

MEMORANDUM

To: Chairman McKeon

From: Senator Kirk

Re: Obama Proposed Integration of Russia in United States Missile Defenses

Date: September 8, 2011

BLUF: The Obama Administration is moving quickly to share U.S. missile warning and tracking data with Russia, despite Russian espionage and cooperation with Iran on nuclear and missile technology.

Over September, Under Secretary of State Tauscher and Russian Deputy Foreign Minister Sergei Ryabkov are working on a joint plan, potentially for an Obama-Medvedev summit at year's end. The danger is that Russia will have access to America's most time-sensitive, real time missile defense data, despite Russia's continuing missile and nuclear work with Iran. In fact, Ryabkov just announced he is going to Iran at the end of the month to discuss missile defense.

Russian Missile Defenses Cannot Intercept Iranian Ballistic Missile Fired at the United States

Following the November 2010 NATO summit in Lisbon, the Obama Administration signaled its support for bringing Russia into the NATO and the U.S. ballistic missile defense systems. The potential cooperation could also include setting up a joint U.S.-Russia missile defense data exchange center.

Current and Future Iranian Threat

Iran currently deploys domestic and foreign-made intermediate range ballistic missiles that can hit targets across the Middle East and Europe. Iran and North Korea are cooperating to accelerate the development of longer-range missiles. One of these systems, the Taep'o-Dong 2C/3, could target all of Europe and the United States with its 15,000 km range. Beyond imported technology, there is a broad international consensus that Iran is pursuing its own domestic ballistic missile program, highlighted by the successful launch of the Safir, making Iran the first nation in the 21st century to orbit its own satellite.

Lt. Gen. Patrick O'Reilly, director of the Missile Defense Agency, stated that Iran made significant developments in its missile technology, including a shift from liquid to solid propellants. An April 2009 report by the National Air and Space Intelligence Center is even clearer, stating that "with sufficient foreign assistance, Iran could develop and test an ICBM capable of reaching the United States by 2015."

Russian Missile Defense Capabilities

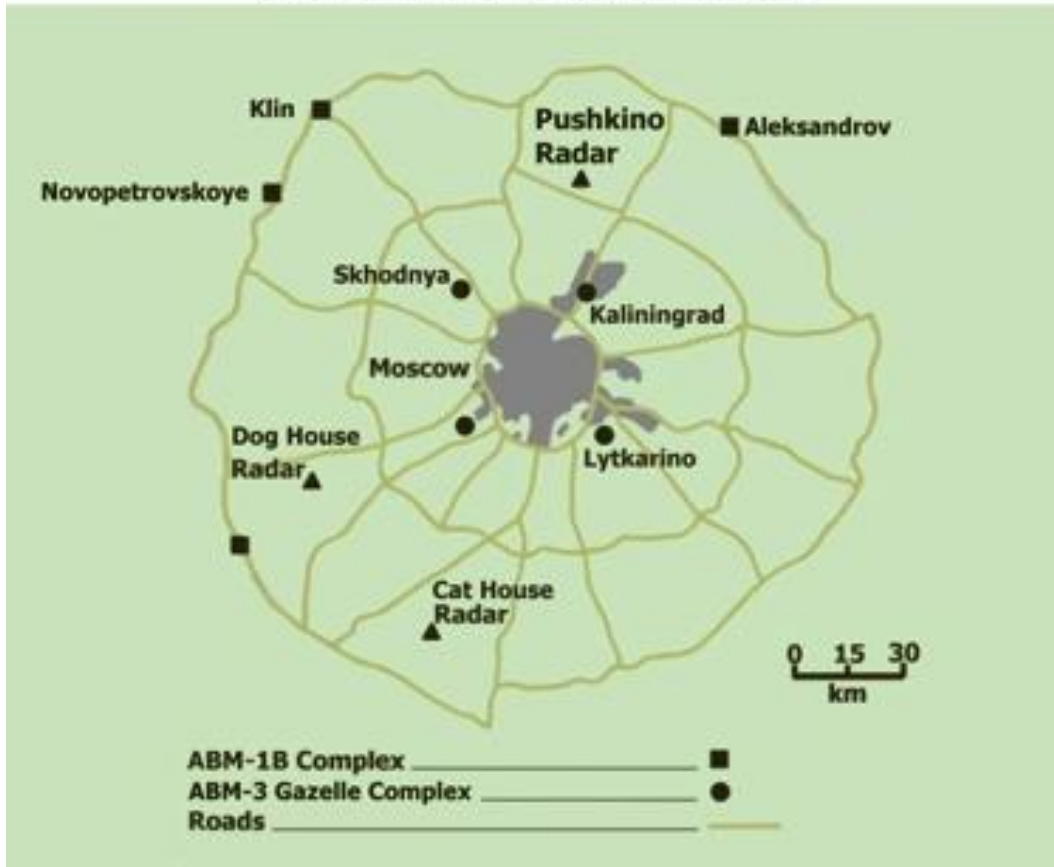
Russian missile defense capabilities, as currently deployed, provide no substantive coverage to an intercontinental ballistic missile launched from northern or western Iran targeting eastern U.S. population centers.



