary may pursue development, testing, procurement and deployment of an alternative integrated missile defense system to protect Europe from threats posed by all types of ballistic missiles. This option is conditional on certification from the Secretary of Defense that the alternative is consistent with NATO efforts to address ballistic missile defense threats, that any alternative addresses ballistic missile threats to Europe in a prioritized manner that includes the level of imminence of the threat and level of risk, and that any alternative be cost-effective, technically reliable and operationally available in protecting Europe and the United States.

Fiscal Year 2009

For FY2009, the Bush Administration requested $712 million for the European GMD Element. The reported cost of the European element is $4 billion (FY2008-FY2013), according to the Administration, which includes fielding and Operation and Support costs.

On May 14, 2008, the House Armed Services Committee approved its version of the FY2009 defense authorization bill (H.R. 5658). The committee provided $341 million for the proposed European GMD site, reducing the total by $371 million ($231 million in R&D funding and $140 million in Military Construction). The committee expressed concerns about the slower-than-expected pace of the Iranian long-range missile program, the effectiveness of the GMD system based on program testing results, the ability to spend the proposed funds, and the lack of signed and ratified agreements with Poland and the Czech Republic.

On April 30, 2008, the Senate Armed Services Committee approved its version of the FY2009 defense authorization bill (S. 3001). The committee provided full funding for the European GMD Element, but noted that certain conditions have to be met before those funds could be expended: (1) military construction funds cannot be spent until the European governments give final approval (including parliamentary approval) of any deployment agreement, and 45 days have elapsed after Congress has received a required report that provides an independent analysis of the proposed European site and alternatives, and (2) acquisition and deployment funds, other than for long-lead procurement, cannot be expended until the Secretary of Defense (with input from the Dir., Operational Test and Operations) certifies to Congress that the proposed interceptor has demonstrated a high probability of accomplishing its mission in an operationally effective manner.

President Bush signed a continuing resolution into law on September 30, 2008 (P.L. 110-329), which incorporated defense appropriations and authorizing language for FY2009. According to a Press Release from the Senate Appropriations Committee dated September 24, 2008, Congress provided $467 million for the European BMD sites and development and testing of the two-stage interceptor. According to authorizing language,[88] funding for the Czech radar and site will then be available only after the Czech Parliament has ratified the basing agreement reached with the United States and a status of forces agreement (SOFA) to allow for such deployment and stationing of U.S. troops is in place. Funding for the Polish interceptor site will only be available after both the Czech and Polish parliaments ratify the agreements reached with the United States, and a SOFA with Poland is also in place for the site. Additionally, deployment of operational GBIs is prohibited until after the Secretary of Defense (after receiving the views of the Director of Operational Test and Evaluation) submits to Congress a report certifying that the proposed

[88] Congressional Record – House, September 24, 2008, p. H9103.

interceptor to be deployed "has demonstrated, through successful, operationally realistic flight testing, a high probability of working in an operationally effective manner and the ability to accomplish the mission."

Fiscal Year 2008

In its report on the FY2008 defense authorization bill, the House Armed Services Committee cited its concern from last year (FY2007) that investment in the European BMD site was premature.[89] In part, the Committee's concerns focus on the need to complete scheduled integrated end-to-end testing of the system now deployed in Alaska and California. Additionally, the Committee notes its reluctance to fund the European site without formal agreements with Poland and the Czech Republic and without knowing the terms under which the estimated $4 billion program costs would be expended. Therefore, the Committee recommended that no funds be approved for FY2008 for construction of the European GMD site.[90] The Committee did, however, recommend $42.7 million to continue procurement of ten additional GMD interceptors that could be deployed to the European site or for expanded inventory at the GMD site in Alaska (as noted in MDA budget documents). Also, the Committee expressed concern over the testing plan and risk reduction strategy for the proposed two-stage GMD interceptor for Europe. The Committee further directed that two studies be done: (1) the Secretary of Defense and the Secretary of State are to submit a report to Congress by January 31, 2008, to include how the Administration will obtain NATO's support for the European GMD proposal, and how other missile defense capabilities such as Aegis and THAAD (Terminal High Altitude Area Defense) could contribute to the missile defense protection of Europe; and (2) an independent assessment of European missile defense options should be done in a timely manner.

