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Folder Title:

NSPD-23

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
012	Directive	National Policy on Ballistic Missile Defense	6	12/16/2002	Transferred
014	Memorandum	Memorandum for the President - To: POTUS - From: Condoleezza Rice	2	12/14/2002	P1/b1; P5;
015	Memorandum	[Memorandum] - To: Condoleezza Rice - From: John Rood	1	12/12/2002	P1/b1; P5;
016	Memorandum	[Memorandum]	2	N.D.	P1/b1; P5;
017	Draft	National Policy on Ballistic Missile Defense	6	N.D.	P5;
018	Email	[Email] - To: John I. Pray - From: William H. Leary	1	12/13/2002	P1/b1; P5;

COLLECTION TITLE:

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NSPDs

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NSPD-23

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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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RECORD ID: 0210694
RECEIVED: 12 DEC 02 19

TO: AGENCIES

FROM: PRESIDENT

DOC DATE: 16 DEC 02
SOURCE REF:

KEYWORDS: NATIONAL MISSILE DEFENSE NSPD

PERSONS:

SUBJECT: NSPD 23 ON NATL POLICY ON BALLISTIC MISSILE DEFENSE

ACTION: PRESIDENT SGD NSPD-23

DUE DATE: 18 DEC 02 STATUS: C

STAFF OFFICER: ROOD

LOGREF:

02/9604

FILES: IFD

NSCP: NSPD023

CODES:

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FOR ACTION

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E.O. 13526, SEC 3.4(B), Sept. 11, 2006
By NH NARA, Date 8/20/2014

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ACTION DATA SUMMARY REPORT

RECORD ID: 0210694

DOC ACTION OFFICERCAO ASSIGNED ACTION REQUIRED

001 RICE
002 PRESIDENT
003

Z 02121310 FOR DECISION
Z 02121417 FOR SIGNATURE
X 02121616 PRESIDENT SGD NSPD-23

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTIONDISPATCH FOR INFO

002 021214
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003 021216 CHENEY, R
003 021216 POWELL, C
003 021216 O'NEILL, P
003 021216 RUMSFELD, D
003 021216 ABRAHAM, S
003 021216 DANIELS, M
003 021216 CARD, A
003 021216 RICE, C
003 021216 MARBURGER, J
003 021216 TENET, G
003 021216 MYERS, R

VICE PRESIDENT
WHITE HOUSE CHIEF OF STAFF
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White House Guidelines
E.O. 13526, SEC 3.4(B), Sept. 11, 2006
By NH NARA, Date 8/20/2014

LOG # 10694

ADDITIONAL COMMENTS

FM J TO STH DATE 13 DEC

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PRAY	<u>1</u>	<u>2/16 DEC</u>	_____
BIEGUN	_____	_____	_____
EDSON	_____	_____	_____
HADLEY	_____	_____	_____
RICE	_____	_____	_____
SITUATION ROOM	_____	_____	_____
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	SEQUENCE TO	INITIAL/DATE	DISPOSITION
HAINES	_____	_____	_____
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LOEWER	_____	_____	_____
PRAY	_____	_____	_____
BIEGUN	<u>1</u>	<u>SEA 12/17/02</u>	_____
EDSON	_____	_____	_____
HADLEY	_____	_____	_____
RICE	_____	_____	_____
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*This is for NSPD on
Missile Defense*