Russia's outdated and very limited BMD system cannot engage an Iranian shot at the United States

Russia's missile defense capabilities consist of SH-08 Gazelle and SH-11 Gorgon nuclear-tipped interceptors located at silos at Skhodnya, Sofrino, Korolev, and Lytkarino, all within the vicinity of Moscow. These two anti-missile systems possess a range of 80km (SH-08) and 350km (SH-11) respectively, far short of the capacity necessary to cover any intended flight plan of US-bound Iranian missiles.

Moscow Ballistic Missile Defense



Formal missile defenses for Russia are centered on Moscow alone

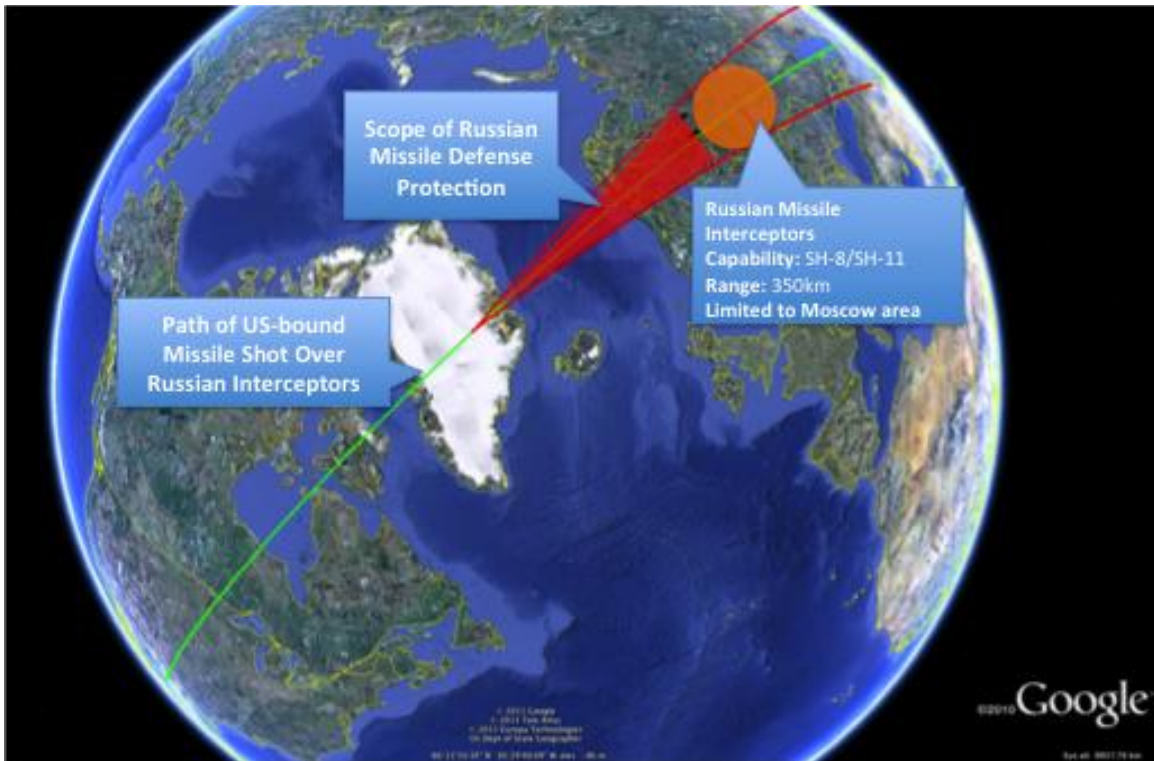
These missile installations are guided by a network of radars positioned on Russia's borders or in former Soviet states. The Voronezh-DM radar located in Armavir (Russia) and Daryal radar in Gabala (Azerbaijan) possess ranges of 4,000 km and 6,000 km respectively and are the subject of ongoing missile defense cooperation discussions. These radars, however, are currently primarily designed to deliver early warning capabilities, rather than advanced tracking and targeting capabilities.