In the Senate defense authorization bill, the Armed Services Committee recommended limiting the availability of funding for the European GMD site until two conditions were met: (1) completion of bilateral agreements with Poland and the Czech Republic; and (2) 45 days have elapsed following the receipt by Congress of a report from an FFRDC (federally funded research and development center) to conduct an independent assessment of options for missile defense of Europe.[91] The Committee recommended a reduction of $85 million for site activation and construction activities for the proposed European GMD deployment. The Committee also limited FY2008 funding for acquisition or deployment of operational interceptor missiles for the European system until the Secretary of Defense certified to Congress that the proposed interceptor to be deployed had demonstrated, through successful, operationally realistic flight testing, that it had a high probability of working in an operationally effective manner. The Committee noted that the proposed 2-stage version of the interceptor has not been developed and was not scheduled to be tested until 2010.[92] Therefore, the Committee noted, it could be several

[89] National Defense Authorization Act for Fiscal Year 2008. Report of the House Armed Services Committee on H.R. 1585, May 11, 2007. House of Representatives. 110th Congress, 1st Session. H.Rept. 110-146, pp. 238-240.

[90] To preserve the opportunity to move forward with the research and development components of the European interceptor and radar site, the Committee recommended that $150 million for FY2008 be available. Upon completion of bilateral agreements and if further engagement with NATO on the proposed site can be demonstrated, the Committee notes that the Department of Defense has the option of submitting a reprogramming request to Congress in FY2008 to fund site preparation activities.

[91] National Defense Authorization Act for Fiscal Year 2008. Report of the Senate Armed Services Committee on S. 1547, June 5, 2007. Committee on Armed Services. U.S. Senate. 110th Congress, 1st Session. Report 110-77, pp. 140-142.

[92] See footnote 9.

years before it is known if the proposed interceptor will work in an operationally effective manner. The Committee indicated that it would not limit site surveys, studies, analysis, planning and design for the proposed European GMD site, but that construction and deployment could not take place prior to ratification of formal bilateral agreements, which MDA estimates would not take place before 2009. Finally, the Committee notes there were a number of near-term missile defense options to provide defense of Europe against short-range, medium-range and future intermediate-range ballistic missiles, such as the Patriot PAC-3, the Aegis BMD system, and THAAD.

In floor debate, the Senate approved an amendment by Senator Sessions (90-5) to the defense authorization bill stating that the policy of the United States is to develop and deploy an effective defense system against the threat of an Iranian nuclear missile attack against the United States and its European allies. Further debate and passage of the defense authorization bill was postponed at the time by the Majority Leader until after debate over Iraq war funding.

On November 13, 2007, President Bush signed into law the FY2008 Defense Appropriations Bill (H.R. 3222; P.L. 110-114). This bill eliminated the proposed $85 million for FY2008 for the European missile defense site construction, but permitted $225 million for studies, analyses, etc. of the proposed European GMD element.

The House passed the FY2008 National Defense Authorization bill (H.R. 1585) on May 17, 2007. The Senate passed its version on October 1, 2007. House and Senate negotiators filed the defense authorization report on December 6, 2007. The House adopted the report on December 12, 2007. The Conference Report contained a number of provisions pertaining to the proposed European GMD element. First, it cut the $85 million requested for site activation and construction activities. This left about $225 million to fund surveys, studies, analysis, etc. related to the European GMD element in FY2008. Second, the Conference Report required an independent assessment of the proposed deployment of long-range missile defense interceptors and associated radar in Europe and a second independent analysis of missile defense options in Europe before site construction and activation could begin. The conferees noted that if the Polish and Czech governments gave final approval to any successfully completed agreements during FY2008, the Department of Defense had the option of submitting a reprogramming request for those funds ($85 million) to begin site construction in Europe. Third, the conferees strongly supported the need to work closely and in coordination with NATO on missile defense issues. Finally, the defense authorization bill required that the Secretary of Defense certify that the proposed two-stage interceptor “has demonstrated, through successful, operationally realistic flight testing, a high probability of working in an operationally effective manner” before funds could be authorized for the acquisition or deployment of operational missiles for the European site.

Author Contact Information

Steven A. Hildreth
Specialist in Missile Defense
shildreth@crs.loc.gov, 7-7635

Carl Ek
Specialist in International Relations
cek@crs.loc.gov, 7-7286