

## **Bush Administration Aims to Get Rid of ABM Treaty**

- [Arms Control Today](#)

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Although some Bush administration officials have claimed that the administration has not ruled out amending the Anti-Ballistic Missile (ABM) Treaty to permit U.S. ballistic missile defenses, most official statements over the summer have made clear that this administration is not interested in preserving the treaty in any form or codifying future constraints on missile defenses.

President George W. Bush vowed during his campaign to seek changes to the 1972 ABM Treaty, which forbids Washington and Moscow from deploying nationwide defenses against strategic ballistic missiles, by offering amendments to Russia that would enable the United States to field defenses against long-range missile attacks. If the Kremlin rejected the amendments, Bush said he would withdraw from the treaty, giving the required six-month notice.

Since taking office, however, Bush and his senior officials have said almost nothing about amending the accord. Bush declared August 15 that building defenses to protect the United States from missile attacks would require “getting rid of the ABM Treaty once and for all.”

When a reporter suggested July 16 that a “notion” existed that the administration would try to amend the treaty, State Department spokesman Richard Boucher replied, “I think if you look back, you will not find that in the lexicon of the new administration.”

Instead, the administration has repeatedly declared it wants to “move beyond” or “set aside” the ABM Treaty. Yet it has remained vague about what such terms would entail. Suggesting that amendments are not part of that approach, national security adviser Condoleezza Rice explained July 13, “This is not about lining in, lining out the ABM Treaty.” A day earlier, Deputy Secretary of Defense Paul Wolfowitz testified before a Senate hearing, “We have either got to withdraw from [the treaty] or replace it.” However, he later maintained at a July 17 hearing that amending the treaty was still an option.

In place of the treaty, Bush has proposed to Russia creating a new “strategic framework,” which would, among other things, permit missile defenses and include nuclear reductions. (See [U.S.-Russian Differences Remain On Missile Defenses, ABM Treaty](#).) If Moscow refuses to work with the United States, the administration says it will withdraw from the ABM Treaty and push ahead with missile defenses alone.

Administration officials have voiced a preference for the new framework to be an “understanding” that is not legally binding. “We don’t see the need for a treaty regime here,” Rice said July 23, claiming the outcome should be more along the lines of “something that looks more like defense planning talks.” The administration’s preferred course of action, officially, is either to withdraw with Russia from the accord mutually or to issue a joint political declaration stating missile defenses are permissible.

### **Administration Discusses ABM Treaty**

Unveiling plans in mid-July to explore missile defenses that are sea-, air-, and space-based, the Bush administration declared its proposed missile defense testing programs would come into conflict with the ABM Treaty in “months, not years.” It later added that a violation would not occur before the end

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Published on Arms Control Association (<https://www.armscontrol.org>)

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of September. The treaty prohibits the development, testing, and deployment of strategic missile defense systems and components that are air-, sea-, space-, and mobile-land based.

Administration officials contend the ABM Treaty, which they decry as a Cold War relic, has kept the United States defenseless against long-range missile attacks by preventing research and development of promising technologies. "We have allowed our hands to be tied behind our back," Wolfowitz asserted July 12.

Charged with overseeing U.S. missile defense programs, the Ballistic Missile Defense Organization (BMDO) received instructions early this year to develop a testing plan that does not take the ABM Treaty into consideration. Talking points to U.S. missions overseas prepared for circulation in July stated that tests would not be crafted to "conform to, or stay within the confines of the treaty," although they also said that tests would not be held to violate the treaty intentionally.

Nevertheless, senior administration officials insist that the United States will adhere to the treaty. "The United States is certainly not going to breach the treaty and violate it in any way," Secretary of Defense Donald Rumsfeld said in an August 16 interview with PBS Newshour.

If a potential test could raise compliance issues with the treaty, Wolfowitz testified, the test would either be modified to comply with the treaty or be postponed. But the administration is hoping that it can reach an agreement with Russia quickly to remove the treaty's constraints, if not the accord itself, to keep such a scenario from arising.

### **Bush Team Assertions Challenged**

In July congressional testimony, a number of former government officials disputed the Bush administration's underlying assumption that the ABM Treaty prevents missile defense testing and development as fast as the administration believes is warranted.

John Rhinelander, who served as the legal adviser for the negotiations that produced the ABM Treaty, noted July 24 in his prepared statement before the Senate Foreign Relations Committee that "nothing in the ABM Treaty prevents research of or laboratory work on anything." The prohibition against "development" of ABM systems in the treaty is understood to apply to field testing of components or systems. The prohibition does not apply to laboratory testing because it would be too difficult to verify compliance.

Philip Coyle, who served for six years as the director of the Pentagon's office of operational test and evaluation in the Clinton administration, testified July 19 that "in the near-term, the ABM Treaty hinders neither development nor testing." In addition to pointing out how much work still needs to be done on strategic systems—he estimates, for instance, that building a ship-based defense could take 10 years—Coyle argued that more work needs to be done on treaty-permitted, short- and medium-range missile defenses, which, he argued, are more urgently needed and could have applications for protecting against long-range missiles.

Coyle further contended that perhaps the "greatest challenge...is building realistic simulators" to test how all elements of a missile defense system could function together. Work in this area is "years behind...but not because of the ABM Treaty," he claimed, saying the problem was technological.

Samuel Berger, national security adviser to President Bill Clinton, appeared at the same hearing as Coyle, testifying that the Pentagon's planned testing schedule creates a very short time frame for working out agreements with Russia to modify or replace the ABM Treaty and sets a "collision course to unilateral breach or abrogation sooner rather than later." He ventured that the administration's "principal objective is [to] get rid of the treaty."

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