

Panel Upholds NIE Assessment of Ballistic Missile Threat to U.S.

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ON JANUARY 23, the CIA released the unclassified version of the independent panel review of the National Intelligence Estimate (NIE) 95 19—the controversial assessment that concluded that no countries, other than the declared nuclear weapon states, will develop a ballistic missile capable of threatening the contiguous 48 states or Canada in the next 15 years. The panel, headed by former CIA Director Robert Gates, rejected the claim made by congressional conservatives that NIE 95 19 was politically influenced by the Clinton administration in order to downplay the longer range missile threat to U.S. territory. Although acknowledging several deficiencies in the intelligence estimate, the panel reaffirmed the estimate's conclusion that the United States is unlikely to face a limited missile threat from any "rogue" country before 2010. Congressional critics of the NIE have now taken aim at the panel's findings.

Gates Panel Review

One of the most hotly contested issues in the current national missile defense (NMD) debate is the nature of the threat to the United States posed by longer range ballistic missiles. When the NIE was released in November 1995, it posed a significant challenge to congressional Republicans who advocated the early deployment of an NMD system to defend against what they claim is an emerging missile threat to U.S. territory. In subsequent months, several congressional members challenged the NIE's findings and argued that the estimate was politically influenced by the administration in order to justify its decision not to commit to the early deployment of an NMD system.

As a result of the controversy generated by NIE 95 19, Congress, in its fiscal year 1997 defense authorization bill, required the director of the CIA to convene a panel of "independent, nongovernmental individuals with appropriate expertise and experience" to review the underlying assumptions and conclusions of the estimate. Then CIA Director John Deutch appointed Gates to chair the independent panel, which included Ambassador Richard Armitage, Sidney Drell, Arnold Kanter, Janne E. Nolan, Henry S. Rowen and retired Air Force General Jasper Welch. The conclusions reached by the seven panel members were unanimous.

The Gates panel dismissed the charge that NIE 95 19 was politically influenced. "The Panel found no evidence of politicization and is completely satisfied that the analysts' views were based on the evidence before them and their substantive analysis," the report stated. Moreover, it concluded that, "unsubstantiated allegations challenging the integrity of Intelligence Community analysts by those who simply disagree with their conclusions, including Members of Congress, are irresponsible."

The Gates panel noted that there were several deficiencies with respect to the process in preparing the NIE and the manner in which it was presented. The panel said those in senior management positions were not sufficiently involved in the preparation of the estimate, especially given the controversial nature of the issue being addressed. "The result was not a politicized Estimate but one

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that was politically naive," the report said. The panel also claimed that the estimate lacked a clear scope and was "rushed to completion."

The Gates panel pointed out that one of the most serious problems in NIE 95 19 was that its main conclusion on the missile threat to the United States was based on "a stronger evidentiary and technical case than was presented in the Estimate." The panel's report illustrates several examples of how the NIE's key judgment could have been strengthened. For instance, the panel stated that the estimate could have analyzed the length of time it took countries with successful missile programs, such as China, to develop an ICBM capability. Such an analysis, they claimed, would have revealed that it took China more than 20 years to develop its 4,750 kilometer range CSS 3 ICBM—a clear indication that states with much less resources (e.g. North Korea) have a long way to go before successfully developing an ICBM capable of reaching U.S. territory.

The panel also identified several analytical shortcomings in NIE 95 19. Most important, the panel claimed that the intelligence estimate failed to thoroughly address the motives and objectives of those states seeking an ICBM capability. The panel's report said insufficient attention was devoted to the potential threat to the United States posed by land attack cruise missiles and shorter range, sea based ballistic missiles. Other deficiencies included the failure to ask whether potential adversaries could acquire an ICBM capability through channels not considered by the intelligence community, and an overemphasis on the Missile Technology Control Regime as a means of slowing ballistic missile proliferation.

In the final analysis, however, the Gates panel concluded that "the Intelligence Community has a strong case that, for sound technical reasons, the United States is unlikely to face an indigenously developed and tested intercontinental ballistic missile threat from the Third World before 2010, even taking into account the acquisition of foreign hardware and technical assistance. That case is even stronger than presented in the NIE."

Clearly dissatisfied with the panel's findings, Representative Curt Weldon (R PA) argued in a January 17 letter to Gates that the independent review failed to adequately refute the charge that NIE 95 19 was politically influenced by the administration. "Not once did your panel provide an opportunity for Members who charged politicization to be heard. Given your harsh condemnation, I believe you had a responsibility to explore those allegations and to offer a detailed rebuttal of them," Weldon wrote. The letter also rejected the notion that Congress was responsible for rushing the estimate to completion.

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