During the Cold War, the Soviet Union deployed a significantly more robust air defense systems in support of missile defense efforts but those capabilities atrophied significantly or are shared with former Soviet Bloc countries that limit access and operational capabilities. These include facilities in Ukraine, Belarus, and Latvia as well as a large number of sites within Russia.



Even the full operational deployment of S-400 (“THAADski”) tactical systems at the extreme western borders of Russia provide almost no value-added defenses against an Iranian shot vs. the United States

Russia is also able to deploy the S-400 system, a mobile air defense unit comparable to the United States’ Patriot or THAAD system with a range of approximately 400 kilometers, but is better suited for intercepting cruise missiles and rather than ICBM’s. As currently deployed, the Russian missile defense capabilities are unable to intercept any U.S.-bound Iranian intercontinental ballistic missiles over a flight across airspace belonging to Poland, the United Kingdom, and Ukraine.



The Russian BMD system is designed for one purpose: defend Moscow. It has almost no utility in assisting the defense of the United States vs Iran.

Concerns Surrounding Increased Cooperating with Russia

In his testimony to Congress in September 2007, then-Director of National Intelligence, Michael McConnell stated that Russia’s foreign intelligence efforts reached “Cold War levels” during the presidency of former KGB officer Vladimir Putin (2000-2008).[3] As evidenced by the June 27, 2010 arrest of ten Russian “illegals” in New York, Massachusetts, New Jersey, and Virginia on charges of acting as agents of a foreign power, Russia’s espionage activities against the United States continue unabated.

Compiled with the assistance of the Congressional Research Service, below are summaries of each of the cases of Russia’s espionage efforts against the US after the fall of the Berlin Wall:

“Illegals Group” (2010)

On June 27, 2010, the United States arrested ten Russians in New York, Massachusetts, New Jersey, and Virginia on charges of acting as agents of a foreign power (another individual was outside the United States and apparently escaped). Some of the agents—who were termed “sleeper,” “deep cover,” or “illegal” spies (the latter term juxtaposing their status to “legal” or official Russian diplomats and others)—had been paired as couples by the Russian SVR prior to deployment. Most of the spies had lived under assumed names with U.S. or Canadian false citizenship in several U.S. metropolitan areas for up to 10 years or longer.

All the “illegals” were arrested on charges of not registering as foreign agents and most on additional charges of money-laundering. An FBI investigation against the “deep cover” agents reportedly had been ongoing for several years. After the United States obtained guilty pleas from the ten that they had conspired to act as agents of Russia, they were swapped in Vienna, Austria, on July 9, 2010, for four Russian citizens whom Moscow had alleged were U.S. or British spies. Prime Minister Vladimir Putin met with the agents upon their return to thank them for their service, and in October 2010, Russian President Medvedev reportedly gave them awards.

