
U.S. Representative

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Democrats Voice New Concerns About Alaska Missile Site

WASHINGTON – U.S. Reps. John Spratt, Ike Skelton, and Norm Dicks signed the following letter to Lt. Gen. Ronald Kadish, director of the Ballistic Missile Defense Organization.

July 27, 2001

Dear General Kadish:

We are enclosing a letter sent to Secretary Rumsfeld on July 13, 2001, and referred to you for response. We want to elaborate our concerns over the department's plans to initiate construction at Fort Greely next month.

Given the treaty implications of building silos at Fort Greely and the constitutional role of Congress in appropriating money, we believe the Department of Defense should not start construction activities at Fort Greely in fiscal year (FY) 2001. Since our earlier letter, we have been informed by staff that the department plans to use FY 2001 military construction funding for initial construction at Fort Greely. We do not believe that it is proper to use these funds for this purpose. We believe that any plan to initiate construction of five silos at Fort Greely should be carefully weighed by Congress and authorized as part of the fiscal year 2002 process before any construction activities begin.

The FY 2002 budget justification materials describing the Fort Greely project state that it is part of a "test bed" for missile defense. The FY 2001 military construction appropriation was for initial construction of national missile defense *deployment* facilities and not for construction of test facilities. You informed the Senate Armed Services Committee on March 10, 2000, that the \$85.1 million request for national missile defense military construction funding for 2001 was "to construct the tactical and tactical-support facilities required to **deploy** the NMD system." In fact, the Department's FY 2002 request for Fort Greely construction is included in the research, development, test, and evaluation (RDT&E) account, and not the military construction account.

If the construction planned for Fort Greely is truly for testing, we believe that the FY 2001 military construction appropriation for deployment cannot be used. If, however, the construction at Fort Greely is not primarily for a test facility, but for the deployment of an emergency capability, then the question of legal authority becomes more ambiguous. When Congress

appropriated military construction funding for the national missile defense (NMD) system, we were acting in response to a request from the Clinton Administration. The “emergency” system now proposed by the Bush Administration is materially different. We believe the differences are significant enough that the department would be violating the spirit of the law (Section 2802, Title X) if you were to use the FY 2001 funding for this different system, and very likely the letter of the law as well. There is another more serious problem if construction at Fort Greely is primarily for deployment, not testing. If this is the purpose, then your activities appear to be on a collision course with the ABM Treaty. We understand the need for major modifications to the ABM Treaty, but we believe that the Administration should try in earnest to negotiate these changes with Russia before rushing to deployment.

We question the haste when there is so little to gain. Only five interceptors are to be deployed at Fort Greely. The kinetic kill vehicle is still in early stages of testing and far from being proven, and its configuration will almost certainly change before a production design is chosen. The kill vehicle will be mounted on a relatively slow test booster rather than the objective booster; and it will not have the benefit of an X-band radar for tracking and closing on incoming targets. To have any confidence in such a sub-par system, one would want to test-fire a few missiles from their silos in the permafrost at Fort Greely, but missiles are unlikely to be test-fired from Fort Greely because the booster stages would fall on populated areas. Given these facts, we simply do not think the department has made the case for deployment.

There seems also to be a question of whether the department has met the requirements of the National Environmental Protection Act (NEPA), 42 U.S.C. Sections 4321, 4331-4335, 4341-4347. It is our understanding that the Environmental Impact Statement (EIS) prepared by the Clinton Administration for constructing missile interceptor silos at Fort Greely applied only to deployment, and did not address the impact of a test facility. If Fort Greely is primarily a test facility, the NEPA requirements seem not to have been met, and at a minimum, the EIS must be amended. If the project at Fort Greely is intended primarily for deployment of an “emergency” capability, the department may have met NEPA requirements, but it has also raised more serious concerns about imminent violation of the ABM Treaty.

There are further concerns as to whether the other parts of the “test bed” will comply with NEPA. It is our understanding that the construction of two test silos on Kodiak Island was not included in the Environmental Assessment (EA) completed for the commercial launch facility at Kodiak. We are advised that NEPA probably requires an EIS for live-fire intercept testing at Kodiak Island, not just an EA.

As we stated in our letter to Secretary Rumsfeld, we raise these questions and concerns as constructive critics. We support your efforts to provide for more realistic testing of our missile defense systems. We do not, however, support the by-pass of longstanding environmental laws or the use of funds authorized and appropriated for different purposes.

We look forward to working with you throughout the authorization and appropriations process, but urge you to not begin construction at Fort Greely until these concerns have been answered.

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