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	SEQUENCE TO	INITIAL/DATE	DISPOSITION
HAINES	_____	_____	_____
WEDDERIEN	_____	_____	_____
LOEWER	_____	_____	_____
PRAY	<u>1</u>	<u>2/13 DEC</u>	_____
BIEGUN	_____	_____	_____
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HADLEY	<u>2</u>	<u>APR 12/64</u>	_____
RICE	_____	_____	_____
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	SEQUENCE TO	INITIAL/DATE	DISPOSITION
HAINES	_____	_____	_____
LUKENS	_____	_____	_____
LOEWER	_____	_____	_____
PRAY	<u>1</u>	<u>SEA 12/17/62</u>	_____
BIEGUN	_____	_____	_____
EDSON	_____	_____	_____
HADLEY	_____	_____	_____
RICE	_____	_____	_____
SITUATION ROOM	_____	_____	_____
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WEDDERIEN	_____	_____	_____
LOEWER	_____	_____	_____
PRAY	<u>1</u>	<u>8/16/05</u>	_____
BIEGUN	_____	_____	_____
EDSON	_____	_____	_____
HADLEY	_____	_____	_____
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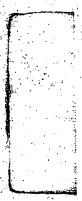
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NATIONAL SECURITY COUNCIL
Dr. Rice showed the President this Pkg this morning + he approved it. Here is the actual formal Pkg.



NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

December 16, 2002

MEMORANDUM FOR RECIPIENTS OF NSPD-23

SUBJECT: Distribution of NSPD-23

Attached is your agency's copy of National Security Presidential Directive-23. Although the text of NSPD-23 is unclassified, we ask that the distribution of this document be strictly controlled in order to protect the format (which will be used for subsequent National Security Presidential Directives). Your cooperation is appreciated.


Stephen E. Biegun
Executive Secretary

THE WHITE HOUSE
WASHINGTON

December 16, 2002

NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD-23

MEMORANDUM FOR THE VICE PRESIDENT

THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE SECRETARY OF ENERGY
DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
CHIEF OF STAFF TO THE PRESIDENT
ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY
AFFAIRS
DIRECTOR, OFFICE OF SCIENCE AND TECHNOLOGY POLICY
DIRECTOR OF CENTRAL INTELLIGENCE
CHAIRMAN OF THE JOINT CHIEFS OF STAFF

SUBJECT: National Policy on Ballistic Missile Defense

Restructuring our defense and deterrence capabilities to correspond to emerging threats remains one of the Administration's highest priorities, and the deployment of missile defenses is an essential component of this broader effort.

Changed Security Environment

As the events of September 11 demonstrated, the security environment is more complex and less predictable than in the past. We face growing threats from weapons of mass destruction (WMD) in the hands of states or non-state actors, threats that range from terrorism to ballistic missiles intended to intimidate and coerce us by holding our cities hostage to WMD attack.

Hostile states, including those that sponsor terrorism, are investing large resources to develop and acquire ballistic missiles of increasing range and sophistication that could be used against the United States and our friends and allies. These same states have chemical, biological, and/or nuclear weapons programs. In fact, one of the factors that make long-range ballistic missiles attractive as a delivery vehicle for weapons of mass destruction is that the United States and our allies lack effective defenses against this threat.

The contemporary and emerging missile threat from hostile states is fundamentally different from that of the Cold War and requires a different approach to deterrence and new tools for defense. The strategic logic of the past may not apply to these new threats. We cannot be wholly confident in our capability to deter them. Compared to the Soviet Union, their leaderships often are more risk prone. These are leaders that also see WMD as weapons of choice, not of last resort. Weapons of mass destruction are their most lethal means to compensate for our conventional strength and to allow them to pursue their objectives through force, coercion, and intimidation.

Deterring these threats will be difficult. There are no mutual understandings or reliable lines of communication with these states. Moreover, the dynamics of deterrence are different than in the Cold War when we sought to keep the Soviet Union from expanding outward. What our new adversaries seek is to keep us out of their region, leaving them free to support terrorism and to pursue aggression against their neighbors. By their own calculations, these leaders may believe they can do this by holding a few of our cities hostage. Our adversaries seek enough destructive capability to blackmail us from coming to the assistance of our friends who would then become the victims of aggression. In recognition of these new threats, I have directed that the United States must make progress in fielding a new triad composed of long-range conventional and nuclear strike capabilities, missile defenses, and a robust industrial and research development infrastructure.

