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COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515-6035

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July 13, 2012

ROBERT L. SIMMONS, II, STAFF DIRECTOR

The Honorable Leon E. Panetta
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Panetta:

We write out of concern with the Administration's plans for missile defense, specifically, the continued sharp decline in the attention and resources invested in U.S. national missile defenses. We fear that this situation could be severely exacerbated under current plans, including the threat of defense sequester, which could be prevented under recent legislation passed by the House of Representatives. Further, we are in receipt of an \$8 billion reprogramming request that could, in view of new information, continue to mis-prioritize scarce defense resources.

In 2009, the Administration justified a significant shift in U.S. missile defense policy on the basis of what was labeled "new intelligence assessments". Secretary Gates, in a September 17, 2009, press conference, stated, "our intelligence assessment also now assesses that the threat of potential Iranian intercontinental ballistic missile capabilities has been slower to develop than was estimated in 2006." (emphasis added). It therefore follows that a shift in intelligence could justify a further change in U.S. missile defense strategy.

The recently released unclassified 2012 Report on the Military Power of the Islamic Republic of Iran suggests to us just such a shift may be at hand. For example, the report stated,

"Beyond steady growth in its missile and rocket inventories, Iran has boosted the lethality and effectiveness of existing systems with accuracy improvements... Since 2008, Iran has launched multistage space launch vehicles that could serve as a test bed for developing long-range ballistic missile technologies."

Because of our concerns that the 2009 judgments may be superseded based on new intelligence information, we have the following questions, which we request be answered by you with an unclassified written response:

1. Have key judgments about Iran's efforts to develop intercontinental ballistic missiles (ICBM) shifted since 2009? Does Iran now intend to develop an ICBM? If so, when is the earliest it could deploy such a capability?
2. Has Iran continued to improve its ICBM-related technical capabilities through its short-range, medium-range, and alleged space-launch vehicle tests since 2009?
3. If Iran has now decided to develop an ICBM capability, does that suggest anything regarding Iranian decisions to develop a nuclear weapons program? There appears to be no reason for Iran to develop ICBMs unless it has already decided to develop nuclear weapons, or other weapon of mass destruction, to put on top of those missiles.
4. Have there been any further developments that suggest North Korea could be preparing to deploy a new road mobile ICBM this year?

Additionally, for almost three years, the Committee has been asking for, and repeatedly promised by your Department, a "hedging strategy" for national missile defense in the event that the Administration's plan, as articulated in the September 2009 decision on the Third Site and the European Phased Adaptive Approach (EPAA) and the 2010 Ballistic Missile Defense Review, is delayed for technical or budgetary reasons, or if the ballistic missile threat to the United States emerges faster than was assessed in 2009. Indeed, in the FY2012 National Defense Authorization Act, such a plan was required by law. The Committee has thus far received no such strategy.

The Administration's plan for national missile defense is almost entirely focused on assumptions for future changes to the shot doctrine of the GMD system—which would not happen for years under the program of record, assuming it is possible, or the SM-3 IIB missile, which is now a year delayed, and about which the Defense Science Board and the National Academies have all expressed grave concerns for its projected capability. Indeed, the Government Accountability Office has expressed concerns about the absence of any real Analysis of Alternatives to substantiate technical capability and requirements for the IIB missile and therefore has warned about the risk of delay and budget overrun. We urge the Administration to provide the Committee all the analysis that was prepared when the SM-3 IIB missile was recommended in September 2009.

Committee staff were briefed in March of this year on some elements of the "hedging strategy", as then under consideration, including potential configurations of an East Coast site consisting of 20 ground-based interceptors. The Committee is now informed that the Department has determined not to share even those briefing slides with the Committee.

We request you submit the hedging strategy mandated by section 233 of the FY12 NDAA not later than the week of July 30th, in time for Committee Members to be briefed before the August district work period and Senate consideration of the NDAA, and we request you immediately transmit the briefing slides of the March 6th briefing.

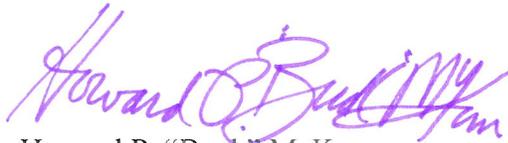
The Committee is in receipt of almost \$8 billion in FY12 reprogramming requests, with significant sums of money intended for missile defense capabilities and capabilities oriented to a potential conflict

Secretary Panetta
July 13, 2012
Page 3

with a regional threat. We therefore believe it appropriate for our requests in this letter to be answered prior to any decision by the Committee on those matters.

We appreciate your willingness to work with us on these requests in a timely fashion.

Sincerely,



Howard P. "Buck" McKeon
Chairman
Committee on Armed Services



Michael R. Turner
Chairman
Subcommittee on Strategic Forces

cc: General Martin E. Dempsey, Chairman, Joint Chiefs of Staff