Nathaniel James Nicholson (2008)

On January 29, 2009, a federal indictment was unsealed charging Nathaniel Nicholson with conspiracy to act as an agent of a foreign government and conspiracy to commit money laundering. On August 27, 2009, he pleaded guilty to the charges. He allegedly had assisted his father, Harold James (see below) by meeting with Russian agents to collect money owed to the father and to offer information. Upon sentencing on December 7, 2010, he was given a five-year suspended sentence, reportedly because he had cooperated with prosecutors in making a case against his father.

Ariel Jonathan Weinmann (2006)

Ariel Weinmann, a fire control technician in the U.S. Navy, was arrested on March 26, 2006, on charges of desertion that later were enlarged to include espionage for Russia. In October 2005, he had entered the Russian Embassy in Vienna, Austria and handed an official a binder full of classified documents on the Tomahawk missile system. He pleaded guilty at court-martial to espionage, desertion, theft, and destruction of military property and was sentenced on December 10, 2006, to 12 years in prison with eligibility for parole after four years in prison under a plea agreement.

Robert Philip Hanssen (2001)

Robert Hanssen, an agent for the FBI for 27 years, was charged on February 20, 2001, with spying for Russia for more than 15 years. Hanssen provided first the Soviet and then the Russian government over 6,000 pages of classified documents and the identities of three Russian agents working for the US. On May 11, 2002, he was sentenced to life in prison.

Russian Diplomatic Representatives and Employees (2001)

In the wake of Hanssen’s arrest, nearly 50 members of the Russian diplomatic representation in the U.S.A. reportedly were declared persona non grata in two reported waves of expulsions.

George Trofimoff (2000)

George Trofimoff, retired US Army Reserve colonel, was arrested on June 14, 2000, on charges of spying for the Soviet Union and Russia for 25 years. According to the FBI, Trofimoff provided classified information while employed in a civilian job in Nuremberg, Germany, from 1969 to 1994, following his military retirement. Trofimoff had been arrested by German authorities for suspected espionage in 1994, but the case was dropped because the statute of limitations had expired. The investigation, however, was continued by US officials. Trofimoff, the highest ranking US officer ever accused of spying, was sentenced to life imprisonment on September 28, 2001.

Stanislav Gusev (1999)

Stanislav Gusev, an attaché at the Russian Embassy in the US, was detained on December 8, 1999, on suspicion of espionage against the State Department, and upon declaring diplomatic immunity, was declared persona non grata.

According to Assistant Director of the FBI Neil Gallagher and other sources, Gusev was engaged in downloading information from a listening and transmittal device in a 7th floor conference room of the State Department. Assistant Director Gallagher stated that “this incident by itself sends a strong message that there is a very aggressive Russian intelligence presence operation inside the United States. That is an issue that the U.S. government has and continues to be concerned about. As to the numbers and extent, that's probably a larger issue that's beyond this particular operation. There have been some discussions concerning the Russian intelligence presence and I'm sure they'll continue, but it just points to the seriousness and the need for the FBI to maintain a very aggressive counterintelligence program.”

Earl Edwin Pitts (1996)

Earl Pitts, senior FBI agent, was arrested on December 18, 1996, on charges of providing classified information to the Russian intelligence services from 1987 until 1992. Pitts allegedly turned over Top Secret documents to the KGB (and after the collapse of the Soviet Union, to the Russian SVR), including a list of FBI assets who were providing intelligence on Russia. He pleaded guilty to two counts of espionage and on June 23, 1997, was sentenced to 27 years in prison.