Some states, such as North Korea, are aggressively pursuing the development of weapons of mass destruction and long-range missiles as a means of coercing the United States and our allies. To deter such threats, we must devalue missiles as tools of extortion and aggression, undermining the confidence of our adversaries that threatening a missile attack would succeed in blackmailing us. In this way, although missile defenses are not a replacement for an offensive response capability, they are an added and critical dimension of contemporary deterrence. Missile defenses will also help to assure allies and friends, and to dissuade countries from pursuing ballistic missiles in the first instance by undermining their military utility.

Finally, history teaches that, despite our best efforts, there will be military surprises, failures of diplomacy, intelligence, and deterrence. Missile defenses help provide protection against such events.

National Missile Defense Act of 1999

On July 22, 1999, the National Missile Defense Act of 1999 (Public Law 106-38) was signed into law. This law states, "It is the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate) with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense." The Administration's program on missile defense is fully consistent with this policy.

Missile Defense Program

Upon taking office, I directed the Secretary of Defense to examine the full range of available technologies and basing modes for missile defenses that could protect the United States, our deployed forces, and our friends and allies. As I have previously directed, our policy is to develop and deploy, at the earliest possible date, ballistic missile defenses drawing on the best technologies available.

The Administration has also eliminated the artificial distinction between "national" and "theater" missile defenses.

- The defenses we will develop and deploy must be capable of not only defending the United States and our deployed forces, but also friends and allies;
- The distinction between theater and national defenses was largely a product of the ABM Treaty and is outmoded. For example, some of the systems we are pursuing, such as boost-phase defenses, are intended to be capable of intercepting missiles of all ranges, blurring the distinction between theater and national defenses; and
- The terms "theater" and "national" are interchangeable depending on the circumstances, and thus are not a meaningful means of categorizing missile defenses. For example, some of the systems being pursued by the United States to protect deployed forces are capable of defending the entire national territory of some friends and allies, thereby meeting the definition of a "national" missile defense system.

Building on previous missile defense work, over the past year and a half, the Defense Department has pursued a robust research, development, testing, and evaluation program designed to develop layered defenses capable of intercepting missiles of varying ranges in all phases of flight. The testing regimen employed has

become increasingly stressing, and the results of recent tests have been impressive.

Fielding Missile Defenses

In light of the changed security environment and progress made to date in our development efforts, the United States plans to begin deployment of a set of missile defense capabilities in 2004. These capabilities will serve as a starting point for fielding improved and expanded missile defense capabilities later.

The Defense Department plans to employ an evolutionary approach to the development and deployment of missile defenses to improve our defenses over time. The United States will not have a final, fixed missile defense architecture. Rather, we will deploy an initial set of capabilities that will evolve to meet the changing threat and to take advantage of technological developments. The composition of missile defenses, to include the number and location of systems deployed, will change over time.

In August 2002, the Secretary of Defense proposed an evolutionary way ahead for the deployment of missile defenses. The capabilities planned for operational use in 2004 and 2005 will include ground-based interceptors, sea-based interceptors, additional Patriot (PAC-3) units, and sensors based on land, at sea, and in space. In addition, the United States will seek permission respectively from the U.K. and Denmark to upgrade early-warning radars in Fylingdales and Thule, Greenland as part of our capability.

Under the approach presented by the Secretary of Defense, these capabilities may be improved through additional measures such as:

- Deployment of additional ground- and sea-based interceptors, and Patriot (PAC-3) units;
- Initial deployment of the THAAD and Airborne Laser systems;
- Development of a family of boost-phase and midcourse hit-to-kill interceptors based on sea-, air-, and ground-based platforms;
- Enhanced sensor capabilities; and
- Development and testing of space-based defenses.

The Defense Department shall begin to execute the approach proposed by the Secretary of Defense and shall proceed with plans to deploy a set of initial missile defense capabilities beginning in 2004. Recognizing the evolutionary nature of our missile defense program, the Secretary of Defense, as appropriate, shall update me and propose changes.

Cooperation with Friends and Allies

Because the threats of the 21st century also endanger our friends and allies around the world, it is essential that we work together to defend against these threats. Missile defense cooperation will be a feature of U.S. relations with close, long-standing allies, and an important means to build new relationships with new friends like Russia.