Harold James Nicholson (1996)

Harold Nicholson, a Central Intelligence Agency officer, was arrested on charges of espionage for Russia on November 16, 1996. Counterintelligence officials believe that he began spying for Russian intelligence in mid-1994. He passed a wide range of highly classified information to Moscow, including biographic information on CIA case officers, and also compromised the identities of U.S. and foreign business people who had provided information to the CIA. On June 6, 1997, he was sentenced to over 23 years in prison.

On January 18, 2011, Nicholson was sentenced to an additional 8 years in prison following his guilty pleas to the crimes of conspiracy to act as an agent of a foreign government and conspiracy to commit international money laundering, the first time an imprisoned spy had been convicted for new spying. He admitted that from 2006 to December 2008, with the assistance of his son Nathaniel (see above), he had passed information to Russia and received cash from Russia for his past espionage activities.

Kurt G. Lessenthien (1996)

Kurt Lessenthien, a Navy petty officer, was arrested in Orlando, Florida, on April 3, 1996, on charges of attempted espionage after offering information about nuclear submarine technology to a Russian embassy official. On October 28, 1996, he was sentenced by a military court to 27 years under a plea agreement.

Aleksandr Iosifovich Lysenko (1994)

On February 25, 1994, the State Department notified the Russian Embassy that a counselor in the embassy, Aleksandr Lysenko, who was the head of the embassy's SVR contingent, was persona non grata. The State Department spokesman indicated that "the United States believes that this individual was in a position to be responsible for the activities associated with the Ames espionage case, and for that reason, we insisted to the Russian government that he be held accountable.... We do not rule out taking additional action against any other Russian diplomats who are subsequently implicated in the Ames affair."

Aldrich Hazen Ames and Maria Del Rosario Casas Ames (1994)

Aldrich Ames, CIA intelligence officer and his Colombian-born wife Maria Del Rosario Casas Ames, were arrested on February 21, 1994, on charges of providing highly classified information to the Soviet KGB and later, to its successor, the Russian Foreign Intelligence Service (SVR), over a nine-year period. Information provided by Ames led to the unexplained disappearance or deaths of numerous US intelligence sources overseas. On April 28, 1994, Aldrich Ames and his wife pleaded guilty to conspiring to commit espionage and to evading taxes. Ames was immediately sentenced to life imprisonment without parole. Maria Rosario Ames was sentenced to five years and three months in prison for conspiring to commit espionage and evading taxes.

Beyond a persistent effort to conduct espionage against the United States, Russia's continued support of Iranian ballistic missile and nuclear programs also raises serious questions about Russia's commitment to countering the Iranian threat. Since 2000, the annual State Department Proliferation Report to Congress as well as the intelligence community's annual Threat Assessment to Congress and reports mandated by section 721 of the Intelligence Authorization Act for Fiscal Year 1997 continue to highlight cooperation between Russian entities and the Iranian ballistic missile program such as the

Russian provision of material and technical advice that accelerated the development of Iran's Shahab-3 Medium Range Ballistic Missile.

In 1999 the United States sanctioned Russian universities for providing WMD and missile-related instruction to foreign students, knowledge that is likely instrumental in Iran's domestic missile development programs. According to these US Government reports Iran remains dependent on foreign material assistance to further its nuclear program and Russian entities remain involved despite American efforts to halt their activity.

Legislation Moving Forward

On April 14, 2011, 39 Republican Senators wrote a letter to President Obama requesting written assurances that the United States would deny Russia any access to America's sensitive missile defense data and technology and deny Russia's demand for "red-button" rights over U.S. missile defense engagements.

On May 26, 2011 the House Armed Services Committee adopted by voice vote the Brooks Amendment to H.R. 1540, the 2012 National Defense Authorization Act (NDAA). This amendment prohibits the sharing of sensitive missile defense technologies including tracking, targeting, and command and control data with the Russian government. The Committee overwhelmingly supported the NDAA by a vote of 60-1 and the House of Representatives voted in favor of the NDAA on the same day by a vote of 322-96.