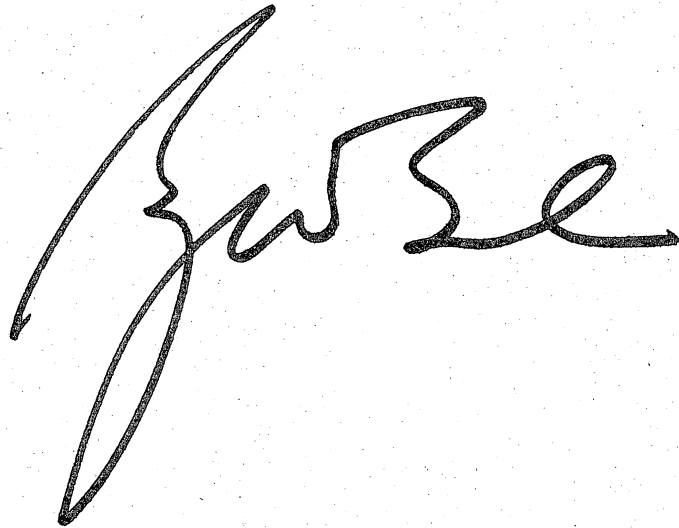
- The Department of Defense shall develop and deploy missile defenses capable of protecting not only the United States and our deployed forces, but also friends and allies;
- The Secretary of Defense shall also structure the missile defense program in a manner that encourages industrial participation by friends and allies, consistent with overall U.S. national security; and
- The Secretaries of Defense and State shall promote international missile defense cooperation, including within bilateral and alliance structures such as NATO, and shall negotiate appropriate arrangements for this purpose.

As part of our efforts to deepen missile defense cooperation with friends and allies, the United States shall seek to eliminate unnecessary impediments to such cooperation. The Secretaries of Defense and State shall review existing policies and practices governing technology sharing and cooperation on missile defense, including U.S. export control regulations and statutes, with this aim in mind. They shall issue a report with recommendations for improvements including, if appropriate, proposals for statutory changes within 6 months. This review will be a related, but distinct part of the broader effort to update and strengthen all U.S. export controls, as called for in the National Strategy to Combat Weapons of Mass Destruction.

The goal of the Missile Technology Control Regime (MTCR) is to help reduce the global missile threat by curbing the flow of missiles and related technology to proliferators. The MTCR and missile defenses play complementary roles in countering the global missile threat. The United States intends to implement the MTCR in a manner that does not impede missile defense cooperation with friends and allies. In support of these objectives, the Secretaries of Defense and State shall review U.S. policy concerning the impact of U.S. commitments under the MTCR on cooperation and transfers of missile defense systems and technology to other countries and issue a joint report in 6 months on the results of that review. The report should include any recommendations for improvements to existing policies and practices.

Conclusion

The new strategic challenges of the 21st century require us to think differently, but they also require us to act. The deployment of effective missile defenses is an essential element of the United States' broader efforts to transform our defense and deterrence policies and capabilities to meet the new threats we face. Defending the American people against these new threats is my highest priority as Commander in Chief, and the highest priority of my Administration.

A handwritten signature in dark ink, appearing to read "GWB", with a large, sweeping loop on the left side.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Memorandum for the President - To: POTUS - From: Condoleezza Rice	2	12/14/2002	P1/b1; P5;

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FRC ID:

38287

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4049

NARA Num.:

FOIA IDs and Segments:

2014-0390-F

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	[Memorandum] - To: Condoleezza Rice - From: John Rood	1	12/12/2002	P1/b1; P5;

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SERIES:

NSPDs

FOLDER TITLE:

NSPD-23

FRC ID:

38287

OA Num.:

4049

NARA Num.:

FOIA IDs and Segments:

2014-0390-F

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

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Memorandum	[Memorandum]	2	N.D.	P1/b1; P5;

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Draft	National Policy on Ballistic Missile Defense	6	N.D.	P5;

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Email	[Email] - To: John I. Pray - From: William H. Leary	1	12/13/2002	P1/b1; P5;

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